

PROCEEDINGS
OF THE
BOARD OF SUPERVISORS
WYOMING COUNTY
NEW YORK

2006

A. Douglas Berwanger, Chairman

Cheryl Ketchum, Clerk
Brenda Ferrell, Deputy Clerk
Eric T. Dadd, County Attorney



WYOMING COUNTY BOARD OF SUPERVISORS

Left to right, front row: Brenda Ferrell (Deputy Clerk), Jean Totstline (Genesee Falls), Sally Meeder (Middlebury), Ellen Grant (T/Bennington), Susan May (T/Orangeville), Cheryl Ketchum (Board Clerk). Second row: E. Joseph Gozelski (T/Castile), John Copeland (Wethersfield), Harold Bush (Gainesville), Joseph Kushner (T/Eagle). Third row: Ron Smith (T/Warsaw), John Knab (T/Sheldon), James Brick (T/Perry), James Fleischman (T/Java), A. Douglas Berwanger (T/Arcade), (Chairman), Larry Rogers (T/Pike), Jerry Davis (T/Covington), (Vice Chairman), Doug Patti (T/Attica).

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2006 Supervisors for Wyoming County

| <u>TOWN</u> | <u>SUPERVISOR</u> | <u>PHONE</u> |
|---------------|--|---------------------------|
| Arcade | A. DOUGLAS BERWANGER 6608 E. Arcade Road, Arcade, NY 14009 | 492-3798 Ofc. 492-4685 |
| Attica | DOUGLAS PATTI 333 E. Main Street, Attica, NY 14011 | 591-2934 |
| Bennington | ELLEN GRANT 134 Clinton Street, Alden, NY 14004 | 937-9913 |
| Castile | E. JOSEPH GOZELSKI 6175 E. Lake Road, P.O. Box 331 Silver Springs, NY 14550 | 493-2218 |
| Covington | JERRY DAVIS 7414 Court Rd., P.O. Box 445 Pavilion, NY 14525 | 584-3162 |
| Eagle | JOSEPH KUSHNER 3468 E. Main St., Bliss NY 14024 | 322-7730 |
| Gainesville | HAROLD BUSH 4579 Miller Road, Silver Springs, NY 14550 | 786-2403 |
| Genesee Falls | JEAN TOTSLINE 6940 River Rd., Portageville, NY 14536 | 468-2748 |
| Java | JAMES FLEISCHMAN 1947 Chaffee Rd., Arcade, NY 14009 | 492-4560 |
| Middlebury | SALLY MEEDER 4631 Gay Rd., Warsaw, NY 14569 | 786-2304 |
| Orangeville | SUE MAY 2916 Orangeville Center Rd., Warsaw, NY 14569 | 786-5508 |
| Perry | JAMES BRICK 7618 Route 20A, Perry, NY 14530 | 237-2472 Ofc. 237-2241 |
| Pike | LARRY ROGERS P.O. Box 82, Pike, NY 14130-0082 | 493-5737 Ofc. 493-5140 |

| | | |
|--------------|---|---------------------------|
| Sheldon | JOHN KNAB 2246 Thomas Road, Varysburg, NY 14167 | 535-7252 535-7644 |
| Warsaw | RONALD SMITH 4553 Route 20A, Warsaw, NY 14569 | 786-2188 Ofc. 786-2800 |
| Wethersfield | JOHN COPELAND 5888 Sheppard Rd., Bliss, NY 14024 | 322-8800 |

Wyoming County Board of Supervisors 2006 Standing Committees

Effective January 2, 2006

FINANCE COMMITTEE:

Davis, Rogers, Fleischman, Gozelski, Kushner, Meeder, Patti, Totline

AUDIT COMMITTEE:

Bush, Knab, Brick, Gozelski, Smith, Totline

HUMAN RESOURCE COMMITTEE:

Meeder, Grant, Davis, Fleischman, May, Smith, Totline

HUMAN SERVICES COMMITTEE:

Rogers, Totline, Bush, Fleischman, Knab, Kushner, Patti, Smith

PUBLIC HEALTH COMMITTEE:

Totline, Knab, Bush, Gozelski, Kushner, May, Meeder, Patti, Smith

PLANNING COMMITTEE:

Fleischman, Rogers, Copeland, Davis, Gozelski, Grant, May, Smith,

AGRICULTURE COMMITTEE:

Gozelski, Meeder, Brick, Bush, Copeland, Grant, Rogers, Smith

PUBLIC WORKS COMMITTEE:

Patti, Bush, Brick, Davis, Gozelski, Grant, Knab, Kushner

PUBLIC SAFETY COMMITTEE:

Kushner,, Copeland, Fleischman, Gozelski, Meeder, Patti, Smith

GREEN ENERGY SUB-COMMITTEE:

Knab, Brick, Copeland, Davis, Gozelski, Grant, Kushner, May

The Chairman of the Board shall be an Ex-Officio Member
of all committees with the right to vote.

Officers for Wyoming County - 2006

| | | |
|---|------------------------|---------------|
| Congressmen, 27 th District | Thomas M. Reynolds | Williamsville |
| Senator, 59 th | DistrictDale M. Volker | Depew |
| Assemblyman, 147 th District | Daniel Burling | Warsaw |
| Republican Comm. Chairman | Gordon Brown | Warsaw |
| Democratic Comm. Chairman | Amy Weidman | Wyoming |
| County Judge | Mark H. Dadd | Attica |
| County Judge | Michael F. Griffith | Warsaw |
| Board of Supervisors, Chairman | A. Douglas Berwanger | Arcade |
| Board of Supervisors, Clerk | Cheryl Ketchum | Eagle |
| Civil Service Commission | Sandra Domnissey | Warsaw |
| | Timothy Moran | Attica |
| | Thomas Dutton | Eagle |
| Commissioner of Jurors | Marianne E. Kelly | Perry |
| Coroners | Michael Smith | Wyoming |
| | William Stranahan | Attica |
| | Neil Williams | Arcade |
| | Renee Hill | Attica |
| County Attorney | Eric T. Dadd | Attica |
| County Clerk | Janet Coveny | Arcade |
| | Kathleen Daniel | Bliss |
| District Attorney | Gerald L. Stout | Warsaw |
| Animal Control Officer | Justa D. Goodell | Castile |
| Planning & Development Dir. | Richard L. Tidell | Warsaw |
| Election Commissioners | James Schlick, Rep. | Bennington |
| | Anna Mae Balmas, Dem. | Castile |
| Fire & Emergency Management Dir. | James Reger | Warsaw |
| Fire & Building Code Officer | Dennis Halstead | Perry |
| Grant Writers | Stuart Brown | Fairport |
| | J. O'Connell | Clarence |
| Health Dept. Commissioner | Dr. Gregory Collins | Avon |
| Highway Superintendent | John A. Beachel | Castile |
| Historian | Doris A. Bannister | Middlebury |

