

Seneca County Board of Supervisors

Regular Meeting

November 13, 2007

7:00 p.m.

Call to Order

Chairman Barto called the meeting to order at 7:00 p.m.

Roll Call of Members by the Clerk

All fourteen members of the Board of Supervisors answered roll call

Presentations

- a. Employee of the 3rd Quarter was awarded to Carol Cunningham who works in the County Law Department as a Senior Clerk
- b. Veterans Award Ceremony. Several veterans were honored by the Board of Supervisors and received State and Military medals for their service in the armed forces during World War II, the Korean War, the Vietnam War, and the Persian Gulf War.

Petitioners

- a. Moe Young, Director of Seneca County Tourism, spoke about progress made in tourism for Seneca County as a result of the County being the Tourism Promotion Agency for the past several years. Mrs. Young also announced she would be retiring in December 2008
- b. R.S. (Bob) Knight, Seneca Falls, NY, urged the Board of Supervisors to keep Seneca County as the Tourism Promotion Agency and not designate the Chamber of Commerce as Tourism Promotion Agency.
- c. Donna Cunningham, Seneca County, spoke in favor of designating the Chamber of Commerce as the Tourism Promotion Agency for Seneca County.

Submission of Claims for Audit

Supervisors vouchers	#3401 - 3722	totaling	\$	386,378.87
OFA vouchers	#582 - 641	totaling	\$	73,927.33
Workforce Development vouchers	#190 - 212	totaling	\$	27,712.29
Insurance vouchers	#63 - 67	totaling	\$	9,172.23
County Airport vouchers	#79 - 89	totaling	\$	9,803.17
Airport Capital vouchers	#2	Totaling	\$	2,115.00
Jail Capital Project vouchers	#231 - 237	totaling	\$	14,684.32
E-911 Capital vouchers	#33	totaling	\$	816.00
Sheriff Department	#506 - 542	totaling	\$	75,307.16
Highway Transportation vouchers				

Maintenance & State Snow	#302 - 332	totaling	\$	144,974.09
Highway Machinery	#376 - 421	totaling	\$	206,705.78
		Highway Total	\$	351,679.87

Approval of Meeting Minutes

The minutes for the October board meetings were approved as presented.

Reports of Standing Committees

Public Works Committee, Lee Davidson, Chair, reported that the committee discussed the pros and cons of using a stone dust / salt mix for clearing roads in the winter.

Public Safety Committee – Robert Shipley, Chair, reported that the committee was recommending Board of Supervisors approval by resolution for the Chairman of the Board to sign grant extension documents for funding anti-narcotic equipment and approval by resolution for the STOP-DWI 2008 Program plan.

Human Services Committee – Mr. Mooney, Chair, reported that the committee was recommended a resolution for the Chairman of the Board to sign an agreement with Youth Advocate Program Inc. for Anger Management Services.

Indian Affairs Committee – Dr. Dresser, Chair, reported that on October 30 the US District Court Judge Joseph Bianco struck down the Shinnecock Indian Nation’s bid to build a casino in the Hamptons.

On November 1, the Governor’s office issues a press release assaying that his administration had no plans to collect taxes on Indian gas and cigarette sales to non-Indian’s this year and \$200 million in projected revenues was left out of the 2007 budget.

On November 6 lawyers for Oneida and Madison counties argued before the Second Circuit Court of Appeals for the right to foreclose on Oneida Indian Nation land if property taxes were unpaid.

The groundwork was completed for a conference call with the Upstate Citizens for Equality and Schumer’s Washington D.C. office requested by Senator Schumer and was pending staff instruction from Schumer’s Rochester office.

A copy of Dr Dresser’s complete report was filed with the Office of the Clerk of the Board of Supervisors

Public Health Committee – Mr. Lafler, Chair, reported that the committee recommended a resolution authorizing the Chairman of the Board to sign a contract amendment with NYS Department of Health Integrated Cancer Services Grant for an increase of funding from \$50,247 to \$53,343.

Planning, Development, Agriculture & Tourism Committee – Mr. Kaiser, Chair, reported that later in the meeting, the Board of Supervisors would be voting on a resolution designating the Chamber of Commerce as the Tourism Promotion Agency.

