

SENECA COUNTY BOARD OF SUPERVISORS

REGULAR MEETING

June 23, 2009

8:00 p.m.

Call to Order

Chairman Lafler called the meeting to order at 8:03 p.m.

Roll Call of Members by the Acting Clerk

Thirteen members of the Board of Supervisors answered roll call. Mr. Terryberry was not present.

Pledge of Allegiance and Moment of Silence

Presentations / Petitioners

Austin Reed from Seneca Falls Central School District and Pamela Bower from the South Seneca Central School District were honored for the Brightest Star Award.

THE SENECA COUNTY BOARD OF SUPERVISORS PRESENT

THE BRIGHTEST STAR AWARD

RESOLUTION NO. 135a-09, moved by Mr. Mooney, seconded by Mrs. Amidon and adopted by 679 ayes (Mooney, Amidon, Barto, Reynolds, Serven, Davidson, Dresser, Kaiser, Same, Lafler, Hayssen, Shipley and Westfall) and 71 absentees (Terryberry).

WHEREAS, the Seneca County Youth Bureau and Youth Board initiated the Brightest Star Award, aimed at honoring two sixth grade students who reside in Seneca County; and

WHEREAS, these students were nominated and chosen for consistently reflecting the 5 Points of Light: academics, involvement in school or community activities, responsibility, respect and compassion; now, therefore, be it

RESOLVED, the Seneca County Youth Bureau and Youth Board and Seneca County Board of Supervisors recognize and congratulate Austin Reed (Seneca Falls Central School District: Town of Seneca Falls) and Pamela Bower (South Seneca Central School: Town of Covert) for being selected for the 2009 Brightest Star Award.

Approval of Minutes

Meeting minutes for May 12, 2009 Board meeting were approved as written.

Reports of Standing Committees

Public Works Committee, Mr. Davidson, Chairperson, indicated his committee had two items this evening (modification of Resolution for Fire Alarms and accept bid for cooler system for roof at LEC), which will come to the Board in two weeks.

Public Safety Committee, Mr. Shipley, Chairperson, indicated that his committee also had two items this evening; they approved the Change Order and payment of the final bill for the Plumbing at the LEC and also approved the hiring of a new corrections officer.

Human Services Committee, Mr. Mooney, Chairperson, indicated that the committee had one item this evening; they approved the IRS Voluntary Income Tax Assistance program, which will come to the Board this evening.

Indian Affairs Committee, Dr. Dresser, Chairperson, said that his committee discussed four issues this evening, the land into trust – the last day for written comments will be July 6; the Appellate Court could make their decision on the sales tax on either July 02 or July 10; and there are two Resolutions which will be under Suspension of the Rules this evening.

Planning, Development, Agriculture & Tourism, Mr. Kaiser, Chairperson, indicated that his committee heard several issues this evening, amending the original resolution for the Canal Trail, discussed new members for the Planning Board and a representative for the Rochester Genesee Regional Transportation Council, which will be before the Board in two weeks.

Public Health Services, Mr. Hayssen, Chairperson, said that his committee discussed the contract for the Household Hazardous Waste and the number of televisions collected by the entire county.

Finance, Assessment & Insurance Committee, Mr. Barto, Chairperson, indicated that his committee discussed and approved the refilling of correction officer position at the LEC. He also informed the Board that he had met with the County Manager to start process of the 2010 budget.

Mental Health Committee, Mr. Reynolds, Chairperson, said that his committee discussed and approved a contract changing provider services from Seneca – Cayuga ARC to Challenge Industries, which will come to the Board this evening.

County Manager's Remarks

The County Manager informed the Board that she had attended the InterCounty Meeting in Yates County last Friday (06/19) and spoken with Steven Acquario, who wants to meet with Seneca County in the near future. She also met with Mr. Barto to discuss the 2010 budget and has scheduled a meeting regarding the same with all Department Heads for June 29 to start the process.