| | | |
|----------------------------------|-----------------------------|-----------|
| Hospital Administrator | Ronald J.Krawiec | Hamburg |
| Mental Health Director | Stephen Snell | Rochester |
| Office for the Aging Director | Sabrina Pribek | Attica |
| Planning Board Chairman | W. Jerome Smith | Warsaw |
| Probation Director | Anne E. Herod | Varysburg |
| Public Defender | Norman P. Effman | Warsaw |
| Real Property Tax Serv. Director | Richard L. Dean, Jr. C.C.D. | Castile |
| Records Management, Officer | Janet Coveny | Warsaw |
| Sheriff | Farris Heimann | Attica |
| Social Services Commissioner | Deborah Schmitt | Perry |
| Traffic Safety Secretary | Joseph Heller, Jr. | Attica |
| Treasurer | Cheryl Mayer | Pike |
| Veterans' Services Director | Gary Cousins | Warsaw |
| Weights & Measures Director | Richard A. Harrison | Arcade |
| Worker's Comp./Health Ins. Adm. | Dixie Perkins | Warsaw |
| Youth Bureau Director | Sabrina Pribek | Attica |

**ANNUAL ORGANIZATIONAL MEETING
TUESDAY, JANUARY 3, 2006
2:00 PM**

The annual organization meeting of the Wyoming County Board of Supervisors was held in the Supervisor's Chamber, Government Center, 143 North Main Street, Warsaw, NY with all members present. Clerk to the Board, Mrs. Paula Parker, called the meeting to order and introduced Wyoming County Veteran, Mr. Carl C. Baker to lead in the Pledge of Allegiance to the Flag:

MICHAEL EDWARD RHODES

Mr. Rhodes' service to his country was with the United States Army during the "Vietnam Conflict." Mr. Rhodes enlisted in the Army at the age of 17, completing basic training at Fort Gordon Georgia and Advanced Infantry Training at Fort Benning, Georgia. Mr. Rhodes served most of his active service as a member of the 87th Infantry Bridge, 8th Infantry Division of the United States Army Europe (USAREUR), stationed at Manheim, Germany. He was honorably discharged on March 1, 1965 at Fort Hamilton, N.Y. Mr. Rhodes continued his education while being employed at Gleason Works in Rochester as a Mechanical Engineer Apprentice for 9 years. In 1975, Mr. Rhodes changed vocation, and became a Correction Officer for the New York State Department of Correctional Services. At the same time Mr. Rhodes also continued his military career by joining the New York State Army National Guard, C Co. 1/174th Mechanized Infantry, 42nd Infantry Division in Geneseo, N.Y. During his career in the Department of Corrections, Mr. Rhodes distinguished himself, by becoming a Police & Municipal Training Council Firearms and Chemical Agents instructor. At the same time, Mr. Rhodes was also a Member of the Attica Correctional Emergency Response Team (CERT). During his 25 years in Corrections, Mr. Rhodes worked 10 years at Attica Correctional and 15 years at Groveland Correctional, also serving on the NYS Hostage Negotiating Unit until his retirement in 1995 as a Sergeant. Mr. Rhodes, meanwhile, continued his military career and professional development with Annual Training that included Unit Activation for the Blizzard of 1977, a strike in 1979, and Cold Weather Training combined with Armed Forces of Canada. Mr. Rhodes retired from the Army National Guard at the rank of Master Sergeant in 1995. For his service to his country Mr. Rhodes has been awarded:

**UNITED STATES ARMY SERVICE RIBBON
NATIONAL DEFENSE SERVICE MEDAL
RESERVE COMPONENT ACHIEVEMENT MEDAL
NCO PROFESSIONAL DEVELOPMENT RIBBON
GOOD CONDUCT MEDAL**

January 3, 2006

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ARMY ACHIEVEMENT MEDAL
ARMY COMMENDATION MEDAL
MERITORIOUS SERVICE MEDAL
NYS MILITARY COMMENDATION MEDAL
NYS HUMANE SERVICE AWARD
NYS CONSPICUOUS SERVICE CROSS

Mr. Rhodes continues to serve his community by holding the position of acting Village Justice of Perry and appointed Town Justice for the Town of Perry. He has also been active with the Perry Area Chamber of Commerce and a Past Director of the Perry Community Center. Mr. Rhodes has been a long time member of NYS Masons Constellation Lodge 404 of Perry, past member of NYS Mason Oakland Lodge 379 of Castile and a member of the American Legion McKelton Post #350 of Perry.

Mr. Rhodes has been married for 39 years to his wife Josephine and they live in Perry.

The pledge was said by all.

The Clerk then called for nominations for the Temporary Chairman. Supervisor Patti nominated Supervisor Rogers. Seconded by Supervisor Copeland. As there were no other nominations Supervisor Grant moved that the nominations be closed, the motion was seconded by Supervisor Smith. A roll call vote was taken with results as follows: **Ayes- (1572); Noes- (0); Absent: (0) Abstain: 46 (Pike)**; Supervisor Rogers was declared Temporary Chairman.

Judge Mark Dadd administered the oath of Office to the Temporary Chairman.