Finance, Assessment & Insurance Committee – Mr. Anglim, Chair, reported that the discussion is continuing regarding the 2008 budget, specifically positions that were requested be created for 2008 and salary upgrades due to position upgrades.

Chairman's Remarks

The topic of Chairman Barto's remarks was, The Voice of the People.

Last week, the voters of each town in the county, and the county as a whole, made their voices known as the direction of our county over the next several years.

I would like to congratulate each and every winning candidate. They worked hard and they all deserve our applause, regardless of party affiliation.

Those of us who follow politics will, of course, try to read the meaning in the results beyond the individual races. Some will claim a general victory for "their" side out of the dozens of individual races in each town and countywide.

I, however, like to believe that the real winners are the voters. In each case, no matter what the outcome was, the voters made it a reality. They participated in our democratic process and had the ultimate effect on it. More than the politicians themselves, more than the media, more than the campaign chairpersons, it is the voter who decides our county's direction each November. As Alcuin of York, the Renaissance era Catholic scholar and poet, proclaimed, "The voice of the people is the voice of God."

And as the winners, the voters deserve the rewards. They deserve a government that functions effectively and economically. They deserve leaders who work together for the common good.

I know I speak for the members of this board who will be returning next year when I say that we will do our best for you. I am proud of the increased civility that this year's board has enjoyed, and hope that it will continue next year.

With the election over, the real work begins, namely, the work of the people. Let's get to it and let's do so with civility, creativity and innovation.

A copy of Chairman Barto's remarks was filed with the Office of the Clerk of the Board.

Communications

247. From Orleans County Legislature, a copy of Resolution No. 411-1007, *Opposing Governor Spitzer's Policy to Allow Illegal Immigrants to Secure New York State Drivers Licenses* and Resolution No. 430-1007, *Supporting the Medicaid County Protection Act of 2007 – H. R. 326*.

248. From Putnam County Legislature, a copy of Resolution #212, *Opposition to Governor Spitzer's Proposed Policy Change / Issuance of Drivers License*.

249. From Essex County Board of Supervisors, a copy of Resolution No. 316, “*Supporting the Medicaid County Protection Act of 2007*” – H.R. 326.
250. From Warren County Board of Supervisors, a copy of Resolution No. 614 of 2007, *Supporting Seneca County’s Board of Supervisors’ Chairman’s letters to Governor Spitzer Regarding the Collection of taxes on Sales of Motor Fuel and Cigarettes by Indian Enterprises to Non-Indians and in Opposition to Negotiation with the Cayuga Indian Nation for a Class III Casino.*
251. From Sally Webster, Fayette, NY, an email supporting the designation of Tourism Promotion Agency to the Chamber of Commerce.
252. A copy of minutes from the 911 Board meeting on October 9, 2007.
253. A copy of minutes from the Finger Lakes Resource Conservation & Development Council, Inc. meeting on September 12, 2007.
254. A copy of minutes from the InterCounty Association of Western New York meeting on October 19, 2007.
255. A copy of minutes from the Seneca County Board of Health meeting on October 18, 2007.
256. A copy of minutes from the Seneca County IDA meeting on September 20, 2007.
257. A copy of minutes from the Seneca County Planning Board meeting on October 11, 2007.
258. A copy of minutes from the Seneca County Soil & Water Conservation District meeting on September 25, 2007.

Resolutions and Motions

SUPERVISORS APPROVE WAGE INCREASES FOR MANAGEMENT, CONFIDENTIAL AND ELECTED OFFICIALS

RESOLUTION NO. 276-07, moved by Mr. Anglim, seconded by Mrs. Teichner and adopted by 690 ayes (Anglim, Teichner, Reynolds, Barto, Smith, Davidson, Dresser, Kaiser, Same, Lafler, Amidon, Mooney, Robinson) and 60 nays (Shiple).

WHEREAS, the Finance, Assessment & Insurance Committee have recommended that, based on the cost of living index, that a 3% cost of living be applied to the management compensation schedule; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors does hereby authorize a three percent (3%) cost of living increase to the management compensation plan for all appointed full-time and part-time Seneca County Department Heads, Management employees, other management confidential employees, attorneys and elected officials for the year 2008, effective January 1, 2008.