County Manager Sinclair recognized Scott LaVigne, Director of Seneca County Community Counseling, who was selected by the Council of Local Mental Hygiene Directors to serve as a member of the Committee for the Drug and Alcohol Prevention Strategic Plan. The Committee serves under the New York State Office of Alcohol and Substance Abuse Services. The purpose of the Committee is to develop a strategic plan for all of New York State for the prevention of drug and alcohol abuse.

County Attorney's Remarks:

The County Attorney spoke about the Resolution that the Board will act on this evening regarding the Local Law pertaining the terms of the four positions of County Supervisors. This will affect supervisors in upcoming elections, not current supervisors and he sees no conflicts.

Communications:

90. From Assembly Minority Leader Brian Kolb, acknowledgement of receipt of Seneca County resolution no. 116-09 proclaiming the month of May, "One Stop Month for Seneca County".

91. Seneca County Federation of Sportsmen's Clubs, Inc.'s May 19, 2009 meeting minutes.

92. Seneca County Soil & Water Conservation District's May 18, 2009 meeting minutes.

93. Seneca County E911 Board's June 9, 2009 meeting minutes.

94. Seneca County Planning Board's May 14, 2009 meeting minutes.

95. Copies of the Town of Varick's resolution dated June 2, 2009 opposing the land-into-trust application of the Cayuga Indian Nation, and presented to the Bureau of Indian Affairs as written comment DEIS Cayuga Indian Nation of New York Trust Acquisition Project.

96. Copy of the Seneca Federation of Sportsmen's Clubs, Inc.'s resolution opposing the land-into-trust application of the Cayuga Indian Nation, and presented to the Bureau of Indian Affairs as written comment DEIS Cayuga Indian Nation of New York Trust Acquisition Project.

97. Copies of written comments regarding the DEIS on the Cayuga Indian Nation of New York Trust Acquisition Project, sent to Franklin Keel, Regional Director, Eastern Regional Office, Bureau of Indian Affairs, requesting the BIA to take No Action and opposing the land-into-trust application of the Cayuga Indian Nation. Comments were submitted by Seneca County Chamber of Commerce, Alfred Gaffney, Executive Director; Steven J. Getman, Esq. Village of Interlaken, NY; Rodman and Ellen Lott, Town of Fayette, NY; Joan P. Evans, City of Binghamton, NY; Edward Ide, Jr., Town of Aurelius, NY; Gail S. Abbott, Town of Seneca Falls; and the New York Association of Convenience Stores (NYACS).

98. A copy of Robert Shipley, Jr.'s comments rejecting the DEIS in relation to the Cayuga Indian Nation Land-into-Trust application and presented at the BIA Public Hearing on June 17, 2009.

Resolutions and Motions

BOARD OF SUPERVISORS APPROVES AUTHORIZES THE CHAIRMAN TO SIGN GRANT AGREEMENT WITH NEW YORK STATE FOR MAMA BEAR STABILIZATION

RESOLUTION NO. 136-09, moved by Mr. Kaiser, seconded by Mr. Barto, and adopted by 679 ayes (Kaiser, Barto, Reynolds, Serven, Davidson, Dresser, Same, Lafler, Amidon, Hayssen, Mooney, Shipley and Westfall) and 71 absentees (Terryberry).

WHEREAS, Seneca County is the owner of the Seneca County Courthouse Complex, known as the Three Bears; and

WHEREAS, one of the three buildings within the complex, the building known as Mama Bear, requires stabilization work; and

WHEREAS, New York State has committed grant funding to support this stabilization work; and

WHEREAS, Seneca County has amended its 2009 Budget to reflect these grant funds, along with the anticipated expenditure of said funds; and

WHEREAS, New York State requests that the Seneca County Board of Supervisors update its resolution authorizing and directing the Chairman to sign all necessary documents associated with these funds; and

WHEREAS, this resolution has been reviewed and approved by the Planning, Development, Agriculture, and Tourism Committee on June 9, 2009; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors be authorized and directed to sign all necessary documentation to obtain grant funds from New York State for the Mama Bear Stabilization Project.

