

SENECA COUNTY BOARD OF SUPERVISORS

REGULAR MEETING

January 27, 2009

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

Eleven members of the Board of Supervisors answered roll call. Not present were James Terryberry, Robert Shipley and Robert Hayssen.

Pledge of Allegiance and Moment of Silence

Petitions/Petitioners:

a. Veterans Recognition Award Presentation:

- Carmen Speno, WWII Arm - Good Conduct Medal Set (Army); Honorable Service Lapel Button WWII (4 stars); American Campaign Medal Set; Asiatic-Pacific Campaign Medal Set; WWII Victory Medal Set.
- Robert O. Bennett, Jr. - National Defense Service Medal; Vietnam Service Medal and Bronze Star Attachment (triple); Combat Infantryman Badge 1st Award; Combat Medical Badge 1st Award; Republic of Vietnam Campaign Ribbon with Device (1960); Expert Badge and Mortar Bar; Sharpshooter Badge and Grenade Bar; Marksman Badge and Rifle Bar; Republic of Vietnam Gallantry Cross with Palm Unit Citation.
- Malcolm W. Brown - Vietnam Service Medal with 4 Battle Stars; Korean Defense Service Medal; Meritorious Unit Commendation; Republic of Vietnam Gallantry Cross with Palm Device.
- Ronald Steele - Korean Defense Service Medal.
- Joseph G. Gobeille, Jr.- Certificate of Recognition for Service During Cold War Era.
- Francis E. Hurd - New York State Medal for Merit, 1 Gold Shield Device and Companion Certificate; New York State Conspicuous Service Star Medal and Companion Certificate; Good Conduct Medal; Presidential Unit Citation; European-Middle Eastern Campaign Medal and Silver Star Attachment; WWII Victory Medal; Honorable Service Lapel Button WWII.
- Charles H. Boyer (posthumously) - New York State Medal for Merit, 2 Silver Devices and Companion Certificate.
- Donald Jarvis (posthumously) - Good Conduct Medal; American Campaign Medal; European-African-Middle Eastern Campaign Medal; WWII Victory Medal; Honorable Service Lapel Button WWII; Expert Badge with Carbine Bar; Marksman Badge with Rifle Bar.

- Nicholas H. Mazzarella - Navy Good Conduct Medal; Marine Corps Good Conduct Medal; WWII Victory Medal; American Campaign Medal; Asiatic Pacific Campaign Medal; European-African-Middle Eastern Campaign; China Service Medal; National Defense Service Medal; Honorable Service Lapel Pin (Ruptured Duck); Discharge Button.

- Raymond F. Becker - Navy Good Conduct Medal; National Defense Service Medal.

- James L. Jarvis - Army Commendation Medal; Good Conduct Medal; National Defense Service Medal; Vietnam Service Medal with 1 Bronze Service Star; Republic of Vietnam Campaign Ribbon with Device (1960).

- Jerry L. Welch - New York State Medal for Merit Medal set and companion certificate; received the New York State Medal for Merit Set and Companion Certificate; National Defense Service Medal; Vietnam Service Medal with 1 Silver Service Star; Republic of Vietnam Campaign Ribbon with Device (1960); Expert Badge with Rifle Bar; Marksman Badge with Pistol Bar.

- Kevin Charles Wilkins - New York State Conspicuous Service Cross Medal, 1 Silver Cross Shield Device and Companion Certificate; New York State Conspicuous Service Star Medal Set 2 Silver – 1 Gold Shield Devices and Companion Certificate.

- Timothy M. McLaughlin - Marine Corps Good Conduct Medal and the Meritorious Unit Commendation Ribbon.

b. Website Presentation: - Phil Spellane, Rich Reissing and Carl Slate, of Harris Beach introduced the website, www.nocayugalandintotrust.net. The website is sponsored and managed by the governing bodies of Seneca and Cayuga Counties. The purpose of the website is to educate the public on the issue of the Cayuga Nation's application for 130 acres of land in the two counties as land-into-trust and encourage the public to oppose the land-into-trust application

Approval of Meeting Minutes

The December 23, 2008 meeting minutes were approved as presented.

Reports of Standing Committees

Government Operations Committee, Mrs. Amidon, Chairperson reported that the Committee approved amending the text of the County Purchasing Policy because the current language could be interpreted as obtaining three quotes for purchases as low as one cent. It was also decided by the Committee that the committee meetings would be held in the Heroes Conference Room

Human Services Committee, Mr. Mooney, Chairman, reported on the approval by Committee for the Chairman of the Board of Supervisors to sign the following: The 2009 Seneca County Reintegration Project Agreement with the Youth Advocate Program, Inc.; the contract with Workforce Investment Board for WIRED / WorkKeys Program; and the contract with ESI Health Association EAP, Inc. as the provider for the Employee Assistance Services program offered to Seneca County employees.

