

SENECA COUNTY BOARD OF SUPERVISORS

REGULAR MEETING

December 23, 2008

8:00 p.m.

Call to Order

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

Roll Call of Members by the Acting Clerk

All members of the Board of Supervisors were present.

Pledge of Allegiance and Moment of Silence

Petitions/Petitioners

- a. Employee of the Third Quarter 2008 - Mary Lou Lang, Substance Abuse Educator
- b. The Reverend David Milhayli - The Matter of Success Equals Salvation.

Approval of Meeting Minutes

The minutes of the meetings on November 11, 2008 and November 25, 2008 were approved.

Reports of Standing Committees

Mrs. Amidon, Chair, reported that the Government Operations Committee recommended Tuesday, January 6, 2009 at 3:00 p.m. for the Organizational meeting of the Board of Supervisors.

Mr. Davidson, Chair, reported that the roof on the Maintenance Shop 2 was in need of repair. Four quotes were received and the Public Works Committee was recommending Peterman Lumber, having bid the lowest dollar amount, to do the work.

Dr. Dresser, Chair, reported that the Personnel & Technology Committee met in executive session for the purpose of holding discussions on the promotion and salary increase of a particular individual; on the proposed management salary schedule; and to discuss the on-going negotiations with CSEA. No action was taken by the Committee.

Chairman's Remarks

Chairman Lafler spoke about the fact that it was a fine example of the County Manager to raise money for United Way and that he is grateful for the Board and the Employees of Seneca County. He wished everyone a Merry Christmas and Happy New Year.

County Manager's Remarks

The County Manager wished everyone a Merry Christmas. She spoke about the Finger Lakes Interns Program and what a great opportunity it is. She also indicated that she is very happy with the contributions to United Way (783 pounds to date).

County Attorney's Remarks:

The County Attorney reported that there will be a Resolution this evening, hopefully, on at least one matter that he was involved with. He also wished everyone a Merry Christmas.

Communications

The following communications were received and filed:

226. A copy of minutes of the Seneca County Board of Health meeting on November 19th, 2008.
227. A copy of minutes of the Seneca County Federation of Sportsmen's Clubs, Inc. meeting on October 21, 2008.
228. A copy of the Finger Lakes Workforce Investment Board Annual report for program year July 1, 2007 to June 30, 2008.
229. A copy of the NYS Public Service Commission Recommended Decision dated November 26, 2008 that the best option for area code relief in the 315 region is the Overlay Option.
230. A copy of a memorializing petition signed on November 26, 2008 by the members of the Oneida County Board of Legislators applauding the efforts taken by Seneca and Cayuga Counties to enforce the collection of sales taxes on sales to non-Indian owned enterprises.
231. A letter dated December 2, 2008 from NYS Office of Parks, Recreation and Historic Preservation stating the Cobblestone House at 5102 Route 89, Varick, Seneca County, was listed on the National Register of Historic Places on August 6, 2008.
232. An email from Kay Sievers, President, Animal Right Mobilization, dated December 8, 2008 urging support for a spay / neuter program in Seneca County.
233. An email from Samantha Mullen, Chair, Legislation Committee, NYS Humane Association, urging support for funding of the humane law enforcement activities of the Seneca County SPCA and a spay / neuter program.
234. An email from Mark and Claire Benjamin, Lodi, NY, urging financial assistance for the Beverly Animal Shelter.
235. A petition with 401 signatures supporting the Beverly Animal Shelter and appealing to the Board of Supervisors to include \$30,000 in the 2009 Seneca County Budget.

Resolutions and Motions

APPROPRIATION FOR SOIL & WATER CONSERVATION DISTRICT

RESOLUTION NO. 294-08, moved by Mr. Barto, seconded Dr. Dresser, and unanimously adopted.

WHEREAS, Chapter 727 of the Laws of the State of New York, 1940, as amended, provides that the Board of Supervisors may appropriate to the Soil and Water Conservation District for the year 2009 moneys to be expended in accordance with the budget submitted to the Board; now, therefore, be it

RESOLVED, that the Board of Supervisors appropriate the sum of \$298,353 for the Seneca County Soil and Water Conservation District for the year 2009; and be it

FURTHER RESOLVED, that the Seneca County Treasurer is hereby authorized and directed to pay the duly elected and properly bonded Treasurer of the Seneca County Soil and Water Conservation District the sum of \$74,588.25 in advance of each quarter beginning January 1, 2009.