AUTHORIZATION TO PUBLISH NOTICE OF PUBLIC REVIEW FOR “NOTICE OF FINDING OF NO SIGNIFICANT IMPACT” (NOFA) AND CHAIRMAN AUTHORIZED TO SIGN GOSC-CDBG CONTRACT

RESOLUTION NO. 277-07, moved by Mr. Kaiser, seconded by Mr. Mooney and unanimously adopted by 750 ayes.

WHEREAS, Seneca County has been approved for a \$100,000 MICRO Program for 2007 from the New York State Governor's Office for Small Cities (GOSC); and

WHEREAS, after execution of the contract, an environmental review is required prior to release of the funds; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors authorize and directs the Chairman to sign the MICRO Contract and related documents; and be it

FURTHER RESOLVED, that the Seneca County Board of Supervisors does hereby authorize a public notice as part of the environmental review process according to the GOSC guidelines; and be it

FURTHER RESOLVED, that the Clerk of the Board is hereby authorized and directed to advertise for said public review; and be it

FURTHER RESOLVED, that Bill Bordeau is approved as the designated Certifying Officer responsible for all activities associated with the environmental review process.

AMENDMENT TO NEW YORK STATE MATCHING FUNDS PROGRAM

RESOLUTION NO. 278-07, moved by Mr. Kaiser, seconded by Mr. Smith and unanimously adopted by 750 ayes.

WHEREAS, the Seneca County Board of Supervisors passed a resolution to amend the Room Tax total to \$90,806; and

WHEREAS, the Board of Supervisors needs to make an additional adjustment to add an additional \$348.00 to increase the matching funds room tax commitment to \$91,154; and

WHEREAS, this resolution has been reviewed and approved by the Planning, Development, Agriculture & Tourism Committee on November 13, 2007; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors amends the total for the matching funds grant to increase the Matching Funds Room Tax commitment by \$348.00; and be it

FURTHER RESOLVED, that the total for the New York State Matching Funds Grant will be \$91,154 for the 2007-2008 Year.

**RESOLUTION DESIGNATING SENECA COUNTY CHAMBER OF COMMERCE, INC. AS
TOURISM PROMOTION AGENCY PURSUANT TO THE NEW YORK STATE TOURIST
PROMOTION ACT AS OF DECEMBER 15, 2007**

RESOLUTION NO. 279-07, moved by Mr. Kaiser, seconded by Mr. Smith and adopted by 466 ayes (Kaiser, Smith, Reynolds, Barto, Anglim, Mooney, Robinson, Shipley) and 284 nays (Davidson, Dresser, Same, Lafler, Amidon, Teichner).

WHEREAS, the Seneca County Chamber of Commerce, Inc., is a Not For Profit Corporation organized under the laws of the State of New York; now, therefore be it

RESOLVED, the Seneca County Board of Supervisors designates the Seneca County Chamber of Commerce, Inc., (“the Chamber”) as the Tourism Promotion Agency (“TPA”) for 2007-08, effective December 15, 2007, and hereby authorizes the Chamber to submit the applications and marketing plans to the Tourism Matching Funds Program, to receive matching funds, and to represent the county in tourism promotion efforts.

RESOLUTION AUTHORIZING AGREEMENT FOR CONSULTING SERVICES BETWEEN THE COUNTY OF SENECA AND THE SENECA COUNTY CHAMBER OF COMMERCE, INC. RESOLUTION NO. 280-07, moved by Mr. Kaiser, seconded by Mr. Smith and adopted by 466 ayes (Kaiser, Smith, Reynolds, Barto, Anglim, Mooney, Robinson, Shipley) and 284 nays (Davidson, Dresser, Same, Lafler, Amidon, Teichner).