Indian Affairs Committee, Dr. Dresser, Chairman, reported that a website was developed through the efforts of Harris Beach. The purpose of the website was to keep the public informed on matters regarding land-in-trust issues. It would also allow the public to make comment regarding the Draft Environment Impact Statement from the BIA. The website address is www.nocayugalandintrust.net.

Personnel and Technology Committee, Mr. Same, Chairman, reported that his committee heard from Stephanie Engester, Labor Relations Specialist for the CSEA regarding the wage issue in the upcoming contract. They also discussed changes to the Policy for Electronic Communications. He said that the County Manager will be working on the revisions and will bring back to the Committee at a later date.

Planning, Development, Agriculture & Tourism, Mr. Kaiser, Chairman, reported that the Committee approved Board resolutions for the following items: appointments to the Soil and Water Conservation Board; contracting with McFarland Johnson to serve as the County's Airport consulting engineers; and contracting with Clark Patterson Lee as consultants for the Routes 5&20 / 414 Corridor Project. The Committee also directed the County Manager to draft a policy on the appropriation of privately raised funds being held in trust by Seneca County for the Sampson Veterans Memorial Cemetery.

Finance, Assessment & Insurance Committee, Mr. Barto, Chairman, reported that the committee approved the delegation of authority to the County Treasurer to correct the tax bills and refund the taxes; and approved apportionment payment to towns for dog licenses and other related fees.

Chairman's Remarks

Chairman Lafler spoke about a letter to the editor in the Finger Lakes Times speaking about how grateful the party was for the services provided by the Office of the Aging, and most particularly, Angela Reardon.

Mr. Lafler also spoke about two local wineries winning awards in California for their wines. He talked about reading Dr. Dresser's State of the Town message, which was very good and about Mr. Mooney's picture being in the paper at Lowe's opening.

County Manager's Remarks

The County Manager spoke about the Workforce Investment, Genesee Finger Lakes Planning Council and how she is looking forward to the NYSAC meeting in February. She spoke about her attendance at the Seneca County Chamber of Commerce Annual Dinner and how she enjoyed meeting the various parties who attended.

County Attorney's Remarks:

The County Attorney submitted his Department's Annual Report. He indicated that if anyone had any questions, to please call him. He indicated that his office to continue to bring in money for the County.

Communications

13. The 2008 Annual Report of the Seneca County Historian.
14. A copy of minutes of the E-911 Board meeting on January 13, 2009.
15. A copy of Governor Paterson's 2009 State of the State Address
16. From Yates County Legislature, a copy of Resolution 35-09, Approval / Memorialization / Support of Continuation / Empire Zone Program.
17. From the Genesee / Finger Lakes Regional Planning Council request for Seneca County's contribution to GFLRPC's 2009 Budget; and for the Board of Supervisors to approve the GFLRPC's performance bond. Referred to the Planning, Agriculture & Tourism Committee.

Resolutions and Motions

AUTHORIZATION TO CORRECT & REFUND TAXES TO COUNTY TREASURER

RESOLUTION NO. 10-09, moved by Mr. Barto, seconded by Mrs. Amidon and adopted by 579 ayes (Barto, Amidon, Reynolds, Serven, Davidson, Dresser, Kaiser, Same, Lafler, Mooney, Westfall) and 171 absentees (Terryberry, Shipley, Hayssen).

WHEREAS, Section 554(9) & 556(8) of the Real Property Tax Law authorizes the tax levying body such as the Seneca County Board of Supervisors to delegate its authority to the County Treasurer to correct errors and refund taxes, as provided by Section 554(1-8) and 556(1-7) of the said law; and

WHEREAS, it would be in the best interest of the Board of Supervisors and taxpayers of Seneca County to delegate the refunding authority to expedite the corrective refund process; now, therefore, be it

RESOLVED, that the Seneca County Board of Supervisors delegates the authority to correct and refund taxes pursuant to Section 554 and Section 556 of the Real Property Tax Law to the County Treasurer for the fiscal year 2009 where said applications are for \$2,500.00 or less; and be it

FURTHER RESOLVED, that the County Treasurer submit a report to the Board of Supervisors before the 15th of each month detailing the corrections and refunds granted for the prior month. Said resolution to be effective until December 31, 2009.

**APPORTION FUNDS COLLECTED UNDER ARTICLE SEVEN OF THE NEW YORK STATE
AGRICULTURE AND MARKETS LAW**

RESOLUTION NO. 11-09, moved by Mr. Barto, seconded by Dr. Dresser and adopted by 579 ayes (Barto, Dresser, Reynolds, Serven, Davidson, Kaiser, Same, Lafler, Amidon, Mooney, Westfall) and 171 absentees (Terryberry, Shipley, Hayssen).

