

SENECA COUNTY BOARD OF SUPERVISORS

REGULAR MEETING

February 10, 2009

8:00 p.m.

Call to Order

Chairman Lafler called the meeting to order at 8:02 p.m.

Roll Call of Members by the Acting Clerk

Thirteen members of the Board of Supervisors answered roll call. Gary Westfall was absent.

Pledge of Allegiance and Moment of Silence

Submission of Claims for Audit

Mr. Barto made a motion, seconded by Mr. Davidson, and carried that the following vouchers have gone through the proper auditing process, be approved for payment.

Supervisors vouchers	#245 – 504	totaling	\$	579,863.91
OFA vouchers	#67 – 133	totaling	\$	50,562.34
Workforce Development vouchers	#28 – 46	totaling	\$	17,142.78
Insurance vouchers	#7 – 14	totaling	\$	36,591.87
Sheriff vouchers	#124 – 186	totaling	\$	128,887.89
County Airport vouchers	#11 – 20	totaling	\$	8,647.01
Highway Transportation vouchers				
Maintenance & State Snow	#32 – 55	totaling	\$	265,832.75
Highway Machinery	#37 – 67	totaling	\$	36,097.56
		Highway Total	\$	301,930.31
Highway Capital vouchers	#1 - 2	totaling	\$	17,659.20
Airport Capital vouchers	#2 - 5	totaling	\$	121,381.21
Veterans Cemetery Capital Voucher	#3 - 4	totaling	\$	71,942.28

Approval of Meeting Minutes

Minutes of the January 13, 2009 board meeting were approved as printed.

Reports of Standing Committees

Government Operations Committee, Mrs. Amidon, Chairperson, reported on that the picture for the 2008 – 2009 Board of Supervisors would be scheduled for the September meeting held in Ovid, NY.

Mental Health Services Committee, Mr. Reynolds, Chairman, reported on the Committee's approval for board resolutions for the following: (a) To renew the annual contracts with Seneca-Cayuga ARC; Lakeview Mental Health Services, Inc.; Finger Lakes Parent Network; Cayuga Home for Children; Unity House of Cayuga County; and Council on Alcoholism and Other Chemical Dependencies of the Finger Lakes, Inc., to provide mental health and alcoholism services to the residents of Seneca County. The funds used for these contracts are

passed though state aid monies from New York State Office of Mental Health, New York State Office of Mental Retardation and Developmental Disabilities and New York State Office of Alcoholism and Substance Abuse Services; (b) to purchase of a 2009 Chevrolet Impala off NY State Contract PC62760 at a cost of \$16,355; the purpose is to replace a 2002 Ford Taurus vehicle that has been totaled in an automobile accident in June 2008. The vehicle is used to transport clients to and from appointments at the Mental Health Clinics in both Waterloo and Ovid; and is also used by staff within the Public Health Department. The vehicle would be shared with the Public Health department

Public Safety Committee, Mr. Shipley, Chairman, reported on the Committee's approval for the following: (a) A board resolution to accept a \$15,000 Grant from the NYS Office of Alcohol and Substance Abuse Service to Reduce Underage Drinking. In November 2008, the NYS Office of Alcohol and Substance Abuse Service (OASAS) published the highly competitive Enforcing Underage Drinking Law (EUDL) grant program. This project will provide funding to the Seneca County Substance Abuse Program (SCSAP), in partnership with STOP-DWI and Seneca County's law enforcement agencies, for increased ABC checks, party patrols, sobriety checkpoints, and education programs, all aimed at deterring and reducing underage drinking in Seneca County; (b) The following positions that were approved by the Vacancy Committee: Head Jail Nurse, Jail Physician Part-time, four Registered Professional Nurses Part-time, and five Jail Cooks Part-time.