SENECA COUNTY TREASURER AUTHORIZED TO REIMBURSE SENECA COUNTY INDUSTRIAL DEVELOPMENT AGENCY FOR SALARY, FRINGE BENEFITS AND MARKETING FOR SENECA COUNTY IDA PROFESSIONAL STAFF

RESOLUTION NO. 137-09, moved by Mr. Kaiser, seconded by Mrs. Amidon and adopted by 679 ayes (Kaiser, Amidon, Barto, Reynolds, Seren, Davidson, Dresser, Same, Lafler, Hayssen, Mooney, Shipley and Westfall) and 71 absentees (Terryberry).

WHEREAS, Seneca County is desirous of continuing an aggressive economic development program to promote the retention, expansion and attraction of business in the community; and

WHEREAS, the Seneca County Industrial Development Agency (IDA) is organized for the promotion and facilitation of economic development within the County and currently engages staff and consultants to carry out its mission; and

WHEREAS, Section 852 of the General Municipal Law of the State of New York does authorize the County to appropriate funds for the purpose of encouraging industrial and economic development within the County, and said funds are not to exceed \$60,000 which are to be taken from the Planning & Community Development 2009 Budget account #10-135-5-8020-4740 (IDA / Marketing Strategies); and

WHEREAS, this resolution was recommended by the Planning, Development, Agriculture & Tourism Committee on June 9, 2009; now, therefore, be it

RESOLVED, that the Seneca County Board of Supervisors hereby authorizes the Seneca County Treasurer to reimburse the Seneca County IDA for salary and fringe benefits for the Seneca County IDA professional staff, as well as supporting marketing strategies, in an amount not to exceed \$60,000 for

2009 calendar year (to be drawn in periodic payments) and said funds to be taken from P & CD 2009 Budget account #10-135-5-8020-4740 (IDA / Marketing Strategies).

**CHAIRMAN AUTHORIZED TO APPLY FOR UNITED STATES INTERNAL REVENUE
SERVICE VOLUNTEER INCOME TAX GRANT**

RESOLUTION NO. 138-09, moved by Mr. Mooney, seconded by Mr. Same and adopted by 679 ayes (Mooney, Same, Reynolds, Barto, Serven, Davidson, Dresser, Kaiser, Lafler, Hayssen, Amidon, Shipley and Westfall) and 71 absentees (Terryberry).

WHEREAS, Seneca County intends to apply to the United States Department of Treasury Internal Revenue Service for no more than \$36,000 in technical assistance program funding through the competitive Volunteer Income Tax Assistance (VITA) grant program; and

WHEREAS, if awarded, this program would reimburse 50% of the funding for the sixth year of coordinating the Seneca County Department of Workforce Development's VITA program; and

WHEREAS, this resolution has been reviewed and approved by the Human Services Committee on June 23, 2009; now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to sign all necessary documents to submit an application to US Internal Revenue Service for the Volunteer Income Tax Assistance (VITA) grant program.

**A RESOLUTION TO APPROVE THE FINAL CHANGE ORDER FOR THE PLUMBING
CONTRACT FOR THE SENECA COUNTY LAW ENFORCEMENT CENTER**

RESOLUTION NO. 139-09, moved by Mr. Shipley, seconded by Mr. Davidson and adopted by 679 ayes (Shipley, Davidson, Reynolds, Barto, Serven, Dresser, Kaiser, Same, Lafler, Amidon, Hayssen, Mooney and Westfall) and 71 absentees (Terryberry).

WHEREAS, a final change order (Change Order No. 13) for completion of the plumbing contract at the LEC has been received resulting in a credit of \$2,942.00 on the contract price and leaving a balance due the contractor of \$2,058.00; and

WHEREAS, the work performed under the contract has been inspected and determined to be complete and performed to acceptable standard; and

WHEREAS, this resolution has been reviewed and approved by the Public Safety Committee at its June 23, 2009 meeting; now, therefore, be it

RESOLVED, that the Board of Supervisors approves Change Order No. 13 on the plumbing contract for the Seneca County Law Enforcement Center and directs and authorizes payment of the balance due the contractor.