WHEREAS, the Annual Report of the County Treasurer on Funds received for dog licenses and other related fees under Article Seven of the New York State Agriculture and Markets Law has been received; and

WHEREAS, there is a surplus of \$3,348.54 and pursuant to Section 111 of the New York State Agriculture and Markets Law, 75% of these funds (\$2,511.41) may be apportioned to the various Towns; now, therefore, be it

RESOLVED, that the Seneca County Treasurer apportion said funds for payment to the Towns as follows:

Covert	170.93
Fayette	425.05
Junius	40.16
Lodi	116.43
Ovid	120.03
Romulus	148.56
Seneca Falls	617.80
Tyre	150.85
Varick	218.54
Waterloo	<u>503.06</u>
TOTAL	2,511.41

AND BE IT FURTHER RESOLVED that, pursuant to Agriculture and Markets Law §111(3), such money shall be used by the towns only for the purposes of controlling dogs and enforcing the provisions of Article 7 of the Agriculture and Markets Law of the State of New York and/or any rule, regulation, or local law or ordinance adopted pursuant thereto, including subsidizing the spaying or neutering of dogs and any facility, as authorized under section one hundred seventeen of said Article 7, used therefore, and subsidizing public humane education programs in responsible dog ownership.

A RESOLUTION AUTHORIZING PAYMENT OF SURVEYING FEES

RESOLUTION NO. 12-09, moved by Mr. Barto, seconded by Mr. Mooney and adopted by 579 ayes (Barto, Mooney, Reynolds, Serven, Davidson, Dresser, Kaiser, Same, Lafler, Amidon, Westfall) and 171 absentees (Terryberry, Shipley, Hayssen).

WHEREAS, the Seneca County Board of Supervisors engaged the services of Michael D. Karlsen, Licensed Land Surveyor through Resolution No. 332-05; and

WHEREAS, Resolution No. 332-05 authorized services not to exceed \$2,800; and

WHEREAS, additional services were required to accomplish the task set forth in Resolution No. 332-05; and

WHEREAS, the fee for these additional services comes to \$925.00 and an invoice has been presented for the total of \$3,725.00; and

WHEREAS, this resolution was approved by the Finance, Assessment & Insurance Committee at its meeting on January 13, 2009; now, therefore, be it

RESOLVED, the Seneca County Board of Supervisors authorizes the payment of \$3,725.00 to Michael D. Karlsen, Licensed Land Surveyor, in complete payment for the services rendered pursuant to Resolution No. 332-05; and be it

FURTHER RESOLVED, that the amount of \$3,725.00 be encumbered from the Contingency Funds remaining from the 2008 Seneca County Budget.

**A RESOLUTION AUTHORIZING REIMBURSEMENT OF CERTAIN SPAY – NEUTER FEES
TO SENECA COUNTY SPCA**

RESOLUTION NO. 13-09, moved by Mr. Mooney, seconded by Mr. Kaiser and adopted by 548 ayes (Mooney, Kaiser, Reynolds, Barto, Serven, Dresser, Same, Lafler, Amidon, Westfall) and 31 nays (Davidson) and 171 absentees (Terryberry, Shipley, Hayssen).

WHEREAS, the Seneca County Board of Supervisors finds that there is a need to provide spaying and neutering services for companion animals in Seneca County; and

WHEREAS, the Seneca County Society for the Prevention of Cruelty to Animals (SCSPCA) is a not-for-profit organization who wishes to provide access to spaying and neutering services, especially for low-income pet owners; and

WHEREAS, the SCSPCA needs additional funds to provide such access; and

WHEREAS, the Public Health Committee has reviewed the request made by the SCSPCA and recommends that Seneca County provide up to \$6,000 during 2009, to reimburse any shortfall between the spay-neuter clinic minimum requirement and client fees generated; now, therefore, be it

RESOLVED, the Seneca County Board of Supervisors authorizes and directs the Chairman of the Board of Supervisors to sign a contract between Seneca County and the SCSPCA to provide up to \$6,000 during 2009, to reimburse any shortfall between the spay-neuter clinic minimum requirement and client fees generated; and be it

FURTHER, RESOLVED, that the 2009 Budget be amended to reflect the decrease of the Contingent Fund by the amount of \$6,000, the creation of General Resources account number 8795.47, Seneca County SPCA, and the addition of \$6,000 to line 8795.47.

RESOLUTION TO PROVIDE ANIMAL SHELTER SERVICES IN SENECA COUNTY

RESOLUTION NO. 14-09, moved by Mr. Mooney, seconded by Mr. Same and adopted by 579 ayes (Mooney, Same, Reynolds, Barto, Serven, Davidson, Dresser, Kaiser, Lafler, Amidon, Westfall) and 171 absentees (Terryberry, Shipley, Hayssen).