Temporary Chairman Rogers welcomed all to the 2006 Annual Organizational Meeting and thanked the Board for their confidence in his ability to conduct the meeting in the Temporary Chairman's capacity and then he called for nominations for Permanent Chairman of the Board. Supervisor Kushner nominated Supervisor Berwanger; seconded by Supervisor Gozelski. As there were no other nominations Supervisor Brick moved that the nominations be closed, the motion was seconded by Supervisor Smith. A roll call vote was taken with results as follows: **Ayes- (1618); Noes: (0); Absent: (0) Abstain: (0)**; Temporary Chairman Rogers declared Supervisor Berwanger as Permanent Chairman of the Board for the year 2006.

The Oath of Office was administered by Judge Mark Dadd

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Chairman Berwanger called for nominations for Vice-Chairman of the Board. Supervisor Grant nominated Supervisor Davis. Seconded by Supervisor Smith. As there were no other nominations, Supervisor May moved that nominations be closed. The motion was seconded by Supervisor Kushner. A roll call vote was taken with results as follows: **Ayes- (1618); Noes- (0); Absent: (0).** Supervisor Davis was declared Vice-Chairman of the Board for the year 2006.

The Oath of Office was administered by Judge Mark Dadd.

Chairman Berwanger called for nominations for Clerk to the Board. Supervisor Davis nominated Cheryl J. Ketchum. Seconded by Supervisor Totstline. As there were no other nominations, Supervisor Davis moved that nominations be closed. The motion was seconded by Supervisor Grant. A roll call vote was taken with results as follows: **Ayes- (1618); Noes- (0); Absent: (0).** Cheryl J. Ketchum was declared Clerk to the Board for the year 2006.

The Oath of Office was administered by Judge Mark Dadd.

Clerk Ketchum introduced Town of Castile resident, Brenda Ferrell, as the 2006 Deputy Clerk to the Board of Supervisors.

Chairman Berwanger then invited newly elected Treasurer, Cheryl Mayer to please come forward and take her oath of office

The Oath of Office was administered by Judge Mark Dadd.

Chairman Berwanger then invited newly appointed Public Defender, Norman Effman to please come forward and take his oath of office

The Oath of Office was administered by Judge Mark Dadd.

Chairman Berwanger asked the Clerk to pass out the Standing Committee assignments for 2006 and the newly appointed Finance Committee Chair requested a short recess be granted for a special Finance Committee Meeting. The Chairman granted the request and the meeting resumed after 15 minutes with the following results.

**RESOLUTION NO. 06-01
(January 3, 2006)**

By Chairman of the Finance Committee:

RULES OF PROCEDURE ADOPTED

BE IT RESOLVED, That this Board of Supervisors hereby adopts, as its temporary Rules of Procedure, the Rules of this Board as adopted May 11, 2004, and as amended.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#2

**RESOLUTION NO. 06-02
(January 3, 2006)**

By Chairman of the Finance Committee:

OFFICIAL NEWSPAPERS DESIGNATED

BE IT RESOLVED, That, pursuant to Section 214 (2) of the county law of this state, the Arcade Herald, Arcade, NY; Country Courier, Warsaw, NY; The Daily News, Batavia, NY; and The Perry Herald, Perry, NY are hereby designated for the publication of local laws and all other notices and matters required by law to be published, for which no other specific designation has heretofore been made.

Carried: XXX Ayes: Noes: Absent: Abstain:

REPUBLICAN DESIGNATION TO PUBLISH

We, the undersigned Republican members of the Board of Supervisors of the County of Wyoming, State of New York, do hereby designate as follows for the year 2006:

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| <u>Designation</u> | <u>Publication</u> | <u>Village of</u> |
|--|---------------------------|--------------------------|
| Election notices | Daily News | Batavia, NY |
| Sheriff's Proclamations | Daily News | Batavia, NY |
| Local laws, notices and other matters required by law to be published and for which NO OTHER specific designation has been made. | Daily News | Batavia, NY |
| Official canvass | Country Courier | Warsaw, NY |
| Constitutional amendments and concurrent resolutions (including tax sales and redemptions) | Country Courier | Warsaw, NY |

Signed this third day of January 2006.

| | |
|---------------------------|--------------------------|
| s/ <u>A.D. Berwanger</u> | s/ <u>James Brick</u> |
| s/ <u>Joseph Gozelski</u> | s/ <u>Joseph Kushner</u> |
| s/ <u>Jerry Davis</u> | s/ <u>Larry Rogers</u> |
| s/ <u>Jean Totsline</u> | s/ <u>Douglas Patti</u> |
| s/ <u>Ron Smith</u> | s/ <u>Ellen Grant</u> |
| s/ <u>John Copeland</u> | s/ <u>Susan May</u> |

DEMOCRATIC DESIGNATION TO PUBLISH

We, the undersigned Democratic members of the Board of Supervisors of the County of Wyoming, State of New York, do hereby designate as follows for the year 2006:

| <u>Designation</u> | <u>Publication</u> | <u>Village of</u> |
|---------------------------|---------------------------|--------------------------|
| Election notices | Perry Herald | Perry, NY |
| Sheriff's Proclamation | Perry Herald | Perry, NY |

January 3, 2006

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| | | |
|--|--------------|-----------|
| Local laws, notices and other matters required by law to be published and for which NO OTHER specific designation has been made. | Perry Herald | Perry, NY |
|--|--------------|-----------|

| | | |
|-----------------|---------------|------------|
| Official canvas | Arcade Herald | Arcade, NY |
|-----------------|---------------|------------|

| | | |
|--|---------------|------------|
| Constitutional amendments and concurrent resolutions (including tax sales and redemptions) | Arcade Herald | Arcade, NY |
|--|---------------|------------|

Signed this third day of January 2006:

| | |
|-----------------------|------------------------|
| s/ <u>Harold Bush</u> | s/ <u>Sally Meeder</u> |
|-----------------------|------------------------|

| | |
|----------------------------|---------------------|
| s/ <u>James Fleischman</u> | s/ <u>John Knab</u> |
|----------------------------|---------------------|

Fellow Supervisors, Judge Dadd, Judge Griffith, Treasurer Mayer, County Clerk Coveny, Sheriff Heimann, District Attorney Stout, distinguished guests and residents of Wyoming County.