WHEREAS, the Seneca County Chamber of Commerce, Inc., is a Not For Profit Corporation organized under the laws of the State of New York; and

WHEREAS, the Seneca County Board of Supervisors is desirous of designating the Seneca County Chamber of Commerce, Inc., (“the Chamber”) as the Tourism Promotion Agency (“TPA”) for 2007-08, effective December 15, 2007, and hereby authorizing the Chamber to submit the applications and marketing plans to the Tourism Matching Funds Program, to receive matching funds, and to represent the county in tourism promotion efforts; and

WHEREAS, the parties have determined that it would be in the best interests of Chamber and County to execute a written agreement memorializing the respective duties of the Chamber and County in promoting tourism under this designation;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

SECTION A. Services to be performed by the Chamber.

The Chamber shall, during the term of such contract, perform the duties of the County’s “Tourism Promotion Agency,” as said term is used in Article 5-A of the Economic Development Law (“EDL”) of the State of New York, including, but not limited to, the authority to make application for and receive grants for the purposes specified in said law, as well as the following:

1. work collaboratively with the County, including the Seneca County Advisory Committee on Tourism (SCACOT) to develop a strategic plan and establish a framework and set of priorities for Seneca County’s tourism promotion efforts, including, but not limited to, communication and strategic marketing to foster an environment for business growth and development;
2. the administration of funds allocated to the Matching Funds program set forth under EDL and all corresponding reporting to the State, including but not limited to:

a) The preparation and implementation of the annual Tourism Promotion Agency (Chamber) Budget for the “I Love New York Matching Funds Program

b) The preparation of the annual application to the “I Love New York Tourism Matching Funds Program;

3. regularly communicate the activities of the tourism program to Chamber members and the public through printed and new electronic newsletters, and made available to the rest of the business community through the Chamber’s website, quarter tab newsletter, press releases, and semi-annual tourism forums; these communications will also serve to highlight sectors and unique aspects of the Seneca County Tourism industry;

4. In consultation with the County, assist in the following:

a) Manage and execute the activities of the “I Love New York” program including advertising, travel shows, video production and reporting;

b) annual production of the County Travel Guide will be monitored by SCACOT to ensure cost effectiveness and timely delivery

c) Establish, develop and maintain communications with key travel industry organizations, business groups and governmental agencies on the local, regional and state levels; implement new collaborative efforts among entities within the county, which will increase the attractiveness of Seneca County as a destination not only for tourism, but business as well

d) Coordinate tourism activities with the Seneca County Director of Economic Development and the Seneca County Board of Supervisors;

e) Represent the Chamber at hearings, seminars, conventions, etc. to make known its views, purpose and services;

f) Establish and maintain a working relationship with news media and prepares news media releases to guarantee exposure of the area;

g) Oversee the production of brochures and promotional literature including writing, editing, layout, proofreading and distribution to key locations

h) Perform speaking engagements in order to further promote the tourism industry.

5. The Chamber shall identify other opportunities to expand resources for regional marketing while directly benefiting Seneca County, including, but not limited to a program or policies to generate local match through co-op advertising related to opportunities in the county, in order to include county assets in marketing efforts and free up a portion of the room tax revenues for other initiatives as well as providing materials and programs for tourism businesses, communications, and investing in new technologies to broaden the scope of tourism promotion effort.

6. The Chamber, as the TPA, coupled with SCACOT, shall effectively monitor and promulgate changes in a responsible manner. To measure the effectiveness of the tourism program's activities, it shall identify several sources of tracking data as follows: as set forth in the Chambers 2007 action plan. The chamber shall use this data to quantify Seneca County's exposure as a tourist destination, and better track actual tourism patterns within the county. The information will also be communicated regularly to the business community and Board of Supervisors, as a means of accountability.

7. a. The Chamber shall, at least three months prior to December 15, 2008, present to the County Board of Supervisors a plan detailing, in the event of attrition in the County Tourism Director position, a transfer of the tourism director and tourism specialist duties to the Chamber, including, but not limited to the following issues to be addressed:

- The Tourism Director and Tourism Specialist positions, and all funding sources currently allocated to the Tourism Department, would be transferred to the Chamber. Seneca County's tourism promotion efforts would become the sole responsibility of the Chamber. The parties understand that there would be no additional financial loss or gain for either party through this transition.

- The Chamber would provide office space and additional support staff for the program.