WHEREAS, the Seneca County Board of Supervisors finds that there is a need to provide animal shelter services in Seneca County for the welfare of the public; and

WHEREAS, the Beverly Animal Shelter is a not-for-profit corporation whose main purpose is to provide animal sheltering and other ancillary services; and

WHEREAS, the Public Health Committee has reviewed the services provided and the requested payment terms; and

WHEREAS, the Public Health Committee recommends the services and terms of payment; now, therefore, be it

RESOLVED, the Seneca County Board of Supervisors authorizes and directs the Chairman of the Board of Supervisors to sign a contract with the Beverly Animal Shelter providing for such services and directing the payment of \$30,000 in equal monthly amounts to the Beverly Animal Shelter.

**APPOINTMENT TO THE SENECA COUNTY SOIL AND WATER CONSERVATION
DISTRICT COMMITTEE (FREIER)**

RESOLUTION NO. 15-09, moved by Mr. Kaiser, seconded by Mrs. Amidon and adopted by 579 ayes (Kaiser, Amidon, Reynolds, Barto, Serven, Davidson, Dresser, Same, Lafler, Mooney, Westfall) and 171 absentees (Terryberry, Shipley, Hayssen).

WHEREAS, the Seneca County Soil and Water Conservation District Committee has a vacancy; and

WHEREAS, the Planning, Development, Agriculture & Tourism Committee approved this resolution at its January 13, 2009 meeting; now, therefore, be it

RESOLVED, that the Board of Supervisors does hereby appoint Elisabeth Freier to the Seneca County Soil and Water Conservation District Committee for a three (3) year terms to expire December 31, 2011.

**APPOINTMENTS TO THE SENECA COUNTY AGRICULTURAL ENHANCEMENT BOARD
(HUFFINES AND ZUGIBE)**

RESOLUTION NO. 16-09, moved by Mr. Kaiser, seconded by Mrs. Amidon and adopted by 579 ayes (Kaiser, Amidon, Reynolds, Barto, Serven, Davidson, Dresser, Same, Lafler, Mooney, Westfall), and 171 absentees (Terryberry, Shipley, Hayssen).

WHEREAS, there are two vacancies on the Seneca County Agricultural Enhancement Board; and

WHEREAS, the Seneca County Farm Bureau has submitted the name of two candidates to fill said vacancies as the Farm Bureau representative and as a qualified farmer; now; therefore, be it

RESOLVED, that the Board of Supervisors does hereby appoint Brad Huffines as a member who is a qualified farmer to the Seneca County Agriculture Enhancement Board for a four-year term to expire December 31, 2010; and be it

FURTHER RESOLVED, that the Board of Supervisors does hereby appoint Brendan Zugibe as a member who is the Farm Bureau representative to the Seneca County Agriculture Enhancement Board for a four-year term to expire December 31, 2010.

**REQUEST PROPOSALS FOR PROFESSIONAL CONSULTANT SERVICES REGARDING
THE SAMPSON VETERANS MEMORIAL CEMETERY**

RESOLUTION NO. 17-09, moved by Mr. Kaiser, seconded by Mrs. Amidon and adopted by 579 ayes (Kaiser, Amidon, Reynolds, Barto, Serven, Davidson, Dresser, Same, Lafler, Mooney, Westfall) and 171 absentees (Terryberry, Shipley, Hayssen).

WHEREAS, Seneca County has embarked on a project to develop a Veterans Memorial Cemetery on the grounds of the former Sampson Air Force and Naval Base; and

WHEREAS, the Master Planning and Phase One development planning efforts are nearly complete and the project will soon be moving into the detailed design development and construction phases; and

WHEREAS, the County will require the services of a consultant to assist with construction and project management; and

WHEREAS, the consultant services are costs which are eligible for reimbursement under state grant funds and are anticipated to be included in the Phase One Budget; and

WHEREAS, this resolution has been reviewed and approved by the Planning, Development, Agriculture & Tourism Committee on January 27, 2009; now, therefore, be it

RESOLVED, that the Seneca County Board of Supervisors hereby directs the Departments of Planning and Community Development and Engineering to prepare and issue Requests for Proposal (RFP) from qualified firms for work on the Sampson Veterans Memorial Cemetery Project.

**BOARD OF SUPERVISORS SUPPORTS CONSULTANT SELECTION FOR FINGER LAKES
REGIONAL AIRPORT ENGINEERING CONSULTANT SERVICES**

RESOLUTION NO. 18-09, moved by Mr. Kaiser, seconded by Mrs. Amidon and adopted by 579 ayes (Kaiser, Amidon, Reynolds, Barto, Serven, Davidson, Dresser, Same, Lafler, Mooney, Westfall) and 171 absentees (Terryberry, Shipley, Hayssen).