Indian Affairs Committee, Dr. Dresser, Chairman, reported on the Committee's approval for board resolutions as follows: a resolution urging Governor Paterson to order printing and issuing of tax exemption coupons for members of Indian tribes. Existing state tax laws permit members of Indian tribes to purchase gasoline and cigarettes tax free on qualified Indian reservations. These same laws require non-Indians to pay taxes on these products on and off qualified reservations. A State Supreme Court Judge has deemed these laws to be invalid because tax exemption coupons have not been printed and issued to tribal members. As a result, an enormous amount of tax revenue is being lost to the state and many counties and non-Indian enterprises continue to suffer from unfair competition; a resolution approving travel and expenses incurred for Dr. Dresser to attend the NACo Legislative Conference in March. Dr. Dresser is a member of the Native American Affairs Subcommittee of NACo. He is also in the process of making arrangements to meet with Senators Gillibrand and Schumer and Congressman Arcuri or their staff members; a resolution authorizing the Board Chairman to send a letter to the newly appointed Senator Kirsten Gillibrand requesting a meeting with Dr. Dresser while he is in Washington D.C. for the NACo conference.

Planning, Development, Agriculture & Tourism, Mr. Kaiser, Chairman, reported on the Committee's approval for a board resolution authorizing a contract for professional services with Clark Patterson Lee as consultants for the Routes 5&20/414 Corridor Study and a resolution approving the Genesee/Finger Lakes Regional Planning Council's (GFLRPC) Public Employees Fidelity (Blanket) Bond, issued by National Grange Mutual Insurance Company, and providing Seneca County's share of (\$6,647.00) operating costs to GFLRPC.

Public Health Services, Mr. Hayssen, Chairman, reported on the Committee's approval of the following: (a) a resolution authorizing the Board Chairman to sign documents to accept \$10,000 grant funding from New

York State Agriculture and Markets for animal shelter services. Through the efforts of New York State Senator Michael F. Nozzolio said grant was secured to support local animal shelter services at the Beverly Animal Shelter. There is no matching fund requirement, and no additional cost to the County. The award is intended to supplement current animal shelter services under contract with the County, and is not intended to replace or duplicate those services or funds. (b) a resolution authorizing the Chairman of the Board of Supervisors to sign a contract with Barton and Loguidice, P.C. for Engineering Services for the Public Health Department. The Public Health Department is required to have the availability of a professional engineer for the review and approval of plans for mobile home parks, reality subdivisions, new campgrounds, temporary residences, water systems and septic systems. The County Engineer will be providing these services for most of the departmental needs, however, it is necessary to continue to have a contract with Barton and Loguidice, P.C. for any activities that the County Engineer may be unable to perform; (c) a resolution supporting the efforts of the Tobacco Coalition of the Finger Lakes TACFL working towards a healthy and tobacco free community. The Tobacco Coalition of the Finger Lakes (TACFL) has requested the Board of Health and Board of Supervisors assist in their efforts to limit youth access to tobacco products and tobacco company advertising. TACFL is a local coalition of organizations and individuals funded by the New York State Department of Health who are working towards a healthy and tobacco free community. The goal is to help to improve the health of our community by encouraging and supporting our retailers as they reduce or remove tobacco advertising in their stores.

Finance, Assessment & Insurance Committee, Mr. Barto, Chairman, reported on the Committee's approval to refill the following positions as recommended by the Vacancy Committee: In the Division of Human Services – a Caseworker position, a Grade B Supervisor position, a Senior Caseworker position, and to create two Caseworker positions and five Summer Youth Counselor positions. In the Sheriff's Office - a Head Jail Nurse, a Jail Physician Part-time, four Registered Professional Nurses Part-time and five Jail Cooks Part-time.

Mr. Barto also said that the Finance, Assessment & Insurance Committee would discuss developing an economic development fund at its meeting on February 24.

Mr Same, Chairman of the Personnel & Technology Committee made reference to a report regarding actions by the Vacancy Committee beginning in July 2008 to the present. He noted that not all requests to refill or create positions are approved.

#### Chairman's Remarks

Chairman Lafler spoke about the current economic situation facing the country and New York State. The Governor is calling for major cuts in funding that will inevitably affect County programs. Chairman Lafler is confident that County staff and members of the Board of Supervisors are mindful of these economic times and will work together to continue to provide a high level of service to the public.