- The SCACOT would remain in its role.

- The tourism plan and program budget would be presented to the Board of Supervisors annually for review and approval in allocating funds.

- The Matching Funds program has detailed use and reporting guidelines. Quarterly and final reports required by the DED will be provided to the county.

- The Chamber will keep the Board of Supervisors and County Planning, Development, Agriculture & Tourism Committee informed regarding program activity including tracking statistics.

- The administrative burden on the county and Economic Development and Planning Department would be lessened, allowing more time to focus on other priorities.

b. Nothing herein shall obligate the county to transfer said duties or positions unless and until it is satisfied that to do so in the best interests of the county.

SECTION B: Services to be performed by the County:

1. The County will assign its tourism director to consult with the Chamber in order that the parties might better direct, coordinate, and assist in the planning of Seneca County's tourism, travel and recreation development efforts in accordance with county policy directives and strategic planning goals, including, but not limited to, the following:

a) Assist the Chamber with the preparation and implementation of the annual Tourism Promotion Agency (Chamber) Budget for the "I Love New York Matching Funds Program,

b) Assist the Chamber with the preparation of the annual application to the “I Love New York Tourism Matching Funds Program;

c) Manage and execute the activities of the “I Love New York” program including advertising, travel shows, video production and reporting;

d) Prepare notices and minutes of meetings of the Seneca County Advisory Committee on Tourism and its established committees;

e) Prepare and implement annual county budget and reports to the County Legislature at the end of the fiscal year;

f) Establish, develop and maintain communications with key travel industry organizations, business groups and governmental agencies on the local, regional and state levels;

g) Coordinate tourism activities with the Seneca County Director of Economic Development and the Chamber;

h) Together with employees of the Chamber, represent the joint tourism interests of the County and the Chamber at hearings, seminars, conventions, etc. to make known its views, purpose and services;

i) Establish and maintain a working relationship with news media and prepares news media releases to guarantee exposure of the area;

j) Oversee the production of brochures and promotional literature including writing, editing, layout, proofreading and distribution to key locations

k) Perform speaking engagements in order to further promote the tourism industry.

2. The County will assign a tourism specialist to consult with the Chamber in order to perform, under general supervision of the County’s Tourism Director, a variety of duties in collaboration with the Chamber dealing with the assistance of promoting and providing information to the public on activities, events, lodging facilities, dining establishments, outdoor recreation, attractions, group tour programs and conference facilities in Seneca County, as well as public relations activities with additional responsibilities for clerical, bookkeeping and office operational activities, including, but not limited to, the following:

a) Act as receptionist for Tourism Division, answer telephone inquiries on tourism matters and assist walk-in inquiries relating to tourism;

b) May act as secretary to the Director of Tourism by filing, sorting mail, typing correspondence and memoranda and answering telephone inquiries relating to tourism and recreation activities;

c) Coordinate events involving tourism activities in the area, including attending trade shows;

d) Prepare various types of data required for recreation or tourism activities such as schedules of events, activities newsletter, directional maps of area, maps to recreation areas and related general information;

- e) Prepare and maintain records and reports including inventory of tourism brochures and related supplies;
- f) Maintain records and prepares reports as directed by the Director;
- g) Answer and respond to inquiries and provide service to local groups or organizations sponsoring tourist related events;
- h) Assist walk-in inquiries relating to Seneca County Tourism;
- i) Assist in preparing booklets, pamphlets, leaflets, lectures, special reports and other promotional literature;
- j) Maintain a variety of records relating to billing procedures, maintenance of the county's budget activities;
- k) Maintain the department's account system;
- l) Manage "information" system by maintaining lists of brochures, ordering brochures and flyers, clips useful articles and information, maintains extensive information files and keeps them current;
- m) Prepare notices and minutes of meetings for the Tourism Office;
- n) Maintain the web site and calendar of events for Seneca County;
- o) The Tourism Director and Tourism specialists shall remain employees and agents of the County, serve under the general direction of the County and serve only as an independent contractor the Chamber.

3. The County Economic Development and Planning Director shall coordinate with the SCAOT and the County, including the Board of Supervisors, to ensure that action items identified from the strategic plan are pursued.