WHEREAS, Seneca County owns and operates the Finger Lakes Regional Airport located in the Town of Seneca Falls; and

WHEREAS, Seneca County recently solicited Requests for Qualifications (RFQ) from qualified firms to assist the County in the operation, maintenance and further development of the airport; and

WHEREAS, a Committee was formed to review, consider and recommend to the Board of Supervisors the most qualified firm to serve the County's airport needs; and

WHEREAS, Seneca County received five (5) responses to the RFQ; and

WHEREAS, the firm of McFarland Johnson demonstrated the ability to best serve the interests of Seneca County; and

WHEREAS, this resolution has been reviewed and approved by the Planning, Development, Agriculture & Tourism Committee on January 27, 2009; now, therefore, be it

RESOLVED, that the Seneca County Board of Supervisors supports the use of McFarland Johnson as consultants for engineering services at the Finger Lakes Regional Airport.

**BOARD AUTHORIZATION FOR THE DIVISION OF HUMAN SERVICES TO PURCHASE
TWO (2) 2009 DODGE CARAVANS**

RESOLUTION NO. 19-09, moved by Mr. Mooney, seconded by Mr. Reynolds and adopted by 579 ayes (Mooney, Reynolds, Barto, Serven, Davidson, Dresser, Kaiser, Same, Lafler, Amidon, Westfall) and 171 absentees (Terryberry, Shipley, Hayssen).

WHEREAS, the Division of Human Services requires the purchase of two (2) 2009 Dodge Caravans from the New York State Contract PC63772 at a total cost of \$33,210.00 (\$32,450.00 for the Dodge Caravans and \$760.00 for delivery); and

WHEREAS, the funds are available in account 10-125-5-6001-2600; and

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

RESOLVED, the Board of Supervisors authorize the purchase of two (2) 2008 Dodge Caravans from the New York State Contract PC63772 for a total cost of \$33,210.00 (\$32,450.00 for the Dodge Caravans and \$760.00 for delivery).

**CHAIRMAN OF THE BOARD TO SIGN 2009 SENECA COUNTY REINTEGRATION
PROJECT AGREEMENT WITH THE YOUTH ADVOCATE PROGRAMS, INC.**

RESOLUTION NO. 20-09, moved by Mr. Mooney, seconded by Dr. Dresser and adopted by 579 ayes (Mooney, Dresser, Reynolds, Barto, Serven, Davidson, Kaiser, Same, Lafler, Amidon, Westfall) and 171 absentees (Terryberry, Shipley, Hayssen).

WHEREAS, the Division of Human Services would like to renew the agreement with the Youth Advocate Program, Inc. (YAP) for the Seneca County Reintegration Project; and

WHEREAS, the agency is proposing to serve up to 10 youth at any one time with up to 12.5 youth receiving services annually; and

WHEREAS, YAP will successfully return 85% of the youth back into the community; and

WHEREAS, the proposed operating budget for the proposed program is not to exceed \$250,633; and

WHEREAS, this funding is currently available in the 2008 budget, under line item 10-125-5-6070-4747, and planned for in the 2009 budget; 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, the Chairman of the Board to sign the 2009 Seneca County Reintegration Project agreement with the Youth Advocate Programs, Inc..

**BOARD OF SUPERVISORS TO APPROVE AND SIGN CONTRACT WITH THE
WORKFORCE INVESTMENT BOARD FOR WIRED / WORK KEYS PROGRAM**

RESOLUTION NO. 21-09, moved by Mr. Mooney, seconded by Mr. Davidson and adopted by 579 ayes (Mooney, Davidson, Reynolds, Barto, Serven, Dresser, Kaiser, Same, Lafler, Amidon, Westfall), and 171 absentees (Terryberry, Shipley, Hayssen).

WHEREAS, the Finger Lakes Workforce Investment Board agrees to pay \$25,000.00 to purchase a staff person's time to administer and interpret the Work Keys and Keytrain, assessments to identify job seeker skills / skill gaps; and

WHEREAS, these assessments result in referrals to other services such as math / reading remediation, on-the-go training or classroom training; and

WHEREAS, the staff person is required to manager date on all incoming and outgoing customer referrals, compile assessment results, and training / placement outcomes and promotions of Work Keys and Keytrain; and

WHEREAS, these services are provided through the Seneca County Workforce Development Office and available to individuals from all four counties; and

WHEREAS, the staff person will be working with the four Workforce Development / One Stop in Ontario, Wayne, Seneca and Yates; 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 Seneca County Board of Supervisors authorizes the Chairman of the Board to sign the agreement with the Workforce Investment Board for Wired / Work Keys Program.