Once again it is both an honor and privilege to be elected Chairman of the Wyoming County Board of Supervisors for the 6th consecutive year. I appreciate the unwavering bi-partisan support the Board has given me today and for the past five years.

As the Board begins the New Year, we are welcoming three newly elected Supervisors. Ms. Susan May from Orangeville, Mr. James Brick from Perry, and Mr. Ron Smith, from the town of Warsaw. Congratulations to all of you and welcome to the County Board of Supervisors. I hope your tenure in office will be successful and satisfying from the point of making your town as well as Wyoming County a better place to live.

I'd like to offer a brief recap of 2005. Many changes took place in the past year. The biggest change of course was the retirement of longtime County Treasurer John Edwards and the election of Cheryl Mayer. Congratulations to Ms. Mayer. As we begin 2006 we look forward to working with the new Treasurer.

Several Department head changes occurred in 2005 beginning with the retirement of the Commissioner of Social Services, Jeannette Wallace. She was

replaced in that position by the former Director of the Office for the Aging and Youth Bureau Director, Ms. Debra Schmitt. A search for a new Office for the Aging and Youth Bureau Director will begin in 2006.

2005 also saw the creation of a Civil Service Commission. It is served by members; Tim Moran, from Attica as Chairperson, Sandy Domnissey of Warsaw and Tom Dutton of Eagle. Because of this move, the Human Resource Department became a stand-alone department, which was directed by Paul Dziama who resigned recently. The search for a new director of that department will also be addressed soon.

With the impending retirement of County Insurance Director, Linda Williams, the Board will be looking for a replacement in that department as well.

At the Wyoming County Community Health System, a new Chief Executive Officer, Ron Krawiec, comes aboard this year following the 16 year distinguished tenure of Lucy Sheedy. We welcome Mr. Krawiec and wish the he and the Board of Managers at the Hospital much success.

The rehabilitation of county roads continues to be a primary focus for the Board of Supervisors. With the completion of the Blackhouse Road in the towns of Middlebury and Warsaw, and the Hardys Road in the towns of Pike and Gainesville in 2005, progress continues to be made. In the year 2006 two of the projects planned include Middle Reservation Road with an appropriation by Congressman Tom Reynolds, and East Arcade Road with assistance from Senator Dale Volker. The Board continues to seek for ways to increase funding in an effort to keep county roads in good condition.

We are confident that under the committee leadership of Supervisor Doug Patti from Attica working with the County Highway Superintendent, Jack Beachel, county road work will be completed in a timely fashion.

Supervisor Larry Rogers, from the Town of Pike will return to chairing the Human Services committee. One of the first tasks of the New Year will be to conduct a search to hire an OFA and Youth Bureau Director.

The Public Health Department will also have a new chair, Jean Totslie from Genesee Falls. It will continue to monitor progress made in the Public Health Department and the CHHA, and work on the relocation of the Public Health Department to the South Warsaw Human Service Building.

Public Safety, chaired by Supervisor Joe Kushner, Town of Eagle, has as a top priority to provide adequate protection for the residents of Wyoming County. In 2005, eight new patrol cars were purchased for the Sheriff's Department and the

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intent of the Board is to purchase 7 – 8 new cars in 2006 to ensure the safety of our deputies while on patrol. Mr. Kushner will work closely with Sheriff Heimann.

The Human Services committee, chaired by Supervisor Sally Meeder, town of Middlebury, has a first priority to search for and hire a Human Resources Director along with the opportunity to reorganize the department and share services with the hospital Human Resource department.

The Planning Committee will also have a new chairman, Supervisor Jim Fleischman, Town of Java. Mr. Fleischman and his committee will continue to work with Planning and Development, the Wyoming County Chamber, the IDA, Tourism, and the Business Education Council to strengthen the county's position in all of these areas.

A newly formed committee, the Green Energy Committee, will be chaired by Supervisor John Knab from the Town of Sheldon. Mr. Knab who has a great deal of experience and background on this subject. They will now meet in conjunction with the planning committee because of their close interaction. Wind turbines have become a major issue in Wyoming County and it is time for the county to become involved in an official manner with a stand-alone committee.

Supervisors assigned to the Green Energy Committee all have active wind turbine proposals in their respective towns, thus making them logical members of the committee.

Ag committee will again be chaired by Supervisor Joe Gozelski of Castile. I am sure the committee will be monitoring the progress of one of the counties larger contract agencies, Cornell Cooperative Extension as they face two major changes in 2006, a new location, and a new Executive Director.

We also look forward to working with Wyoming County Soil and Water as they continue the Ag Redistricting process.

The Audit Committee will be chaired by Supervisor Hank Bush from the Town of Gainesville. They meet twice monthly to monitor the payment of all county expenditures.

The Finance Committee, chaired by Supervisor Jerry Davis, Town of Covington continues to bear the responsibility of the fiscal well being of the county. Issues facing not only the finance committee, but other home committees as well are contract negotiations with the CSEA, Sheriff Deputy's association, Sheriff

Employees Association, and the Supervisory unit at the Wyoming County Community Health System.

As I said before, financing for roads continues to be a priority. Capital improvement to the county buildings is an everyday occurrence.

The largest capital project which has been undertaken by the BOS, beginning in 2005 is slated to reach a conclusion in April, 2006. This is the capital project whose goal is to efficiently utilize existing space while increasing revenue for the Hospital. All of this project will fall under the direction of Superintendent of Building and Grounds, Dennis Halstead.

First, will be the renovation of the Kaplan Building which now houses the department of Motor Vehicles and which the county purchased recently. Following the renovation, the Office for the Aging and Youth Bureau will be relocating to that building.

Following that move, the Public Health Department will be moving to the South Warsaw Human Service building to rejoin with the CHHA under one roof, and having the entire department's administration in one area.

After the move of the public health department, the responsibility for the old location will be assumed by the hospital. They will be locating their administrative offices out of the hospital and into that site, thus freeing up valuable office space in the hospital to be made available to physicians and specialists. This will provide better service for our residents and potential revenue for the hospital.