DEBITS AND CREDITS

RESOLUTION NO. 295-08, moved by Mr. Barto, seconded by Mrs. Amidon and unanimously adopted.

WHEREAS, due to errors and audit adjustments on the 2008 tax rolls, corrections must be made to adjust the 2009 tax levy; now, therefore, be it

RESOLVED, that the following Towns be charged as follows, thus increasing their share of the 2009 County General Tax:

Fayette	894.49
Junius	997.73
Ovid	1,479.90
Seneca Falls	13.97
Varick	48.17
Waterloo	765.70
TOTAL	\$4,199.96

LEVY COUNTY TAXES

RESOLUTION NO. 296-08, moved by Mr. Barto, seconded by Mrs. Amidon and unanimously adopted.

WHEREAS, the County tax levy for the year 2009 in the amount of \$9,674,178 has been adopted by the Board of Supervisors; and

WHEREAS, this amount has been apportioned to the several Towns; now, therefore, be it

RESOLVED, that there be assessed, levied, and collected from the various Towns, the following amounts which are to be paid to the Seneca County Treasurer:

Covert	957,412.39
Fayette	1,540,280.38
Junius	371,841.04
Lodi	584,055.38
Ovid	739,813.25
Romulus	759,580.26
Seneca Falls	2,291,624.80
Tyre	240,159.25
Varick	792,165.90

Waterloo	1,397,245.33
TOTAL	\$9,674,177.98

LEVY RETURNED SCHOOL TAXES

RESOLUTION NO. 297-08, moved by Mr. Barto, seconded by Mr. Mooney and unanimously adopted.

RESOLVED, that there be assessed, levied and collected from the various Towns, the following school taxes for the year 2008 and when collected, to be paid to the County Treasurer:

Covert	163,887.68
Fayette	269,997.69
Junius	147,276.06
Lodi	159,517.06
Ovid	141,913.39
Romulus	154,924.53
Seneca Falls	620,084.38
Tyre	72,552.57
Varick	157,171.63
Waterloo	404,616.98
TOTAL	\$2,291,941.97

LEVY TOWN TAXES

RESOLUTION NO. 298-08, moved by Mr. Barto, seconded by Mr. Reynolds and unanimously adopted.

WHEREAS, there has been presented to the Board of Supervisors a duly certified copy of the annual budget of each of the several Towns in the County of Seneca for the fiscal year beginning January 1, 2009; now, therefore, be it

RESOLVED, that there be assessed, levied and collected from the various taxable property situated in the following towns outside of incorporated villages wholly or partially therein, amounts indicated below for Highway Item I and General purposes as specified in the amount for the respective

Towns:

<u>TOWN</u>	<u>ITEM I</u>	<u>GENERAL</u>
Covert	177,610.00	
Fayette	469,876.00	
Junius	185,000.00	
Lodi	288,429.00	4,302.00
Ovid	435,737.00	622.00
Romulus	261,122.00	7,423.00
Seneca Falls	75,478.00	

Tyre	173,483.00	
Varick	167,120.00	
Waterloo	110,500.00	34,950.00

AND BE IT FURTHER RESOVED, that there be assessed, levied and collected from the real property liable therefore, within the respective fire and other special districts in the following Towns, the amounts indicated below as specified in the budget of the respective Towns:

<u>TOWN</u>	<u>SPECIAL DISTRICT</u>	<u>AMOUNT</u>
Covert	Trumansburg Fire	\$79,201.29
	Interlaken Fire	90,183.02
	South Seneca Ambulance	12,736.80
Fayette	Fayette Varick Fire	48,511.00
	Fayette-Seneca Lake Fire Protection #1	26,000.00
	Fayette-Seneca Lake Fire Protection #2	26,000.00
	Varick Volunteer Fire	36,133.00
	Canoga Fire Protection	70,100.00
	Canoga Light District	2,049.00
	Fayette-Varick Light	1,655.00
	Fayette Water Dist #1 Ext.	20,897.00
	Co. House Rd/Rt 96 Water	41,838.00
	Cayuga Lake Water Dist #3	64,969.00
Junius	Junius Fire Protection	82,626.00
	Junius Water District	36,710.00
	Junius Water Dist. #2	6,674.48
Lodi	Ovid-Lodi Fire	74,472.00
	South Seneca Ambulance	36,292.00
Ovid	Ovid-Lodi Fire	8,582.93
	Ovid-Romulus Fire	81,183.96
	Ovid-Interlaken Fire	35,719.50
	South Seneca Ambulance	49,146.48
Romulus	Ovid-Romulus Fire	116,750.46
	Varick Volunteer Fire	2,949.00
	Romulus – Varick Fire	56,598.15
	Willard Light District	4,700.00
	Hayts Corners Light	1,300.00