**CHAIRMAN OF THE BOARD TO AUTHORIZE AND SIGN THE ESI, HEALTH
ASSOCIATION EAP, INC. CONTRACT TO BECOME THE PROVIDER OF EMPLOYEE
ASSISTANCE SERVICES TO SENECA COUNTY EMPLOYEES**

RESOLUTION NO. 22-09, moved by Mr. Mooney, seconded by Mrs. Amidon and adopted by 579 ayes (Mooney, Amidon, Reynolds, Barto, Serven, Davidson, Dresser, Kaiser, Same, Lafler, Westfall) and 171 absentees (Terryberry, Shipley, Hayssen).

WHEREAS, the EAP programs are proven to help employees overcome personal difficulties that may impact their work life; and

WHEREAS, the EAP is a success for the organization as good and valued employees are retained in their jobs; and

WHEREAS, the EAP provides confidential counseling and other services, on a wide variety of topics, that address many issues and has proven successful in Seneca County DHS and all County Departments; and

WHEREAS, the Seneca County Board of Supervisors saw fit to extend this service to all employees of the County and included funding for the same in the 2009 budget; and

WHEREAS, Employee Services, Inc., EAP, Health Association EAP, One Mount Hope Avenue, Rochester, New York 14620, was accepted by the Board of Supervisors for EAP services for all County Employees in 2007, with options to renew for 2008 and 2009 fiscal years and based upon the 2007 performance of Employee Services Inc., Health Association EAP the Seneca County Board of Supervisors approves the 2009 contract with this agency to continue services for the period 01/01/09 to 12/31/09 at a cost not to exceed \$22.38 per employee per year and an annual cost not to exceed \$10,205.28 for the 12 month contract; and

WHEREAS, funds are available in the 2009 Seneca County Budget in accounts 10-101-5-1430-4371 and 10-125-5-6006-4701, Personnel and Division of Human Services; 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 Seneca County Board of Supervisors authorizes the Chairman of the Board to sign the agreement between the Seneca County Division of Human Services and Employee Services Inc., EAP, Health Association.

**RESOLUTION AWARDING CONTRACTS FOR OUTSIDE COUNSEL ON DISTRICT
ATTORNEY APPEALS AND DIRECTING AND AUTHORIZING THE CHAIR OF THE
BOARD OF SUPERVISORS TO EXECUTE SAME**

RESOLUTION NO. 23-09, moved by Mr. Davidson, seconded by Mr. Mooney and adopted by 468 ayes (Davidson, Mooney, Reynolds, Barto, Serven, Dresser, Same, Lafler, Amidon), 111 nays (Kaiser, Westfall) and 171 absentees (Terryberry, Shipley, Hayssen).

WHEREAS, due to workload the Seneca County District Attorney requires the services of outside attorneys experienced in the field of criminal appeals to research issues of criminal law and write appellate briefs and present oral argument on behalf of the District Attorney in response to appeals filed by Defendants prosecuted by the District Attorney's Office; and

WHEREAS, the District Attorney has previously contracted with and has recommended engaging the services of JOHN A. CIRANDO, ESQ., with principal offices at 101 South Salina Street, Suite 1010, Syracuse, New York 13202-1350; MELVIN BRESSLER, ESQ., with principal offices at 58 Tobey

Court, Pittsford, New York 14534; and KRISTIN M. SUNSER-KING, ESQ., with principal offices at 239 East Water Street, Syracuse, New York 13202; and

WHEREAS, funds for these contracts have been appropriated in the 2009 Budget under budget line no. 4320 "Court Fees – Legal or Professional" up to \$15,000.00; and

WHEREAS, the District Attorney's request was approved by the Public Safety and Jail Construction Committee of the Board of Supervisors; now, therefore, be it

RESOLVED, that contracts for these services shall be duly executed between the Chairman of the Board of Supervisors and the independent contracts above named.

RESOLUTION AUTHORIZING INTERMUNICIPAL AGREEMENT FOR FORENSIC SERVICES BETWEEN THE COUNTY OF MONROE AND COUNTY OF SENECA FOR PERIOD JANUARY 2009 THROUGH DECEMBER 31, 2009

RESOLUTION NO. 24-09, moved by Mr. Davidson, seconded by Mr. Mooney and adopted by 579 ayes (Davidson, Mooney, Reynolds, Barto, Serven, Dresser, Kaiser, Same, Lafler, Amidon, Westfall) and 171 absentees (Terryberry, Shipley, Hayssen).

WHEREAS, the County of Monroe Public Safety Laboratory operates a regional crime laboratory (hereinafter referred to as a laboratory) that provides forensic laboratory services to counties within the Genesee / Finger Lakes region; and

WHEREAS, the County of Seneca is desirous of receiving continued services from the laboratory; and

WHEREAS, the County of Monroe has notified the Sheriff of Seneca County that the contract fee for 2009 will be \$12,600.00; and

WHEREAS, the Public Safety Committee approved this resolution at its meeting on January 13, 2009; now, therefore, be it

RESOLVED, that the Chair of the Board of Supervisors is hereby authorized and directed to execute the contract documents consistent with the terms hereof.