#### Communications

18. Minutes of the Seneca County IDA's Annual Meeting on January 8, 2009.
19. Minutes of the Seneca County Planning Board's January 8, 2009 meeting.
20. Minutes of the Seneca County Agriculture Enhancement Board's January 7, 2009 meeting.

21. Minutes of the Seneca County Board of Health's January 21, 2009 meeting.
22. Minutes of the Seneca County Soil & Water Conservation District's December 15, 2008 meeting.
23. Minutes of the Genesee – Finger Lakes Regional Council's December 11, 2008 meeting.
24. Minutes of the Western Finger Lakes Solid Waste Management Authority's December 15, 2008 meeting.
25. A copy of the Seneca County Office of the County Attorney 2008 Report of Activities.
26. From the Ontario County Board of Supervisors, a copy of Resolution 15-2009, Authorizing Agreements between Ontario County and Seneca, Wayne, and Yates Counties for Course Offerings – FLCC.
27. A copy of the Cayuga / Seneca Community Action Agency, Inc., Annual Report 2007 – 2008.
28. From the Seneca County IDA, a request for a resolution from the Seneca County Board of Supervisors supporting the Seneca County Empire Zone and continuation of Empire Zones. Referred to the Planning, Development, Agriculture & Tourism Committee.
29. From the NYS Office of the State Comptroller, information on filing the Indigent Legal Services Fund (ILSF) 2008 Annual Report. Referred to the Public Safety Committee.

Resolutions and Motions

**BOARD OF SUPERVISORS ESTABLISHES POLICY AND PROCESS FOR  
APPROPRIATING PRIVATELY RAISED FUNDS TO SUPPORT  
THE SAMPSON VETERANS MEMORIAL CEMETERY**

RESOLUTION NO. 30-09, moved by Mr. Barto, seconded by Mr. Mooney and adopted by 690 ayes (Barto, Mooney, Reynolds, Serven, Davidson, Dresser, Kaiser, Same, Lafler, Terryberry, Amidon, Hayssen, Shipley), and 60 absentees (Westfall).

WHEREAS, Seneca County recently accepted title to lands formerly part of the Sampson Air Force and Naval Base for the purpose of developing a Veterans Memorial Cemetery; and

WHEREAS, the development of the cemetery will be supported principally from funds secured from New York State through the efforts of Senator Michael F. Nozzolio; and

WHEREAS, privately raised funds are also being solicited to further support the development of the cemetery and are being held in trust by Seneca County; and

WHEREAS, the Sampson Veterans Memorial Cemetery Association has been formed to advise, recommend and support Seneca County in the development and future operation of the cemetery; and

WHEREAS, the Sampson Veterans Memorial Cemetery Association will make requisitions from time to time to appropriate portions of these privately raised funds; and

WHEREAS, these requisitions will be submitted to the Seneca County Board of Supervisors on a monthly basis for review and approval; and

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

RESOLVED, that the Seneca County Board of Supervisors establishes the policy that expenditures of privately raised funds in support of the Sampson Veterans Memorial Cemetery will be recommended by the

Sampson Veterans Memorial Cemetery Association and reviewed and approved by the Seneca County Board of Supervisors.

**CHAIRMAN, BOARD OF SUPERVISORS AUTHORIZED TO ACCEPT GRANT  
SUPPORTING LOCAL ANIMAL SHELTER SERVICES**

RESOLUTION NO. 31-09, moved by Mr. Hayssen, seconded by Mr. Shipley and adopted by 690 ayes (Hayssen, Shipley, Reynolds, Barto, Serven, Davidson, Dresser, Kaiser, Same, Lafler, Terryberry, Amidon, Mooney), and 60 absentees (Westfall).

WHEREAS, through his efforts, Senator Nozzolio has secured \$10,000 for Seneca County from the New York State Department of Agriculture and Markets for the purpose of supporting local animal shelter services; and

WHEREAS, these funds have been programmed to provide additional support for animal shelter services throughout the period April 1, 2008 through September 15, 2009; and

WHEREAS, this resolution has been reviewed and approved by the Public Health Committee on February 10, 2009; now, therefore be it

RESOLVED, that the Chair of the Board of Supervisors is authorized and directed to sign the Grant Agreement and any other necessary documents to receive this funding; and be it

FURTHER RESOLVED, that the Seneca County Treasurer is hereby authorized and directed to increase accounts 8794.470 General Resources Animal Shelter, and Revenue Account 2770 by \$10,000.