	Romulus – Varick Light	3,400.00
	Spring Light	3,800.00
	Lakeshore Light	2,465.00
	Willard Water & Sewer Ext	1,876.00
	Romulus Sewage District #1	5,027.00
	South Seneca Ambulance	42,031.44
Seneca Falls	Bridgeport Fire	161,854.00
	Seneca Falls Fire	118,500.00
	Ken-Mor Light	2,750.00
	Seneca Falls Outside Refuse	99,085.00
	Bridgeport Sewage	226,647.00
	Bridgeport Area Water	11,348.00
	Seneca Falls West Sewer	10,000.00
Tyre	Tyre Fire Prot Dist.	90,866.00
	Tyre Water District #1	16,800.00
Varick	Fayette – Varick Fire	64,194.00
	Varick Volunteer Fire	73,633.00
	Romulus – Varick Fire Prot	49,613.85
	Romulus – Varick Light	3,200.00
	Fayette – Varick Light	1,300.00
	Varick Sewage District #1	4,077.00
	Seneca Lake Water Dist.	44,589.00
	Seneca Lake Sewer Dist. #2	60,000.00
	South Seneca Ambulance	31,051.14
Waterloo	Border City Fire	162,748.14
	Waterloo Fire Prot	59,000.00
	Border City Light	20,000.00
	Waterloo Drainage	120.00
	Border City Sewage	62,250.00
	5 & 20 Sewer District	95,465.00
	Waterloo Hydrant	3,750.00
	Border City Water	9,025.00
	Burgess Rd Water	0.00

AND BE IT FURTHER RESOLVED, that the amounts to be raised by tax for all other purposes specified in the budget presented to this Board shall be and are hereby assessed, levied and to be collected from the taxable property in the Towns listed below except as otherwise provided by law:

<u>TOWN</u>	<u>GENERAL</u>	<u>ALL OTHERS</u>
Covert	\$243,620.00	\$161,273.00
Fayette	155,957.00	284,074.00
Junius	31,000.00	
Lodi	206,643.00	112,031.00
Ovid	129,490.49	37,217.00
Romulus	297,613.00	
Seneca Falls		
Tyre	132,667.00	500.00
Varick	150,078.00	
Waterloo	382,370.00	265,500.00

AND BE IT FURTHER RESOLVED, that such taxes and assessments, when collected, shall be paid to the Supervisors of the respective Towns in the amounts shown by this resolution for distribution by them in the manner prescribed by law.

LEVY RETURNED VILLAGE TAXES

RESOLUTION NO. 299-08, moved by Mr. Barto, seconded by Mr. Hayssen and unanimously adopted.

RESOLVED, that there be assessed, levied and collected from the various Towns, the following 2008 returned village taxes and, when collected, to be paid to the County Treasurer:

Town of Covert	18,220.04
Town of Fayette	29,741.40
Town of Lodi	4,584.27
Town of Ovid	36,133.16
Town of Romulus	671.00
Town of Seneca Falls	240,746.91
Town of Waterloo	129,439.35
TOTALS	459,536.13

RATIFY TAX ROLLS

RESOLUTION NO. 300-08, moved by Mr. Barto, seconded by Mr. Terryberry and unanimously adopted.

RESOLVED, that the taxes as extended on the rolls of the several Towns are hereby approved and the collectors are directed to collect the same on the warrants as signed by the Chairman and the Clerk of the Board of Supervisors.

APPROPRIATION FOR EXTENSION SERVICE

RESOLUTION NO. 301-08, moved by Mr. Barto, seconded by Mr. Davidson and unanimously adopted.