RECLASSIFY TYPIST POSITION AS STAFF RESOURCE ASSISTANT II FOR SENECA COUNTY SHERIFF'S OFFICE

RESOLUTION NO. 25-09, moved by Mr. Davidson, seconded by Mr. Barto and adopted by 579 ayes (Davidson, Barto, Reynolds, Serven, Dresser, Kaiser, Same, Lafler, Amidon, Mooney, Westfall) and 171 absentees (Terryberry, Shipley, Hayssen).

WHEREAS, after reviewing the job duties of the current typist it has been noted that the job duties are most closely related to that of Staff Resource Assistant II; and

WHEREAS, the current typist is in charge of payroll, processing of all new employees, including creating and maintaining personnel and medical files on each employee, orientation with the Sheriff's Office; and

WHEREAS, the current typist also assigns ID numbers, contact appropriate personnel to set up email accounts, access cards; and

WHEREAS, the current typist maintains files within the department, types correspondence for Administration; and

WHEREAS, the current typist works closely with personnel, data processing, etc., sets up meetings, conferences, works with complainants, other police agencies, state agencies, county agencies, etc.; and

WHEREAS, the position will be performing supervisory duties associated with the position; now, therefore, be it

RESOLVED, that the Seneca County Board of Supervisors does hereby approve the reclassification of the current typist position to Staff Resources Assistant II.

CREATE FULL-TIME TYPIST POSITION FOR SENECA COUNTY SHERIFF'S OFFICE
RESOLUTION NO. 26-09, moved by Mr. Davidson, seconded by Mr. Mooney and adopted by 579 ayes (Davidson, Mooney, Reynolds, Barto, Serven, Dresser, Kaiser, Same, Lafler, Amidon, Westfall) and 171 absentees (Terryberry, Shipley, Hayssen).

WHEREAS, the Seneca County Sheriff's Office is in need of a full time typist to assist with clerical work; and

WHEREAS, the previous clerical work had been performed by a position that has relocated to the Civil Office in Waterloo; and

WHEREAS, the Board of Supervisors' oversight committees for Public Safety and Finance recommended the creation of a Full-Time Typist position for the Seneca County Sheriff's Office; now, therefore, be it

RESOLVED, that the Seneca County Board of Supervisors does hereby create a full time Typist position in the Seneca County Sheriff's Office at a salary of \$12.051 per hour / \$25,066 per year; and be it

FURTHER RESOLVED, that the Seneca County Board of Supervisors does hereby approve hiring to fill the position of full-time typist.

RESOLUTION AUTHORIZING THE SIGNING OF THE APPLICATION FORM TO THE NEW YORK STATE LAW ENFORCEMENT ACCREDITATION PROGRAM

RESOLUTION NO. 27-09, moved by Mr. Davidson, seconded by Mrs. Amidon and adopted by 579 ayes (Davidson, Amidon, Reynolds, Barto, Serven, Dresser, Kaiser, Same, Lafler, Mooney, Westfall), and 171 absentees (Terryberry, Shipley, Hayssen).

WHEREAS, the Seneca County Sheriff's Office hereby expresses its desire to participate in the New York State Law Enforcement Agency Accreditation Program; and

WHEREAS, the Seneca County Sheriff's Office meets all eligibility requirements of section 846(h) of the New York State Executive Law; and

WHEREAS, the Seneca County Sheriff's Office affirms that it is committed to earning accreditation in accordance with the requirements set forth by the New York State Law Enforcement Agency Accreditation Council; and

WHEREAS, it is further understood that agency participation in the accreditation program is contingent upon the continued approval of the governing body; now, therefore, be it

RESOLVED, that the Seneca County Board of Supervisors approves the signing of the application form to the New York State Law Enforcement Program.

CHANGE THE WORDING IN THE SENECA COUNTY PURCHASING POLICY TO ALIGN TO THE AUDITOR'S REQUEST AND FURTHER CLARIFY FOR DEPARTMENT HEAD AND EMPLOYEE USE

RESOLUTION NO. 28-09, moved by Mrs. Amidon, seconded by Mr. Westfall and adopted by 579 ayes (Amidon, Westfall, Reynolds, Barto, Serven, Davidson, Dresser, Kaiser, Same, Lafler, Mooney), and 171 absentees (Terryberry, Shipley, Hayssen).

WHEREAS, as a result of an audit of the Workforce financial records, it was found that Seneca County's Purchasing policy requirements to obtain 3 quotes for items under \$500.00 was not being followed for items under \$300.00; and

WHEREAS, the interpretation of the auditor was the Purchasing Policy, if implemented as worded, would require 3 quotes on anything \$.01 to \$500.00; and

WHEREAS, since this seems a bit ludicrous, it is being requested that the wording be changed to correct it; and

WHEREAS, the attached draft shows the changes being requested in the policy; 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, the Board of Supervisors authorizes the change of the Seneca County Purchasing Policy per attached revised policy.