The finance committee and the newly formed budget department, which will be directed by budget officer and Reimbursement & Budget Administrator, Paula Parker, will continue to track and monitor the 2006 budget as well as develop and present the 2007 budget to the Board of Supervisors next November.

Speaking of the budget, I would be remiss if I did not mention again Wyoming County enjoys the lowest amount of indebtedness of the last 30 years and the board is also proud of the fact that the rate of increase in taxes of less than 1% was realized by county residents.

The Finance committee and the Board of Supervisors continue to strive to be accountable for every taxpayer dollar and for providing the best possible service at the lowest cost.

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Before I close, I purposely left to the end, the introduction of the new Clerk of the Board, Ms. Cheryl Ketchum. She has proven herself to be a dedicated, loyal and very capable county employee.

From a personal standpoint it has been very enjoyable to work with Cheryl as the deputy clerk for the last two years, and I know that she will step up and fill this position admirably. I wish her and her new deputy clerk, Brenda Farrell the very best. Thank you to former Clerk Paula Parker for a job well done.

As we move forward, I wish all the Supervisors and department heads great success in the year 2006 and look forward to working with all of you. I would like to offer some advice to the new supervisors as well as to remind all of our returning board that one of the most important things you can do is to form a strong relationship with our legislative delegation, Congressman Reynolds, Senator Volker, and Assemblyman Dan Burling. These partnerships can develop Wyoming County's share of subsidy and revenue that are not always available to others. Over the last several years, we have realized the benefit of forging a strong relationship with these individuals.

In closing, I thank you once again for your unwavering support. God Bless all of you and God Bless Wyoming County.

Chairman Berwanger took a call from Assemblyman Burling who was scheduled to attend today's meeting but was called to Albany unexpectedly. Speaker Sheldon Silver recently appointed him to the Rules Committee in the State Assembly, which is a very prominent roll. He wanted the Chairman to convey his congratulations to all of the Supervisors.

There being no further business to come before this board the meeting was adjourned by Supervisor Bush at 2:46 PM. Mr. Bush graduates this year to being the most senior member of the board. He is starting his 13th year as Supervisor.

Respectfully submitted,
Cheryl J. Ketchum
Clerk to the Board of Supervisors

**REGULAR SESSION
(January 10, 2006)**

Tuesday

3:00 PM

The regular Session of the Wyoming County Board of Supervisors was held at the Wyoming County Government Center in the Board of Supervisors' Chambers located at 143 North Main Street, Warsaw, New York with all Supervisors. Also present were County Attorney, Eric Dadd; Budget Officer, Paula Parker; Clerk to the Board of Supervisors, Cheryl Ketchum and Deputy Clerk to the Board, Brenda Ferrell.

At 3:17 PM Chairman Berwanger, T/Arcade, called the meeting to order.

The Veteran leading the Pledge of Allegiance for the month of January 10th

ROBERT EDWARD MACAGNEY

Mr. MacCagney's service to his country was during the "Korean Conflict" in the United States Navy. Mr. MacCagney entered the Navy at the age of 19 and completed both basic and advanced Training at the Finger Lakes Training Center and graduated as a "Boiler Engineer Attendant".

Mr. MacCagney was assigned duty aboard the USS Powers and served for one year in the coastal waters off the United States. Mr. MacCagney then served for 3 years aboard the USS Samuel B.

Roberts as a "Boiler Engineer Attendant", completing a mission that took them around the world.

This included duty in the waters off of Korea and enduring typhoons that put their ship at a 60-degree roll. After completing 4 years of service, Mr.

MaCagney was honorably discharged at Patterson, N. J. at the rank of "Boiler Technician and Fireman" 3rd Class on November 16, 1956.

For service to his country, Mr. MaCagney was awarded:

THE NATIONAL DEFENSE SERVICE MEDAL.

He then followed his military vocation by working for Eastern Airlines as a "Aircraft and Engine Mechanic" in the Newark, New Jersey and West Palm Beach, Florida for the next 28 years until his retirement in 1989. Following his retirement, Mr. MaCagney and his wife of

January 10, 2006

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24 years, Jean moved to Warsaw, New York. Mr. MaCagney is an active member of the American Legion and is presently serving as 1st Vice-Commander of Walter Klein Post 532 and enjoys playing golf.

The pledge was said by all.

Chairman Berwanger presented a Certificate of Appreciation to Mr. MaCagney in recognition of his service to his country and his appearance here today.

Mr. MaCagney thanked the Board of Supervisors for his invitation to the meeting.

The Department of Social Services proudly recognizes outstanding employees within the department. The employees are invited and encouraged to learn more about the governmental proceedings and the inter-relationship between the Department of Social Services and the Board of Supervisors.

Each month, Commissioner Schmitt, brings an employee of the month to the Human Services Committee meeting to see first hand how departmental requests are processed by the Board.

The employee of the month for January 2006 is Tom Pasquale who is an assistant Computer System Administrator. Tom was nominated by his peers because he is always willing to help whenever he is needed - no matter what the urgency. Tom has been a part of the DSS "team" since 2002.

We would like to thank him for his years of service to the community and to the County of Wyoming.

Please join me in recognizing Tom Pasquale.

As a follow-up to the retirement of Barb Boyer (effective the end of December, 2005) from the role of Executive Director, the board of directors of the Cornell Cooperative Extension Association of Wyoming County has retained J. C. Shaver to serve as Interim Executive Director. J. C. retired as Assistant Director of Cornell Cooperative Extension at Cornell University in 2004. Since July of 2005 he has served as interim director of Cornell Cooperative Extension of Erie County on a part-time basis. With the assumption of this temporary role in Wyoming County, he will be working ½ time for CCE of Wyoming County through May of 2006. During this transition period, he will provide day-to-day leadership and management of the association's affairs, and will help the Board of Directors as it assesses its future direction and recruits and selects a new long-term director.

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Chairman Berwanger welcomed Mr. Shaver to Wyoming County and Mr. Shaver stated that he was glad to be in Wyoming County and he is looking forward to working with the Board of Supervisors. He will be assisting in the future direction of Wyoming County's Extension program.