Mr. Shipley moved to refer back to the Public Safety Committee the prefiled resolution, To Introduce Proposed Local Law C Establishing a Wireless Telephone Usage Charge Pursuant to §308-A of New York State County Law and Providing for a Public Hearing.

SENECA COUNTY ACCEPTS GRANT FROM NEW YORK STATE DEPARTMENT OF STATE FOR SHARED MAINTENANCE FACILITY SERVICES STUDY

RESOLUTION NO. 140-09, moved by Mr. Davidson, seconded by Mr. Kaiser and adopted by 679 ayes (Davidson, Kaiser, Reynolds, Barto, Serven, Dresser, Same, Lafler, Amidon, Hayssen, Mooney, Shipley and Westfall) and 71 absentees (Terryberry).

WHEREAS, the New York State Department of State, Division of Local Government Services has awarded Seneca County a \$29,000 grant to fund a Shared Maintenance Facility Study to determine to what extent a single, centralized shared vehicle maintenance facility will reduce the overall maintenance costs to the communities and countywide, rather than maintaining separate facilities and services; and

WHEREAS, the County is required to provide a local cash match of \$3,223 (or 10%); and

WHEREAS, the County of Seneca would act as Lead Applicant with the Towns of Fayette and Varick and the Romulus Central and Seneca Falls School Districts, and other districts and municipalities that indicate their interest, as co-applicants supporting the project by Memorandum of Understanding; and

WHEREAS, this request has been reviewed and approved by the Public Works committee at its June 9, 2009 meeting; now, therefore, be it

RESOLVED, that Laverne C. Lafler, Jr., Chairman of the Board of Supervisors, is hereby authorized and directed to sign any and all necessary contract documents for said grant; and be it

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2009 Seneca County Budget as follows:

ADD Revenue	10-319-3-3080	\$29,000	Shared Maintenance Facility Study
ADD Expense	10-101-5-1440-0480	\$29,000	Shared Maintenance Facility Study

SUPERVISORS AUTHORIZE REPAIR OF THE COUNTY OFFICE BUILDING ELEVATOR

RESOLUTION NO. 141-09, moved by Mr. Davidson, seconded by Mr. Mooney and adopted by 679 ayes (Davidson, Mooney, Reynolds, Barto, Serven, Dresser, Kaiser, Same, Lafler, Amidon, Hayssen, Shipley and Westfall) and 71 absentees (Terryberry).

WHEREAS, the existing elevator in the Seneca County Office Building, located at 1 DiPronio Drive, Waterloo, New York 13165, is experiencing frequent problems with overheating resulting with the elevator running slow and eventually shutting down; and

WHEREAS, the overheating problem has increased significantly in recent months making it necessary to make service repair calls during the daytime and emergency calls after hours; and

WHEREAS, it has been determined that the temperature of the oil which allows the elevator to operate and function mechanically is unable to cool down and recover due to increased and continued use all day; and

WHEREAS, to avoid the potential of having an employee or someone from the general public trapped in the elevator from a motor or valve failure, ThyssenKrupp has proposed to install an oil cooler which would resolve the overheating problem; and

WHEREAS, ThyssenKrupp, the authorized maintenance and repair company for the elevator, has provided a proposal to furnish and install the oil cooler for \$11,463.00; and

WHEREAS, the County Engineer has reviewed the proposal and recommends the County retain ThyssenKrupp for the services; and

WHEREAS, the Public Works Committee approved this resolution on June 9, 2009; now, therefore, be it

RESOLVED, that the Seneca County Board of Supervisors does hereby authorize the installation of a new oil cooler as described in the accepted proposal from ThyssenKrupp, in the amount not to exceed \$11,463.00; and be it

FURTHER RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign any and all necessary contract documents for said project; and be it

FURTHER RESOLVED, that the Seneca County Treasurer is hereby authorized and directed to transfer the sum of \$11,463.00 from account 10-1990-4700 Contingency, to account 10-101-5-1620-4280 Special Maintenance Projects.