**BOARD OF SUPERVISORS AUTHORIZES AND DIRECTS THE CHAIRMAN TO SIGN  
PROFESSIONAL SERVICES AGREEMENT WITH CONSULTANTS FOR  
ROUTES 5 & 20/414 CORRIDOR STUDY**

RESOLUTION NO. 32-09, moved by Mr. Kaiser, seconded by Mr. Terryberry and adopted by 690 ayes (Kaiser, Terryberry, Reynolds, Barto, Serven, Davidson, Dresser, Same, Lafler, Amidon, Mooney, Shipley, Hayssen), and 60 absentees (Westfall).

WHEREAS, Seneca County has received funding from the Genesee Transportation Council (GTC) in the amount of \$42,000 to undertake a transportation corridor study of Routes 5&20/414 in the Towns of Seneca Falls, Tyre and Waterloo, and the Villages of Seneca Falls and Waterloo; and

WHEREAS, Requests for Proposals were solicited from interested and qualified firms; and

WHEREAS, a Steering Committee has been formed with representatives from each of the municipalities within the corridor, as well as local and state agencies, to evaluate proposals and assist the selected firm with undertaking the study; and

WHEREAS, the County received four (4) proposals from qualified firms and the Steering Committee carefully considered each proposal; and

WHEREAS, the firm of Clark Patterson Lee demonstrated the ability to best serve the interest of Seneca County in undertaking the corridor study; and

WHEREAS, the contract for professional services is not to exceed \$42,000, all of which will be fully reimbursed through the GTC funding; and

WHEREAS, Seneca County will provide staff support from the Department of Planning and Community Development to further this project; 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 authorizes and directs the Chairman of the Board to sign a contract for professional services with Clark Patterson Lee as consultants for the Routes 5&20/414 Corridor Study.

**SUPERVISORS APPROVE BLANKET BOND FOR GENESEE/FINGER LAKES  
REGIONAL PLANNING COUNCIL AND TREASURER TO PAY  
COUNTY'S SHARE OF OPERATING FUNDS**

RESOLUTION NO. 33-09, moved by Mr. Kaiser, seconded by Mr. Shipley and adopted by 690 ayes (Kaiser, Shipley, Reynolds, Barto, Serven, Davidson, Dresser, Same, Lafler, Terryberry, Amidon, Mooney, Hayssen), and 60 absentees (Westfall).

WHEREAS, the County of Seneca has appropriated the sum of \$6,647.00 as its share of the 2009 operating funds of the Genesee/Finger Lakes Regional Planning Council; and

WHEREAS, pursuant to Section 119-oo of the General Municipal Law of the State of New York, the County is authorized to provide for the payment of such appropriations to an officer of the agency designated by the agency to receive such monies provided that such officer shall have executed an official undertaking approved by the governing body of the County; and

WHEREAS, the Genesee/Finger Lakes Regional Planning Council has designated David Zorn, Executive Director of the Council, as the officer to receive payments of such monies; and

WHEREAS, the Genesee/Finger Lakes Regional Planning Council has secured a Public Employees Fidelity (Blanket) Bond, issued by National Grange Mutual Insurance Company, providing faithful performance blanket bond coverage for the officers and employees of the Council in the amount of \$500,000; 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 approves such bond as the official undertaking required pursuant to Section 119-oo of the General Municipal Law; and be it

FURTHER RESOLVED, that the Seneca County Treasurer is hereby authorized and directed to pay the Genesee/Finger Lakes Regional Planning Council, at an address of City Place, 50 West Main Street, Suite 8107, Rochester, New York 14614, the sum of \$6,647.00 as the County's share of operating funds for the year 2009 as appropriated in the Planning and Community Development account 8020.438.