SECTION C: Terms of Compensation

1. The Chamber shall be compensated through and by the funds it receives from the State of New York as a Tourism Promotion Agency pursuant to Article 5-A of the Economic Development Law ("EDL") of the State of New York. In addition, the County shall commit the necessary funds from room tax revenues as the local match based upon the Matching Funds award.

2. Matching room tax funds will be transferred to a separate Chamber bank account not to be intermingled with other funds.

3. The Chamber shall agree that New York State Matching Funds guidelines provide that any tourism-related business, event, etc., is eligible to participate in the county/regional co-op program, and further, because tax dollars are involved there can be no unlawful restrictions allowed on TPA activities, including, but not limited to, a members-only policy.

4. The Chamber shall receive no other compensation from the County at this time.

5. The County shall continue to pay the salaries, benefits and related expenses of the Tourism Director and Tourism Specialist as long as they might remain county employees;

AND BE IT FURTHER RESOLVED, that the above referenced Agreement shall become effective December 15, 2007, and shall continue in full force and effect, unless terminated earlier by the parties, for a period of one (1) year, subject to the written approval of the Tourism Promotion Agency designation the State Department of Economic Development; and be it

FURTHER RESOLVED, that the Chair of the Board of Supervisors is hereby authorized and directed to execute an agreement with the Chamber memorializing the terms of this agreement in a form and content approved by the County Attorney.

**CHAIRMAN OF THE BOARD OF SUPERVISORS AND TOBACCO ENFORCEMENT OFFICER
AUTHORIZED AND DIRECTED TO SIGN DOCUMENTS WITH THE NEW YORK STATE
DEPARTMENT OF HEALTH**

RESOLUTION NO. 281-07, moved by Mr. Lafler, seconded by Mr. Kaiser and unanimously adopted by 750 ayes.

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

WHEREAS, these grants are: Early Intervention Administration for \$30,562; Children with Special Health Care Needs for \$16,884; and Adolescent Tobacco Use Prevention Act (ATUPA, Article 13-F of the Public Health Law) for \$28,103; and

WHEREAS, it is necessary for the Chairman of the Board of Supervisors to sign the Early Intervention and Children with Special Health Care Needs Grants and the Tobacco Enforcement Officer must sign the ATUPA grant; now, therefore be it

RESOLVED, the Chairman of the Board of Supervisors and the Tobacco Enforcement Officer are authorized and directed to sign these grants.

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

RESOLUTION NO. 282-07, moved by Mr. Lafler, seconded by Mrs. Amidon and unanimously adopted by 750 ayes.

WHEREAS, the New York State Department of Health has amended the Integrated Cancer Services Grant that the Health Department receives; and

WHEREAS, the funding amount has been increased from \$50,247 to \$53,343 for the period April 1, 2007 through March 31, 2008; and

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

RESOLVED, the Chairman of the Board is hereby authorized and directed to sign this grant amendment.
**CHAIRMAN OF THE BOARD OF SUPERVISORS AUTHORIZED TO SIGN THE OFFICE FOR THE
AGING FOUR YEAR PLAN FOR SERVICES AND FUNDING APPLICATIONS**

RESOLUTION NO. 283-07, moved by Mr. Mooney, seconded by Mr. Same and unanimously adopted by 750 ayes.

WHEREAS, the Seneca County Office for the Aging is required to submit the Four Year Plan for Services for the period April 1, 2008- March 31, 2012 for Seneca County and funding applications for the period April 1, 2008- March 31, 2009; and

WHEREAS, two public hearings have been held on September 25, 2007 in Waterloo, NY and September 27, 2007 in Ovid, NY on said plan; now, therefore be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to sign the Office for the Aging Four Year Plan and funding applications; and be it

FURTHER RESOLVED, that the Director of the Office for the Aging is hereby authorized and directed to submit such funding applications and enter into agreements and contracts as described in said plan.

**BOARD APPROVAL FOR WORKFORCE DEVELOPMENT TO INCREASE APPROPRIATION
ACCOUNTS**

RESOLUTION NO. 284-07, moved by Mr. Mooney, seconded by Mr. Robinson and unanimously adopted by 750 ayes.