Communications:

None

#1

**RESOLUTION NO. 06-03
(January 10, 2006)**

By Mr. Davis, Chairman of Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2005 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2005 accounts as follows:

| Mental Health | | | <u>Dept. Totals:</u> |
|--|--|------------|-----------------------------|
| To: 01.38.4325.4.42445 Supported Apartments - w/01.11.4325.3490 state aid increased by the same amount. Reason: Increase in per slot funding for housing programs. All state aid. No County levy | \$160.00 | \$160.00 | |
| To: 01.38.4220.1.10101 FT CSEA Salary 01.38.4220.4.42301 Books, Subscriptions 01.38.4220.8.81001 Retirement 01.38.4220.8.83001 FICA 01.38.4220.8.85001 Medicare w/01.12.4220.4491 Federal Aid Reason: Increased Federal aid for 2005 calendar year for Drug Free Communities Grant. | \$3,825.64 4,358.90 639.09 237.19 <u>55.47</u> | \$9,116.29 | |
| Mental Health Total | | | \$9,276.29 |

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#2

**RESOLUTION NO. 06-04
(January 10, 2006)**

By Mr. Davis, Chairman of Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2006 ACCOUNTS

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BE IT RESOLVED, That funds are hereby appropriated to the various 2006 accounts as follows:

| Office for the Aging | | | Dept. Totals: |
|---|-------------------------|-------------|----------------------|
| To: 01.44.6772.2.20201 CPUs 01.44.6772.4.40301 Professional Services w/01.12.6772.477221 LTCIEOP | \$4,290.00 26,625.00 | \$30,915.00 | |
| Reason: Wireless extension of the Gov't. Center for Office at the Kaplan Building and the Long Term Care Insurance Contract. | | | |
| Office for the Aging Total | | | \$30,915.00 |

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

Mr. Bush, T/Gainesville, Chairman of the Audit Committee, presented bills totaling **\$1,073,342.73** for the Month of December 2005.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

There was a motion by Mr. Rogers, T/Pike, to combine resolutions #3 through #8. A voice vote was taken and all voted aye.

#3

**RESOLUTION NO. 06-05
(January 10, 2006)**

By Mr. Rogers, Chairman of Human Services Committee:

**CHAIRMAN / COMMISSIONER AUTHORIZED TO SIGN
LEASE AGREEMENT WITH TOMPKINS LEASING ON
BEHALF OF THE DEPARTMENT OF SOCIAL SERVICES**

BE IT RESOLVED, That the Chairman of this Board and the Commissioner of Social Services with the approval of the County Attorney are hereby authorized and directed to sign a three year lease agreement with Tompkins Leasing Service, 121 East Seneca Street, P. O. Box 460, Ithaca, NY 14850 for three copiers in the amount of \$1,242.21 (One thousand two hundred forty-two dollars and twenty-one cents) per month for a total lease amount of \$44,719.56 (Forty-four thousand seven hundred nineteen dollars and fifty-six cents); plus a one time \$100 acquisition fee; effective January 01, 2006 through December 31, 2008; contingent upon the availability of funds.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

**RESOLUTION NO. 06-06
(January 10, 2006)**

By Mr. Rogers, Chairman of Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN CONTRACT WITH
MOLLY KURSZA ON BEHALF OF THE YOUTH
BUREAU**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Molly Kursza, 11742 Moore Road, Springville, NY 14141 for Preschool Related Services (PT) not to exceed New York State Department of Health approved budget rates; contract effective January 01, 2006 through December 31, 2006; contingent upon the availability of funds.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#5

**RESOLUTION NO. 06-07
(January 10, 2006)**

By Mr. Rogers, Chairman of Human Services Committee:

**MEMBERS APPOINTED / REAPPOINTED TO THE
OFFICE FOR THE AGING ADVISORY COUNCIL**

BE IT RESOLVED, That the following individuals are hereby appointed to the Office for the Aging Advisory Council:

Town Representatives:

For a term of 3 years; effective 01/01/06 through 12/31/08

- Elizabeth Rice (Perry) 14 Covington Street, Perry, NY 14530

For an unexpired vacant term of 3 years; effective 01/01/06 through 12/31/07

- Shirley Aker (Middlebury) 5690 Durfee Road, Wyoming, NY 14591
(Replacing – Delmar Aker (Middlebury))

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

January 10, 2006

**RESOLUTION NO. 06-08
(January 10, 2006)**

By Mr. Rogers, Chairman of Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN MEMORANDUMS
OF UNDERSTANDING ON BEHALF OF THE OFFICE FOR
THE AGING**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign Memorandums of Understanding with the following:

- **WCJW**, 3258 Merchant Road, Warsaw 14569 for radio advertising; effective November 01, 2005 through December 31, 2006 in the amount of \$5,760.00 (Five thousand seven hundred sixty dollars).
- **Cloisters**, 171 North Maple Street, Warsaw 14569 for respite services; effective January 01, 2006 through December 31, 2006.

Contingent upon the availability of funds

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#7

**RESOLUTION NO. 06-09
(January 10, 2006)**

By Mr. Rogers, Chairman of Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
WITH CATHOLIC CHARITIES OF THE DIOCESE OF
ROCHESTER ON BEHALF OF THE OFFICE FOR THE
AGING**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a
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contract with Catholic Charities of the Diocese of Rochester, d/b/a Catholic Family Center, 30 Clinton Avenue North, Rochester, NY 14604 (formerly Family Services of Rochester) for mandated legal services; effective January 01, 2006 through December 31, 2006 in the amount not to exceed \$7,500.00 (Seven thousand five hundred dollars). Contingent on the availability of funds.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#8

**RESOLUTION NO. 06-10
(January 10, 2006)**

By Mr. Rogers, Chairman of Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
WITH HORIZON ADVISORY SERVICES (MARK A.
CONGDON) ON BEHALF OF THE OFFICE FOR THE
AGING**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Horizon Advisory Services (Mark A. Congdon) 5582 West Henrietta Road, West Henrietta, NY 14586, for Long-term Care Services program. Contract is in an amount not to exceed \$24,500.00 (Twenty four thousand five hundred dollars) payable in two equal installments. Contract effective January 01, 2006 to March 31, 2006.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

There was a motion by Mrs. Totline, T/Genesee Falls, to combine resolutions #9 through #11. A voice vote was taken and all voted aye.