**URGING GOVERNOR PATERSON TO ORDER THE PRINTING AND ISSUING OF  
TAX EXEMPTION COUPONS FOR MEMBERS OF INDIAN TRIBES**

RESOLUTION NO. 34-09, moved by Dr. Dresser, seconded by Mr. Davidson and adopted by 690 ayes (Dresser, Davidson, Reynolds, Barto, Serven, Kaiser, Same, Lafler, Terryberry, Amidon, Mooney, Shipley, Hayssen), and 60 absentees (Westfall).

WHEREAS, Sections 274e and 471e of the New York State Tax law call for tribal members to be exempt from payment of sales and excise taxes on motor fuel and cigarettes, respectively, when purchased on qualified reservations; and

WHEREAS, failure to enforce these sections of the law has led to tax inequity, whereby Indian businesses that do not collect sales and excise taxes from their customers are given an unfair competitive advantage over non-Indian businesses that must collect these taxes, causing many non-Indian businesses to close; and

WHEREAS, failure to enforce these laws has meant that the State of New York has failed to collect billions of dollars of revenue that it was due; and

WHEREAS, the State of New York is facing a budget deficit next year in excess of \$15 billion and income from this source would produce revenue approaching \$1 billion annually; and

WHEREAS, failure to collect these cigarette and gasoline taxes will mean that many worthy social and economic development programs will have to be cut back or discontinued next year and in the future; and

WHEREAS, Governor Paterson has acknowledged that the policy of forbearance followed by three previous governors has not worked and that the present tax inequity is untenable; and

WHEREAS, the printing and issuing of tax exemption coupons for tribal members is the only legal impediment to the enforcement of current tax law, the establishment of tax equity, and the collection of revenue which otherwise must come from property and income taxes; be it therefore

RESOLVED, the Seneca County Board of Supervisors urges Governor Paterson to order the printing and issuing of tax exemption coupons to Indian tribal members immediately, so that sections 274e and 471e of the New York State tax law can be enforced, tax equity can be restored, and revenue much-needed by the state and counties can be collected; and be it

FURTHER RESOLVED, copies of this resolution shall be sent to the chairs of all county legislatures and boards of supervisors with a request that their legislature or board adopt a similar resolution and send it to the Governor and their state legislators; and be it

FURTHER RESOLVED, copies of this resolution shall also be sent to Senate Majority Leader Malcolm Smith, Senate Minority Leader Dean Skelos, Speaker of the Assembly Sheldon Silver, State Senator Michael Nozzolio, and Assemblyman Brian Kolb.

**AUTHORIZATION FOR SUPERVISOR DRESSER TO ATTEND NACo 2009 LEGISLATIVE  
CONFERENCE MARCH 7 - 11, 2009 IN WASHINGTON, D.C.**

RESOLUTION NO. 35-09, moved by Dr. Dresser, seconded by Mr. Same and adopted by 690 ayes (Dresser, Same, Reynolds, Barto, Serven, Davidson, Kaiser, Lafler, Terryberry, Amidon, Mooney, Shipley, Hayssen), and 60 absentees (Westfall).

WHEREAS, the NACo 2009 Legislative Conference will be held in Washington, D.C. and

WHEREAS, Supervisor David Dresser is a member of the Native American Affairs Subcommittee of NACo; and

WHEREAS, arrangements are being made for Supervisor Dresser to meet with and/or the staff of Senators Gillibrand and Schumer and Congressman Arcuri while he is in Washington, D.C. to discuss the land-into-trust issues involving Seneca and Cayuga counties and New York State; now, therefore be it

RESOLVED, that the Seneca County Board of Supervisors authorizes travel by Supervisor David Dresser to the NACo 2009 Legislative Conference on March 7 – 11, 2009 in Washington, D.C., and authorizes expenses associated with said travel and payable under the Seneca County Travel Policy.

**LETTER REQUESTING MEETING BETWEEN SENATOR GILLIBRAND AND  
SUPERVISOR DRESSER TO DISCUSS LAND-INTO-TRUST ISSUES**

RESOLUTION NO. 36-09, moved by Dr. Dresser, seconded by Mr. Shipley and adopted by 690 ayes (Dresser, Shipley, Reynolds, Barto, Serven, Davidson, Kaiser, Same, Lafler, Terryberry, Amidon, Mooney, Hayssen), and 60 absentees (Westfall).