**TREASURER AUTHORIZED TO AMEND 2009 SENECA COUNTY HIGHWAY BUDGET
FOR INCREASED CHIPS FUNDING**

RESOLUTION NO. 142-09, moved by Mr. Davidson, seconded by Mr. Shipley and adopted by 679 ayes (Davidson, Shipley, Reynolds, Barto, Serven, Dresser, Kaiser, Same, Lafler, Amidon, Hayssen, Mooney and Westfall) and 71 absentees (Terryberry).

WHEREAS, the County has received official notification that \$854,141 in Consolidated Local Street and Highway Improvement Program (CHIPs) funding will be available to the Seneca County Highway Department for capital improvements; and

WHEREAS, the amount of \$739,779 had been appropriated in the 2009 Road and Bridge Construction budget; and

WHEREAS, the Public Works Committee approved these amendments on June 9, 2009; now, therefore, be it

RESOLVED, that the Seneca County Treasurer is hereby authorized and directed to amend the 2009 Seneca County Highway Road and Bridge Construction budget as follows:

Increase Revenue Account 3193.3500 CHIPs Capital \$114,362

Increase Account 5112.2000 County Road Construction \$ 69,362

Increase Account 80-101-5-5110-2000 County Road 143 Bridge \$ 25,000

Increase Account 80-101-5-5112-2000 County Road 114 Bridge \$ 20,000

**A RESOLUTION TO INTRODUCE PROPOSED LOCAL LAW D OF THE YEAR 2009
AMENDING LOCAL LAW NUMBER 1 OF 1972 AND PROVIDING
FOR PUBLIC HEARING AND REFERENDUM**

RESOLUTION NO. 143-09, moved by Mrs. Amidon, seconded by Mr. Westfall and adopted by 406 ayes (Amidon, Westfall, Barto, Serven, Dresser, Kaiser, Same and Hayssen), 273 nays (Reynlds, Davidson, Lafler, Mooney and Shipley) and 71 absentees (Terryberry).

WHEREAS, Local law No. 1 of 1972 provides for the reapportionment of the Seneca County Board of Supervisors and the creation of additional Supervisors in the Towns of Waterloo and Seneca Falls pursuant to §10(1) of the New York State Municipal Home Rule Law; and

WHEREAS, such Local Law further provides that the terms of office of such additional Supervisors shall be for two years; and

WHEREAS, the Government Operations Committee finds that the simultaneous election of both such additional Supervisors in each Town has resulted in the habit of “bullet voting” on the part of supporters of a particular candidate, thus reducing participation of the electorate in the democratic process; and

WHEREAS, it is the recommendation of the Government Operations Committee that such terms of office of additional Supervisors be extended to four years; and

WHEREAS, it is the further recommendation of the Government Operations Committee that the terms of such additional Supervisors be staggered so that the two additional Supervisors from each Town be elected for such four year term at two year intervals; now, therefore, be it

RESOLVED, that proposed Local Law D of 2009 entitled “A Local Law To Amend Local Law No. 1 of 1972” be and the same is hereby introduced before the Board of Supervisors of Seneca County, New York to read in substantially the following form:

That Local Law number 1 of 1972 be amended as follows:

That §3 of said local law be amended to read as follows:

Section 3. The additional Supervisors from the Town of Seneca Falls and the Town of Waterloo shall:

- (a) Be elected by the voters in their respective Towns at a general election to be held in November, 2009

- (b) The term of office of such additional Supervisors shall be four years, except when appointed to fill a vacancy, commencing January 1, 2010, and except as follows: the initial term of office of the candidate for such office from each said Town receiving the second highest total number of votes for such office shall be two years commencing January 1, 2010 and shall, except to fill a vacancy, be four years thereafter commencing January 1, 2012.

Subsections © and (d) of §3 shall remain unchanged.