January 10, 2006

RESOLUTION NO. 06-11
(January 10, 2006)

By Mrs. Totslin, Chairman of Public Health Committee:

**MEMBERS APPOINTED / REAPPOINTED TO VARIOUS
COMMITTEES AND SUBCOMMITTEES ON BEHALF OF
MENTAL HEALTH**

Mental Health Community Services Board
for a term of 4 years; effective 01/01/06 through 12/31/09

- Martha Button (Community At-Large), 3380 Bacon Rd., Perry, NY 14530

MR/DD Subcommittee

For a term of 4 years; effective 01/01/06 through 12/31/09

- Anthony Annunziato (SASi) 960 West Maple Court, Elma, NY 14052
- Karen DuBoy (Parent Member) 3939 Wethersfield Rd., Warsaw, NY 14569

Mental Health Subcommittee

For a term of 4 years; effective 01/01/06 through 12/31/09

- Farris Heimann (Sheriff's Department) 151 N. Main Street, Warsaw, NY 14569
- Kay Kilburn (Community At-Large) 1379 Bray Rd., Arcade, NY 14009
- Colleen Bellezza (Community At-Large) 27 West Buffalo St., Warsaw, NY 14569

Alcohol & Substance Abuse Subcommittee

For a term of 4 years; effective 01/01/06 through 12/31/09

- Martha Button (Community At Large) 3380 Bacon Rd., Perry NY 14530
- Anne Herod (Probation) 143 N. Main St., Warsaw, NY 14569
- Jeffrey Thomas (Community At-Large) Quakertown Rd., Warsaw, NY 14569

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

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**RESOLUTION NO. 06-12
(January 10, 2006)**

By Mrs. Totstline, Chairman of Public Health Committee:

RESOLUTION NUMBER 04-331 AMENDED

WHEREAS, Resolution number 04-331 provides for various contracts for Mental Health for the year 2005. Paragraph number eight provides for Living Opportunities of DePaul renewal contracts for the period of January 1, 2005 through December 31, 2005 for: (\$157,864.00)

A. RIV - Temporary Supportive Housing (\$6,978.00)

B. RIV - Four-bed treatment apartments (\$4,406.00)

(There is also \$9,653 which is paid directly to LODP through Medicaid for the state share of Medicaid, of Wyoming County Reinvestment Funds. Do not include amount in total for four-bed treatment apartments contract but acknowledge the amount as being paid directly to them as revenue.)

C. Supported Housing (20 SLOTS) (\$146,480.00); now, therefore;

BE IT RESOLVED, That Resolution number 04-331 is hereby amended to increase the

Living Opportunities of DePaul contract by \$160.00 due to an increase in state aid to bring the total contract amount to \$158,912.00 (One hundred fifty-eight thousand nine hundred twelve dollars) for the calendar year 2005 as amended by resolution number 05-321.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#11

**RESOLUTION NO. 06-13
(January 10, 2006)**

By Mrs. Totstline, Chairman of Public Health Committee:

January 10, 2006

Proceedings of the Board of Supervisors**CHAIRMAN AUTHORIZED TO SIGN AN AGREEMENT
WITH COMMUNITY CARE ON BEHALF OF WYOMING
COUNTY PUBLIC HEALTH**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Community Care d.b.a. Homecare & Hospice for the provision of Home Health Aide Services for patients of the CHHA (Certified Home Health Agency) from January 01, 2006 through December 31, 2006 according to fee schedule, not to exceed amount budgeted; contingent upon the availability of funds.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#12

**RESOLUTION NO. 06-14
(January 10, 2006)**

By Mrs. Meeder, Chairman of Human Resource Committee:

TIME AND ATTENDANCE POLICY ADOPTED

BE IT RESOLVED, That the Time and Attendance Policy attached hereto is adopted as presented and will take effect no earlier than thirty (30) days from the date of adoption.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

**Wyoming County
ADMINISTRATIVE POLICY**

| | | |
|--|--|--------------------------|
| EFFECTIVE DATE: | REVIEWED BY: (Individuals/Committees) | DEPARTMENTS AFFECTED: |
| DATE DEVELOPED: | Human Resource Committee | All Departments WCCHS |
| DATE REVISED: | WCCHS Personnel Committee | SUPERCEDES: |
| DATE REVIEWED: | | |
| ADMINISTRATIVE APPROVAL: A.D. Berwanger, Chairman, Board of Supervisors | PREPARED BY: HR Workgroup | REFERENCES: |

ATTENDANCE & PUNCTUALITY

POLICY: Employees will be at their assigned workplace ready to work at their regular starting time each day they are scheduled to work.

PURPOSE: Wyoming County provides important and valuable services to its customers. In order to accomplish its Mission, it is imperative that every employee be present when scheduled to work. Employees who are frequently absent from work, or who are not present when the workday begins reduce their own productivity and lower the morale of their fellow workers. Wyoming County has developed a policy designed to promote fairness and consistency when addressing employee attendance and punctuality matters.

DEFINITIONS: An **absence occurrence** is a period of one or more consecutive days of absence separated by one or more consecutive days of attendance at work. Each period of consecutive absence will be regarded as one occurrence regardless of the number of days of duration.

An **exclusion** is an absence occurrence due to a pre-employment agreement, bereavement, jury duty, military duty, a Worker's Compensation claim,

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available Personal Leave accrual time, FMLA-approved leave and approved leaves of absence that are not due to sickness or disability. An exclusion is not subject to the Corrective Action Process

Tardiness occurs whenever an employee fails to be at his/her assigned work station at the start of his/her shift.

PROCEDURE:

- Two (2) *absence occurrences* in any three (3) month period will initiate the Corrective Action Process.
- Three (3) *tardiness occurrences* will be equivalent to one (1) *absence occurrence* and will be counted as such.
- The Corrective Action Process will be cumulative for a period of eighteen (18) months; Warnings greater than eighteen (18) months old will be voided.