WHEREAS, a total budget of \$322,405 has been submitted by the Cornell Cooperative Extension Association; and

WHEREAS, this budget has been approved by the Board of Supervisors; now, therefore, be it RESOLVED, that the appropriation of \$322,405 be allocated to the Cooperative Extension Association for the year beginning January 1, 2009; and be it

FURTHER RESOLVED, that the Seneca County Treasurer is hereby authorized and directed to pay the sum of \$80,601.25 in advance of the first day of each quarter beginning January 1, 2009 to the duly elected and properly bonded Treasurer of the Seneca County Cornell Cooperative Extension Association; and be it

FURTHER RESOLVED, that the Chair of the Seneca County Board of Supervisors is hereby authorized and directed to execute such Memorandum of Agreement as may be approved by Cornell University as the agent for the State of New York, purposes set forth therein and requiring an annual report of the end of the year containing therein a true and accurate account of all receipts and expenditures of said Association.

TREASURER AUTHORIZED TO PAY MORTGAGE TAX

RESOLUTION NO. 302-08, moved by Mr. Barto, seconded by Mrs. Amidon and unanimously adopted.

WHEREAS, the mortgage tax report for the period April 1, 2008 through Sept 30, 2008 has been filed; now, therefore, be it

RESOLVED, that the County Treasurer is hereby authorized and directed to pay to the municipalities of Seneca County the amount apportioned as follows:

<u>TOWN</u>	<u>AMOUNT ALLOCATED</u>	<u>VILLAGE SHARE</u>	<u>TOWN SHARE</u>
Covert	19,383.00	1,098.60	18,284.40
Fayette	27,715.70	1,611.33	26,104.37
Junius	9,511.25		9,511.25
Lodi	10,086.50	419.45	9,667.05
Ovid	15,493.50	1,056.09	14,437.41
Romulus	20,887.00	104.45	20,782.55
Seneca Falls	66,656.95	18,505.48	48,151.47
Tyre	7,663.25		7,663.25
Varick	11,727.94		11,727.94
Waterloo	<u>29,734.00</u>	<u>539.79</u>	<u>23,194.21</u>

TOTALS 218,859.09 9,335.19 189,523.90

**BOARD OF SUPERVISORS REAPPOINT BARBARA MC CALL TO THE SENECA COUNTY
BOARD OF HEALTH**

RESOLUTION NO. 303-08, moved by Mr. Hayssen, seconded by Mr. Mooney and unanimously adopted.

WHEREAS, as stipulated in Public Health Law, the oversight for the Public Health Department is provided by the Board of Health; and

WHEREAS, the composition of the Board of Health is also prescribed in Public Health Law; and

WHEREAS, members of the Board of Health are appointed for a six year term by the Board of Supervisors; and

WHEREAS, Barbara McCall has completed her first six-year term on the Board, and currently serves as Chairperson of the Board of Health; and

WHEREAS, she has agreed to accept an additional six-year term; and

WHEREAS, the Board of Health and Public Health Committee members endorse her reappointment; now, therefore, be it

RESOLVED, that the Board of Supervisors does hereby reappoint Barbara McCall to a six year term on the Board of Health.

**RESOLUTION TO CALL UPON THE BUREAU OF INDIAN AFFAIRS TO CONSIDER THE
ECONOMIC IMPACT OF THE FAILURE TO COLLECT TAXES ON RETAIL SALES ON
INDIAN OWNED PROPERTY WITHIN THE COUNTY IN DETERMINING THE
ENVIRONMENTAL IMPACT OF THE CAYUGA INDIAN LAND-INTO-TRUST
APPLICATION**

RESOLUTION NO. 304-08, moved by Mr. Same, seconded by Mr. Shipley and unanimously adopted.

WHEREAS, the Cayuga Indian Nation of New York (the "Nation") has applied to the Bureau of Indian Affairs ("BIA") for a fee-to-trust transfer (the "Trust Application") of approximately 129 acres of property (the "land") located within the Counties of Cayuga and Seneca; and

WHEREAS, pursuant to the Trust Application, the BIA is required by Federal Law, including the National Environmental Policy Act to analyze the potential environmental impacts of taking the Land into trust, including the impact to Cayuga and Seneca Counties and its residents of exempting the Land from all State, County and Local regulation and law (including all environmental, health, and safety regulations and laws) and exempting the Land from any taxation and fees, including those used to maintain roads, sewers, and other infrastructure as well as police, fire and other municipal services that will continue to be utilized by the Lands and their inhabitants even if the Trust Application is granted; and

WHEREAS, as part of the NEPA process, a comment period was held in order to determine the nature and extent of environmental impacts to be analyzed by BIA in the NEPA Draft Environmental Impact Statement (“DEIS”), and the nature and extent of the environmental impacts for the DEIS is identified in document known as the scoping report which identifies each of the environmental impacts to be reviewed in the DEIS; and