And that §6 of said Local Law be amended to read as follows:

Section 6. This Local Law, as amended shall become operative immediately upon the election to take place November 3, 2009 and shall effect the terms of office of the Seneca County additional Supervisors for the Towns of Seneca Falls and Waterloo commencing January 1, 2010 and shall be filed with the office of the Secretary of State.

And be it further

RESOLVED, that copies of the aforesaid proposed local law be laid upon the desks of each member of the County Board; and be it further

RESOLVED, that the County Board hold a public hearing on said proposed Local Law at the County Office Building, 1 DiPronio Drive, Waterloo, New York at or about 8:00 p.m. on July 14, 2009; and be it further

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

RESOLVED, that such local law shall, if passed by the Board of Supervisors, be subject to a referendum vote to take place at the next general election in November, 2009.

New Business:

Dr. Dresser moved the suspension of the rules to introduce the following resolutions.

**BOARD OF SUPERVISORS OBJECTS TO NEW YORK STATE
PROFESSIONAL FIREFIGHTERS ASSOCIATION HOLDING EVENTS AT
TURNING STONE CASINO, VERONA, NEW YORK**

RESOLUTION NO. 144-09, moved by Dr. Dresser, seconded by Mr. Mooney, and adopted by 679 ayes (Dresser, Mooney, Reynolds, Barto, Serven, Davidson, Kaiser, Same, Lafler, Hayssen, Amidon, Shipley and Westfall) and 71 absentees (Terryberry).

WHEREAS, the Turning Stone Casino is operated by the Oneida Indian Nation and turns over none of its profits to the State of New York, unlike all other Indian casinos in New York State; and

WHEREAS, it is questionable whether the Turning Stone is operating legally because the compact which established it during the Cuomo administration was never approved by the legislature; and

WHEREAS, it has come to the attention of the Seneca County Board of Supervisors that for the second year in a row the New York State Professional Firefighters Association (NYSPFFA) held its Muscular Dystrophy Boot Camp meetings at the Turning Stone Casino in Verona, New York; and

WHEREAS, we applaud NYSPFFA's support of the Muscular Dystrophy Association, we also protest holding its boot camp meetings at the Turning Stone Casino; now, therefore, be it

RESOLVED, the Chairman of the Board of Supervisors is directed to communicate to NYSPFFA our objection to scheduling future events at the Turning Stone Casino; and be it

FURTHER RESOLVED, the Chairman forward a copy of such communication together with a copy of this resolution to the Chief of each fire department located in Seneca county, the Seneca County Emergency Management Office, and to any Commission, Department or Board having oversight of emergency fire response in Seneca County.

SENECA COUNTY BOARD OF SUPERVISORS AUTHORIZES THE COUNTY MANAGER TO APPROVE SENECA COUNTY'S RESPONSE TO THE DRAFT ENVIRONMENTAL IMPACT STATEMENT PREPARED IN CONNECTION WITH THE CAYUGA INDIAN LAND INTO TRUST APPLICATION

RESOLUTION NO. 145-09, moved by Dr. Dresser, seconded by Mr. Shipley and adopted by 679 ayes (Dresser, Shipley, Reynolds, Barto, Serven, Davidson, Kaiser, Same, Lafler, Hayssen, Amidon, Mooney and Westfall) and 71 absentees (Terryberry).

WHEREAS, the State of New York has retained the firm of Harris Beach to defend the sovereignty of New York State land situate in Seneca County from an attack on such sovereignty through an application by the Cayuga Indian tribe in the form of an application by such tribe to the Bureau of Indian Affairs (BIA) to take land located in the County into trust on their behalf; and

WHEREAS, the County of Seneca through its Board of Supervisors has endorsed the action of the State of New York in so retaining said firm and approved the firm's representation of the County's interests in connection with all matters arising from such defense; and

WHEREAS, with the approval of the Board of Supervisors, the firm of Harris Beach has set about the process of responding to the draft environmental impact statement (DEIS) issued in connection with the said application of the Cayuga Indian Tribe; and

WHEREAS, due to the time constraints placed upon response to the DEIS, this Board will not meet again before such response must be completed, approved and submitted to the BIA on behalf of the County; now, therefore, be it

RESOLVED, that the Seneca County Board of Supervisors authorizes and directs the County Manager in consultation with the County Attorney and the Chairman of the Board of Supervisors' Indian Affairs Committee, to review and approve on behalf of and as the duly authorized representative of the

Board, the response to the said DEIS prepared by the firm of Harris Beach and to execute any document or documents deemed necessary or advisable to affirm such approval on behalf of and as such duly authorized representative of the Seneca County Board of Supervisors.