WHEREAS, Kristin Gillibrand has been appointed to serve as Seneca County’s representative in the United State Senate; and

WHEREAS, it is important that Senator Gillibrand be informed about the land-into-trust issues facing the State of New York and in particular those facing Cayuga and Seneca counties; and

WHEREAS, in March Supervisor Dresser, Chairman of the Indian Affairs Committee plans to attend the NACo 2009 Conference in Washington, D.C.; now, therefore be it.

RESOLVED, that the Seneca County Board of Supervisors authorizes and directs the Chairman of the Board to send a letter congratulating Senator Gillibrand on her appointment to the U. S. Senate, inviting her to visit us in Seneca County at her earliest opportunity, and requesting that she and/or a member of her staff meet with the Chairman of our Indian Affairs Committee in Washington in March if possible.

**THE SENECA COUNTY BOARD OF SUPERVISORS OPPOSES GOVERNOR’S PROPOSAL FOR  
YOUTH PROGRAMS BLOCK GRANT AND THE ELIMINATION OF COPS FUNDING**

RESOLUTION NO. 37-09, moved by Mr. Mooney, seconded by Mr. Davidson and adopted by 690 ayes (Mooney, Davidson, Reynolds, Barto, Serven, Dresser, Kaiser, Same, Lafler, Terryberry, Amidon, Hayssen, Shipley), and 60 absentees (Westfall).

WHEREAS, Governor Paterson has submitted his budget recommending a “Youth Programs Block Grant”; and

WHEREAS, this proposed block grant would consolidate Youth Development and Delinquency Prevention (YDDP), Special Delinquency Prevention Program (SDPP), Runaway and Homeless Youth Act (RHYA), Alternatives to Detention, Alternatives to Residential Placement and Secure and Non Secure Detention Service funds; and

WHEREAS, the proposed cost saving measures and enhanced local control, combining mandated, non-secure and secure detention services with prevention funding would pit comprehensive community based programs against the more costly use of detention programs; and

WHEREAS, Youth Development, Prevention and Intervention is essential in critical services to youth; and

WHEREAS, New York State would be abandoning its long-time leadership and partnership in youth prevention, intervention and development services as articulated in Article 19A 420 Executive Law; and

WHEREAS, the Seneca County Board of Supervisors believes that providing services and programs for youth is an investment, not only in delinquency prevention but also in the development of our young people in all ways thus enriching our society and nation; and

WHEREAS, the Human Services Committee has met, considered and approved this resolution; now therefore be it

RESOLVED, the Seneca County Board of Supervisors hereby requests Governor Paterson and the New York State Legislature to maintain the current funding stream and eliminate the concept of block grant funding that includes mandated detention cost as part of the block grant from the Governor's proposed 2009 budget; and be it

FURTHER RESOLVED, that the Governor and Legislature uphold Executive Law 420 Article 19a to maintain the current Youth Bureau system that serves youth ages 0-21.

#### **APPOINTMENT OF YOUTH BOARD MEMBERS**

RESOLUTION NO. 38-09, moved by Mr. Mooney, seconded by Mrs. Amidon and adopted by 690 ayes (Mooney, Amidon, Reynolds, Barto, Serven, Davidson, Dresser, Kaiser, Same, Lafler, Terryberry, Hayssen, Shipley), and 60 absentees (Westfall).

WHEREAS, the Seneca County Youth Board has four members whose term has expired; and

WHEREAS, each member has graciously agreed to serve on the Board for another term; and

WHEREAS, each term is four years; and

WHEREAS, the re-appointments of the members were approved by the Youth Board and the Town Supervisor; and

WHEREAS, these appointments 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 does hereby re-appoint the following people to serve a four-year term on the Seneca County Youth Board:

Betty Berger – Town of Junius

Kathleen Greule Yells – Town of Romulus

Delia Olufsen – Town of Fayette

Katherine Nelson – Town of Fayette/Village of Waterloo

**CHAIRMAN OF THE BOARD OF SUPERVISORS AUTHORIZED TO SIGN GRANT DOCUMENTS  
FOR ALTERNATIVES TO INCARCERATION CLASSIFICATION FUNDING**

RESOLUTION NO. 39-09, moved by Mr. Shipley, seconded by Mrs. Amidon and adopted by 690 ayes (Shipley, Amidon, Reynolds, Barto, Serven, Davidson, Dresser, Kaiser, Same, Lafler, Terryberry, Mooney, Hayssen), and 60 absentees (Westfall).