WHEREAS, due to an increase in Summer Youth Expenses, the Workforce Development Department is requesting an increase to the following Revenue Account; and

20-320-3-4909 SUMR TANF	+ \$51,754.33
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WHEREAS, to increase the following Appropriation Accounts as follows:

20-125-5-6011-1-202 Youth Participation P-T	+ \$47,434.72
20-125-5-6011-8-302 Social Security	+ \$ 2,940.84
20-125-5-6011-8-402 Worker's Compensation	+ \$ 840.28
20-125-5-6011-8-702 Medicare	+ \$ 538.49

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

RESOLVED, that the Seneca County Board of Supervisors does hereby authorize the Workforce Development Department to increase Appropriation Accounts.

RESOLUTION APPROVING THE SENECA COUNTY STOP-DWI PROGRAM PLAN FOR 2008

RESOLUTION NO. 285-07, moved by Mr. Shipley, seconded by Mr. Lafler and unanimously adopted by 750 ayes.

WHEREAS, the Seneca County STOP-DWI Coordinator has recommended a STOP-DWI Program Plan for submittal to the State of New York for approval; and

WHEREAS, the STOP-DWI Advisory Board has recommended approval for the Plan; and

WHEREAS, the Public Safety Committee has met and reviewed said request with a majority of the members voting approval; and

WHEREAS, approval of said Plan by the State of New York will provide continued funding for the STOP-DWI Program; now therefore be it

RESOLVED, that the Seneca County Board of Supervisors hereby approves the STOP-DWI Program Plan in the form as filed with the Clerk of the Board of Supervisors for submittal to the State of New York for State approval and funding, and moves its adoption.

BOARD OF SUPERVISORS AUTHORIZE SHERIFF'S DEPARTMENT GRANT EXTENSION

RESOLUTION NO. 286-07, moved by Mr. Shipley, seconded by Mr. Mooney and unanimously adopted by 750 ayes.

WHEREAS, the New York State Division of Criminal Justice Services has entered into an agreement with Seneca County to provide a \$5,000 equipment grant to the Seneca County Sheriff's Department for the purchase of an anti-narcotics body-wire; and

WHEREAS, it is necessary to amend and extend the grant until March 31, 2008 in order to ensure the equipment is received within the grant period; and

WHEREAS, the Chairman, Board of Supervisor's signature is required to apply for an extension; and

WHEREAS, the New York State Division of Criminal Justice Services will permit a grant extension in order to purchase this equipment; and

WHEREAS, this resolution has been reviewed and approved by the Public Safety Committee on November 13th, 2007; now, therefore be it

RESOLVED, that the Chairman, Board of Supervisors is hereby authorized and directed to sign all necessary paperwork to apply for this New York State Division of Criminal Justice Services grant extension.

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

RESOLUTION NO. 287-07, moved by Mrs. Amidon, seconded by Dr. Dresser and unanimously adopted by 750 ayes.

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

WHEREAS, this purchase was reviewed and approved by the Mental Health Committee of the Board of Supervisors on October 23, 2007; and

NOW, THEREFORE BE IT RESOLVED, that the County of Seneca, Mental Health Department is authorized to purchase (1) Ricoh MP5500SP for the cost of \$10,886 from Usherwood Office Technology, 1005 West Fayette Street, Syracuse NY 13204; through State Contract #PC59459, using Child Clinic Plus start up funds with no County cost; and be it

FURTHER RESOLVED, that the County Treasurer is hereby authorized to transfer \$10,886 from account 10-115-5-4320-4700 into account 10-115-5-4320-2200 for said purchase.

MOTION TO ENTER INTO EXECUTIVE SESSION FOR PURPOSE OF DISCUSSING THE MEDICAL, FINANCIAL, CREDIT OR EMPLOYMENT HISTORY OF A PARTICULAR PERSON OR CORPORATION, OR MATTERS LEADING TO THE APPOINTMENT, EMPLOYMENT, PROMOTION, DEMOTION, DISCIPLINE, SUSPENSION, DISMISSAL OR REMOVAL OF A PARTICULAR PERSON OR CORPORATION

RESOLUTION NO. 288-07, moved by Mr. Kaiser, seconded by Mr. Same and unanimously adopted by 750 ayes.