WHEREAS, during comment period for the scope for the DEIS for the Land Into Trust Application by the Nation, the Counties specifically requested that the BIA consider each of the potential impacts associated with the transfer of the Land into trust, including, but not limited to, among others, requesting that BIA in accordance with applicable law, analyze each of the environmental impacts and other socio-economic impacts from such transfer, including, but not limited to the socio-economic impacts of the sale of untaxed cigarettes, gasoline, and other goods on the residents of Seneca and Cayuga Counties, and including the loss of tax revenue associated with such sales, the unfair economic advantage that will be enjoyed by Nation enterprises over those enterprises that must pay taxes and fees, including the likelihood of resulting losses of other non-Nation businesses in the Counties that do not have the advantage of being exempt from paying taxes and fees; and

WHEREAS, by a scoping report issued in November, 2006, by the consultant for BIA, AKRF, the BIA made clear that it had no intention of evaluating the socio-economic impacts of the sales of untaxed cigarettes, gasoline and other goods and services on Seneca or Cayuga County, including those outlined above, should the Trust Application be granted; now, therefore, be it

RESOLVED, Seneca County reiterates its request that the BIA, in accordance with applicable law, analyze the potential negative impacts associated with granting the Land Trust Application, including the negative impacts associated with the sales of untaxed cigarettes and gasoline and other goods and services by Nation enterprises in Seneca County and in particular the negative effects of the potential sales at multiple non-contiguous sites.

**RESOLUTION TO EXPRESS SUPPORT FOR ENFORCEMENT BY THE GOVERNOR OF
THE NEW LEGISLATION RECENTLY ENACTED FOR THE PURPOSE OF COLLECTING
SALES TAXES ON INDIAN OWNED LANDS**

RESOLUTION NO. 305-08, moved by Mr. Same, seconded by Dr. Dresser, and unanimously adopted.

WHEREAS, in light of the recent decision by Judge Fisher dated December 09, 2008, which refused to grant an injunction that would prevent Cayuga and Seneca County from ensuring taxes were collected on untaxed cigarettes, the need to have the State take actions to establish an exemption procedure limited to nation to tribal member sales has been affirmed; now, therefore, be it

RESOLVED, Seneca County calls upon the Governor to: (1) enforce the new law (to be codified as Tax Law Section 471(4)) as enacted; (2) direct the Tax Commissioner to issue stamps and to take all

necessary actions to enforce Tax Law Section 471-e statewide; (3) formulate policies and regulations preventing any further land from being established on or after the date hereof as a “qualified reservation” as defined under the Tax Law; and (4) enact other legislation to prohibit tax free sales of gasoline and other goods and services to non-tribal members.

CHAIRMAN OF THE BOARD TO SIGN THE 2009 AGREEMENT BETWEEN THE SENECA COUNTY DIVISION OF HUMAN SERVICES AND THE FINGER LAKES COMMUNITY COLLEGE FOR EDUCATION COORDINATOR SERVICES

RESOLUTION NO. 306-08, moved by Mr. Mooney, seconded by Mr. Davidson and unanimously adopted.

WHEREAS, the Seneca County Division of Human Services would like to enter into an agreement with Finger Lakes Community College for the Employee Education and Training Program and Education Coordinator Services; and

WHEREAS, the Education Coordinator will provide education and training opportunities to DHS full time employees that will help strengthen and develop workplace skills; and

WHEREAS, the 2008 Employee Education and Training Program provides DHS employees options to earn college credit toward completion of a College Certificate, Associate’s, Bachelor’s, or Master’s degree, and attend in-service and non-credit training programs; and

WHEREAS, this contract will not exceed \$57,172.00; and

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

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign the 2009 Finger Lakes Community College agreement for Education Coordinator Services.

BOARD OF SUPERVISORS AUTHORIZES AND DIRECTS THE CHAIRMAN TO NOTIFY THE NEW YORK STATE OFFICE OF HOMELAND SECURITY OF SENECA COUNTY’S INTENT TO WITHDRAW FROM THE 2007 PUBLIC SAFETY INTEROPERABLE COMMUNICATIONS (PSIC) GRANT PROGRAM

RESOLUTION NO. 307-08, moved by Mr. Shipley, seconded by Mr. Mooney and unanimously adopted.