Mr. Reynolds moved the suspension of the rules to introduce the following resolution.

**2009 CONTRACT PROVIDER CHANGE FOR SELECTED MENTAL HEALTH SERVICES
FROM SENECA – CAYUGA ARC TO CHALLENGE INDUSTRIES**

RESOLUTION NO. 146-09, moved by Mr. Reynolds, seconded by Mr. Kaiser and adopted by 679 ayes (Reynolds, Kaiser, Barto, Serven, Davidson, Dresser, Same, Lafler, Hayssen, Amidon, Mooney, Shipley, and Westfall) and 71 absentees (Terryberry).

WHEREAS, the Department of Mental Health has entered into service contracts each year with Seneca – Cayuga ARC to provide Mental Health and Mental Retardation / Developmental Disability (MR/DD) services to residents of Seneca County; and

WHEREAS, in the Fall of 2008 Seneca-Cayuga ARC management expressed their desire to provide only those MR/DD services which are congruent with their core competencies and not to provide mental health related services; and

WHEREAS, Seneca-Cayuga ARC wishes to no longer provide the currently contracted Ongoing Integrated Supported Employment and related Case Management services for mental health clients, preferring to provide services only for MR/DD clients; and

WHEREAS, Challenge Industries has accepted the terms outline in a draft contract to provide those Mental Health Ongoing Integrated Supported Employment and related Case Management services to Seneca County residents; and

WHEREAS, on June 16, 2009 the Seneca County Community Services Board voted to approve the change to Challenge Industries from Seneca-Cayuga ARC for the provision of Mental Health OISE / Case Management Services effective July 1, 2009; and

WHEREAS, on June 18, 2009 New York State Office of Mental Health approved the change of providers; and

WHEREAS, the funds used for this contract are passed-through state aid monies from the New York State Office of Mental Health and will be directed to Challenge Industries with services starting on or after July 1, 2009; and

WHEREAS, the total state dollars invested amount from Account 10-115-5-4300-4337-4380 requires no additional county dollars for this additional contract with Challenge Industries; and

WHEREAS, this resolution was approved by the Board of Supervisors' Mental Health Services Committee on June 23, 2009; now, therefore, be it

RESOLVED, that the Seneca County Board of Supervisors authorizes and directs the Chairman of the Board of Supervisors to sign a new 2009 Service Provider Contract with Seneca-Cayuga ARC, reflecting the removal of Mental Health OISE and Case Management Services and related OMH funds; and be it

FURTHER RESOLVED, that the Seneca County Board of Supervisors authorizes and directs the Chairman of the Board of Supervisors to sign a 2009 Service Provider Contract with Challenge Industries, reflecting the provision of services for Mental Health OISE and Case Management Services and related OMH funds previously assigned to Seneca-Cayuga ARC's contract.

County Attorney Fisher explained why a suspension of the rules was introduced several times. He said that it is correct procedure when requesting suspension of the rules to state the reason that necessitates a suspension of the rules as opposed to simply introducing a motion to suspend the rules without explanation.

County Manager Sinclair clarified that the Office for the Aging was holding two summer picnics. For the convenience of the seniors and their friends and families, one picnic, the North County Picnic, would be at Vince's Park and the other, the South County Picnic, would be at Taughannock Falls State Park.

Mr. Kaiser requested that the Clerk of the Board recount the votes recorded for Resolution No. 143-09 the result being the same as the original count.

Special Order of the Day

The meeting was adjourned at 8:44 p.m.