New Business:

Mr Mooney moved Suspension of the Rules to introduce the following resolution.

A RESOLUTION TO INTRODUCE PROPOSED LOCAL LAW NUMBER A OF 2009 TO REPEAL LOCAL LAW NUMBER THREE OF 1995

RESOLUTION NO. 29-09, moved by Mr. Mooney, seconded by Mr. Same and adopted by 579 ayes (Mooney, Same, Reynolds, Barto, Serven, Davidson, Dresser, Kaiser, Lafler, Amidon, Westfall), and 171 absentees (Terryberry, Shipley, Hayssen).

WHEREAS The provisions of §458-a of the Real Property Tax Law of the State of New York provides for exemptions from real property tax for certain property owned by qualified veterans as follows:

(a) Qualifying residential real property shall be exempt from taxation to the extent of fifteen percent of the assessed value of such property; provided, however, that such exemption shall not exceed the lesser of twelve thousand dollars or the product of twelve thousand dollars multiplied by the latest state equalization rate for the town in which the property is situated.

(b) In addition to the exemption provided by paragraph (a) of this section, where the veteran served in a combat theatre or combat zone of operations, as documented by the award of a United States campaign ribbon or service medal, qualifying residential real property shall be exempt from taxation to the extent of ten percent of the assessed value of such property provided, however, that such exemption shall not exceed the lesser of eight thousand dollars or the product of eight thousand dollars multiplied by the latest state equalization rate for the town in which the property is situated.

(c) In addition to the exemptions provided by paragraphs (a) and (b) of this section, where the veteran received a compensation rating from the United States Veterans' Administration because of a service connected disability, qualifying residential real property shall be exempt from taxation to the extent of the product of the assessed value of such property multiplied by fifty percent of the veteran's disability rating; provided, however, that such exemption shall not exceed the lesser of forty thousand dollars or the product of forty thousand dollars multiplied by the latest state equalization rate for the town in which the property is situated; and

WHEREAS, by Seneca County Local Law No. 3 of 1995, the County of Seneca opted out of such exemptions and imposed alternate veteran's exemptions in the amounts of

(a) Qualifying residential real property shall be exempt from taxation to the extent of fifteen percent of the assessed value of such property; provided, however, that such exemption shall not exceed the lesser of nine thousand dollars or the product of nine thousand dollars multiplied by the latest state equalization rate for the town in which the property is situated.

(b) In addition to the exemption provided by paragraph (a) of this section, where the veteran served in a combat theatre or combat zone of operations, as documented by the award of a United States campaign ribbon or service medal, qualifying residential real property shall be exempt from taxation to the extent of ten percent of the assessed value of such property provided, however, that such exemption

shall not exceed the lesser of six thousand dollars or the product of six thousand dollars multiplied by the latest state equalization rate for the town in which the property is situated.

(c) In addition to the exemptions provided by paragraphs (a) and (b) of this section, where the veteran received a compensation rating from the United States Veterans' Administration because of a service connected disability, qualifying residential real property shall be exempt from taxation to the extent of the product of the assessed value of such property multiplied by fifty percent of the veteran's disability rating; provided, however, that such exemption shall not exceed the lesser of thirty thousand dollars or the product of thirty thousand dollars multiplied by the latest state equalization rate for the town in which the property is situated; and

WHEREAS, Seneca County, in recognition of the sacrifices made by its veterans and in accordance with §458-a of proposed Local Law A of 2009 entitled "A LOCAL LAW TO REPEAL LOCAL LAW NUMBER THREE OF 1995" be and the same is hereby introduced before the Board of Supervisors of Seneca County, New York to read in substantially the following form:

SECTION I.

Be it enacted that Local Law No. three of the year 1995 entitled "A Local Law in relation to the maximum Exemption Allowable for the Alternative Veteran's Exemption from Real property Taxation" is hereby repealed.

SECTION II, Effective Date.

This local law shall take effect immediately upon filing with the Secretary of State in accordance with Section 27 of the New York State Municipal Home Rule Law and shall affect real property tax due for the tax years 2008-2009 and thereafter; 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 on February 24, 2009; and be it

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

Mr. Barto moved the Board convene in Executive Session pursuant to Public Officers Law Article 7, Section 105 (1) (e), "collective negotiations pursuant to article fourteen of the civil service law." The Board of Supervisors convened in Executive Session at 9:01 p.m.

Special Order of the Day

The Board of Supervisors reconvened in Regular Session. The meeting was adjourned at 9:25 p.m.