WHEREAS, under New York State Public Officers Law Article 7, upon a majority vote of its total membership, taken in an open meeting pursuant to a motion identifying the general area or areas of the subject or subjects to be considered, a public body may conduct an executive session for the purpose of discussing the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation;

NOW, THEREFORE BE IT RESOLVED THAT the Seneca County Board of Supervisors hereby enters into executive for the purpose of discussing the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation; and be it further

RESOLVED that attendance at this executive session shall be permitted to any member of the Board of Supervisors and the following other persons authorized by the Board: County Manager, Clerk of the Board, County Attorney and Personnel Director.

Mrs. Amidon made a motion to suspend the rules of order. Mr. Reynolds made a second to the motion. The motion to suspend the rules of order was carried.

SUPERVISORS AUTHORIZE CHAIRMAN OF THE BOARD TO SIGN AND TRANSMIT RESPONSE TO CORRESPONDENCE RECEIVED FROM GOVERNORS OFFICE RELATED TO THE NON-COLLECTION OF TAXES BY THE STATE ON GASOLINE AND CIGARETTE SALES BY INDIAN SOLD TO NON-INDIANS

RESOLUTION NO. 289-07, moved by Dr. Dresser, seconded by Mrs. Amidon and unanimously adopted by 750 ayes.

NOW, THEREFORE, BE IT RESOLVED the Seneca County Board of Supervisors hereby authorizes and directs the Chairman of the Board of Supervisors to sign and transmit a letter of response to the correspondence received from Mr. R. Rifkin, of Governor Spitzer's Office, related to the non-collection of taxes by the state on gasoline and cigarette sales by Indians sold to non-Indians.

New Business

Mr. Shipley was recognized by Chairman Barto. Mr. Shipley read a statement criticizing the process of searching for candidates to fill the position of county manager stating, "the process has been inadequate and a far cry from the "open government" selection process outlined by the selection committee." Mr. Shipley said he did not object to the candidate being considered, but objected to the "...lack of accountability to the full Board of Supervisors" citing a "non-binding "straw poll" as justification to initiate formal negotiations" and that the County Attorney's opinion regarding the straw poll was "flawed". He urged the board members to withhold the vote on the county manager confirmation until other candidates were considered, especially interested parties who lived in Seneca County or the state of New York (a copy of Mr. Shipley's statement was filed with the Office of the Clerk of the Board of Supervisors).

Chairman Barto responded to Mr. Shipley by stating the ground rules for process of hiring a county manager was "set-up" by Mr. Shipley when he was Chairman of the Board; and pointed out that Mr. Shipley should have shared objections earlier and during the process.

Mrs. Amidon said she was "insulted" by Mr. Shipley's remarks concerning the County Manager Search Committee. As a member of said committee she supported its recommendations and the process.

Dr. Dresser said that Mr. Shipley was not in the position to criticize because Mr. Shipley did not attend two of the three meetings with three candidates.

The Board of Supervisors convened in Executive Session at 8:15 p.m. and reconvened in regular session at 9:25 p.m.

SUPERVISORS OFFER COUNTY MANAGER POSITION TO NOMINATED CANDIDATE

RESOLUTION NO. 290-07, moved by Dr. Dresser, seconded by Mrs. Amidon and adopted by 630 ayes (Dresser, Amidon, Reynolds, Barto, Smith, Davidson, Kaiser, Same, Lafler, Anglim, Teichner, Robinson) and 120 nays (Mooney, Shipley).

RESOLVED, that the Board of Supervisors, of the County of Seneca, does hereby offer the full-time, exempt position of county manager to Suzanne Sinclair of Coupeville, WA, effective January 1, 2008 with an annual salary of \$79,016.00, contingent upon the duties and term of four-years, as set forth under Local Law A, Year 2007.

Special Order of the Day

Dr. Dresser made a motion to adjourn the meeting. Mr. Same made a second. The meeting was adjourned at 9:27 p.m.