WHEREAS, Seneca County received a 2007 Public Safety Interoperable Communications (PSIC) grant in June 2008 in the amount of \$1,141,400 to develop a county-wide 800MHz wireless digital Public Safety data network; and

WHEREAS, this grant amount was predicated on a total project estimate of \$1,426,760, with Seneca County responsible for \$285,360 in local funds, and any additional costs that might develop; and

WHEREAS, this grant is part of a Federal program from the United States Department of Commerce and the United States Department of Homeland Security, with a funding sunset date of September 30, 2010; and

WHEREAS, by statute the program cannot be extended for any reason; and

WHEREAS, due to the statewide financial situation, Seneca County is not in a financial position to provide local dollars to meet the local commitment within the grant contract period; and

WHEREAS, New York State Office of Homeland Security officials have indicated that due to these circumstances, Seneca County could withdraw from the program without any negative impact upon future grant opportunities; and

WHEREAS, this resolution has been reviewed and approved by the Public Safety Committee on December 9, 2008; now, therefore, be it

RESOLVED, that the Seneca County Board of Supervisors authorizes and directs the Chairman of the Board to notify the New York State Office of Homeland Security of Seneca County's intent to withdraw from the FY 2007 Public Safety Interoperable Communications Grant.

**CHAIRMAN OF THE BOARD AUTHORIZED TO SIGN RENEWAL AGREEMENT RE:
COURT CLEANING AND MINOR REPAIRS**

RESOLUTION NO. 308-08, moved by Mr. Davidson, seconded by Mr. Same and unanimously adopted.

WHEREAS, the New York Court System reimburses Seneca County for cleaning and minor repairs for the Courthouse; and

WHEREAS, a renewal agreement is necessary in order for the state to process the claim for the reimbursement for the 2008-2009 fiscal year in the amount of \$169,660 subject to approval by the State Comptroller; and

WHEREAS, the Board of Supervisors oversight committee for Public Works has approved this resolution at its meeting on November 25, 2008; now, therefore, be it

RESOLVED, that the Chairman of the Board is hereby authorized and directed to sign the renewal agreement with the New York State Office of Court Administration for the fiscal year 2008-2009, which will provide reimbursement to Seneca County in the amount of \$169,660 subject to approval by the State Comptroller.

New Business:

Mrs. Amidon moved a suspension of the rules to introduce the following resolution.

**SUPERVISORS AMEND THE RULES OF THE BOARD FOR
2009 ORGANIZATIONAL MEETING**

RESOLUTION NO. 309-08, moved by Mrs. Amidon, seconded by Mr. Hayssen and unanimously adopted.

RESOLVED, that the Seneca County Board of Supervisors does hereby amend the Rules of the Board as follows: Organizational Meeting for the year 2009 of the Seneca County Board of Supervisors to be held January 6, 2009 at 3:00 p.m.

BOARD OF SUPERVISORS AUTHORIZES AND DIRECTS CHAIRMAN TO ENTER INTO AGREEMENT WITH THE TOWN OF FAYETTE FOR ZONING ENFORCEMENT SERVICES
RESOLUTION NO. 310-08, moved by Mr. Hayssen, seconded by Mr. Westfall and unanimously adopted.

WHEREAS, the Town of Fayette and the County of Seneca are desirous of entering into an agreement pursuant to §284(I) of the New York State Town Law for enforcement of the Town of Fayette Land Use and Sub-division Regulations (Zoning Code); and

WHEREAS, this resolution was approved by the Public Health Services Committee for recommendation to the Board of Supervisors; now, therefore, be it

RESOLVED, that the Chairman is authorized and directed to enter into a contract with the Town of Fayette pursuant to §284(I) of the New York State Town Law to provide zoning code enforcement services for the Town of Fayette under the Land Use and Sub-division regulations of the Town of Fayette; and be it further

RESOLVED, that the terms of such agreement shall provide for reimbursement of the County by the Town of Fayette for personnel for such purpose at the rate of \$25.00 per hour; that such agreement shall continue for an initial trial period of six months with an option to be reviewed after three months, that any reimbursement or funding through any program or grant from the State of New York shall be divided between the County and the Town of Fayette in proportion to their respective contributions.

Mr. Same moved to enter executive session to hold discussions on pending or current litigation. The Board entered executive session at 8:27 p.m. and reconvened in regular session at 9:18 p.m.

Special Order of the Day

The meeting was adjourned at 9:19 p.m.