WHEREAS, the Director of the Seneca County Probation Department and the Chairperson of the Criminal Justice Advisory Board requests permission to submit an application to the New York State Division of Probation and Correctional Alternatives, in order to receive grant funds in the amount of \$8,000; and

WHEREAS, the Public Safety Committee approved this resolution at its meeting on January 27, 2009; now, therefore be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to execute and submit an application to the NYS Division of Probation and Correctional Alternatives, 80 Wolf Road, 5th Floor, Albany, NY 12205, for receipt of grant funds in the maximum amount of \$8,000 for Alternatives to Incarceration funding for a term commencing January 1, 2009 and terminating December 31, 2009; and, be it

FURTHER RESOLVED, that upon notification of the award of said grant funds, the Chairman of the Seneca County Board of Supervisors is hereby authorized and directed to execute any and all grant documents on behalf of the County of Seneca relative to the above.

**BOARD OF SUPERVISORS SUPPORTS SENECA COUNTY SUBSTANCE ABUSE PROGRAMS  
\$15,000 GRANT PROGRAM TO REDUCE UNDERAGE DRINKING**

RESOLUTION NO. 40-09, moved by Mr. Shipley, seconded by Mr. Mooney and adopted by 690 ayes (Shipley, Mooney, Reynolds, Barto, Serven, Davidson, Dresser, Kaiser, Same, Lafler, Terryberry, Amidon, Hayssen), and 60 absentees (Westfall).

WHEREAS, the Seneca County Substance Abuse Program has received a \$15,000 grant from the New York State Office of Alcoholism and Substance Abuse Services for the purpose of supporting law enforcement activities design to enforce underage drinking laws; and

WHEREAS, this program will provide funds to Seneca County law enforcement agencies in order to increase ABC checks, party patrols, sobriety checkpoints, and education programs, all aimed at deterring and reducing underage drinking in Seneca County; and

WHEREAS, this program requires no local matching dollars; and

WHEREAS, this resolution has been reviewed and approved by the Public Safety Committee on February 10th, 2009; now, therefore be it

RESOLVED, that the Clerk of the Board of Supervisors is authorized and directed to affix the Seal of the Seneca County Board of Supervisors to the Grant Agreement and any other necessary documents to receive this funding; and be it

FURTHER RESOLVED, that the County Treasurer is hereby authorized to amend the 2009 Substance Abuse budget to increase 10-115-5-4210-4555 by \$15,000 and increase 10-319-3-3488 revenues by \$15,000.

### New Business:

In reference to the news that the Fourth Judicial District Appellate Division permanently sealed the seven grand jury reports issued at the conclusion of an investigation into the Seneca County Sheriff's Office led by Ontario County District Attorney Tantillo, Mr. Barto read a statement that opposed any reimbursement made by Seneca County to Ontario County for time and expense incurred by Mr. Tantillo during the investigation.

Mr. Barto stated that not only did Mr. Tantillo send a letter to Mr. Barto when he served as chairman to the Board of Supervisors, stating that Mr. Tantillo would not be charging Seneca County for his time, but according to news reports, the court decision to seal the grand jury reports was because it was impossible and impermissible for the grand jury to issue its findings because the special prosecution had provided vague and inadequate instructions on the law.

Mr. Barto concluded his statement by saying that Mr. Tantillo's services were needed to investigate a suspected arson case involving the warehouse used by the Sheriff's Office to hold records and case evidence, and at present, the case remains unsolved.

### Special Order of the Day

The meeting was adjourned at 8:30 p.m.