The Corrective Action Process for employees with absence and/or tardiness exceeding the limits set forth above will be as follows:

| | |
|---|----------------------|
| Two (2) absence occurrences within any three (3) month period | Counseling |
| Two (2) absence occurrences within any three (3) months following the date of Counseling | Verbal Warning |
| Two (2) absence occurrences within any three (3) months following the date of Verbal Warning | Written Warning |
| Two (2) absence occurrences within any three (3) months following the date of Written Warning | Employee Suspension |
| Two (2) absence occurrences within any three (3) months following the date of Employee Suspension | Employee Termination |

Habitual offenders who have established a pattern of absences, may initiate the Corrective Action Process, or advance to the next step in the Corrective Action Process, as appropriate. Patterns of absence shall include but not be limited to: absence or tardiness occurrences before or after scheduled days off or holidays.

An employee who fails to report as scheduled or fails to complete their assigned shift without appropriate notification (“no call / no show”) will immediately initiate the Corrective Action Process or proceed to the next step in the Corrective Action Process, dependent upon the number and frequency of prior occurrences.

Two (2) consecutive “no call / no show” days will be considered a voluntary resignation on the part of the employee.

There was a motion by Mr. Kushner, T/Eagle, to combine resolutions #13 through #20. A voice vote was taken and all voted aye.

#13

**RESOLUTION NO. 06-15
(January 10, 2006)**

By Mr. Kushner, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
WITH FRANK L. FRASER ON BEHALF OF THE JAIL**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Mr. Frank L. Fraser, P. O. Box 25, Warsaw, NY 14569; for chaplain services provided while the regular part-time chaplain is on medical leave. Contract to be paid at the rate of \$15.37 per hour not to exceed twenty (20) hours per week. Total contract will not exceed \$3,700.00 (Three thousand seven hundred dollars); effective December 28, 2005 through March 31, 2006.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#14

**RESOLUTION NO. 06-16
(January 10, 2006)**

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By Mr. Kushner, Chairman of Public Safety Committee:

**JAMES REGER REAPPOINTED DIRECTOR OF FIRE
AND EMERGENCY MANAGEMENT**

BE IT RESOLVED, That *James Reger*, 3499 Truesdell Rd., Warsaw NY 14569 is hereby reappointed as *Director of Fire and Emergency Management* for a *term of 2 years*; effective *January 01, 2006* through *December 31, 2007*.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#15

**RESOLUTION NO. 06-17
(January 10, 2006)**

By Mr. Kushner, Chairman of Public Safety Committee:

**JAMES REGER REAPPOINTED CIVIL DEFENSE / FIRE
COORDINATOR**

BE IT RESOLVED, That *James Reger*, 3499 Truesdell Rd., Warsaw NY 14569 is hereby reappointed as the *Civil Defense Director/Fire Coordinator* for a *term of 2 years*; effective *January 01, 2006* through *December 31, 2007*.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#16

**RESOLUTION NO. 06-18
(January 10, 2006)**

By Mr. Kushner, Chairman of Public Safety Committee:

**DEPUTY FIRE COORDINATOR JOE LEE RECOGNIZED
FOR 28 YEARS OF VOLUNTEER SERVICE**

WHEREAS, Joe Lee has been an active Deputy Coordinator (WY-52) for the Wyoming County Bureau of Fire for 28 Years, Mr. Lee was instrumental

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in starting the County Hazmat Team and preparing the local Fire Department to deal with these situations; and

WHEREAS, His expertise allowed him to conduct training for the first responders in hazmat operations and response for many years. Mr. Lee's work behind the scene has initiated many new programs at the local level. His expertise always brought a sense of professionalism to the incidents around the county; and

WHEREAS, Mr. Lee plans on retiring after 28 years of volunteer service and he plans to stay involved in the fire service with the Wyoming Hook and Ladder Fire Department where he has been a member and past chief for many years. Mr. Lee has actively participated in the following organizations; Wyoming County Firemen's Association, Wyoming County Chief's Association, Wyoming County Fire Advisory Board, New York State Fire Coordinator's Association, and the Western New York Hazardous Material Team, now, therefore

BE IT RESOLVED, That this Board of Supervisors would like to extend its sincerest appreciation for the 28 years of volunteer service to this county and beyond with the presentation of a certificate of appreciation. The entire community can effect positive change with any volunteer action no matter how big or small.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#17

**RESOLUTION NO. 06-19
(January 10, 2006)**

By Mr. Kushner, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN FOR 2005
PROBATION SERVICES AID**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign the Calendar year 2005 Aid for Probation Services. The aid will be in a minimum amount of \$60,300.00 (Sixty thousand three hundred dollars); effective January 1, 2005 through December 31, 2005.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

January 10, 2006

**RESOLUTION NO. 06-20
(January 10, 2006)**

By Mr. Kushner, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN 2006 STOP DWI
PLAN**

BE IT RESOLVED, That this Board of Supervisors does hereby accept and approve the Stop DWI Program Plan for 2006 in the amount of \$130,000.00 (One hundred thirty thousand dollars) in Wyoming County; and be it

FURTHER RESOLVED, That the Chairman of this Board and the Stop DWI Coordinator with the approval of the County Attorney are hereby authorized and directed to sign the 2006 Plan and submit the Stop DWI Program to the State of New York for approval and implementation.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#19

**RESOLUTION NO. 06-21
(January 10, 2006)**

By Mr. Kushner, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN CONTRACT WITH
STEPHEN C. TARBELL ON BEHALF OF STOP DWI PLAN**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign an agreement with Stephen Tarbell of 4270 Fairview Rd. Castile NY 14427 for the provision of Stop DWI Coordinating services. Said contract to be effective January 1, 2006 through December 31, 2006; in an amount not to exceed \$8,000.00 (Eight thousand dollars), contingent upon availability of funds.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

**RESOLUTION NO. 06-22
(January 10, 2006)**

By Mr. Kushner, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN THE FOLLOWING
MEMORANDUMS OF UNDERSTANDING ON BEHALF OF
THE STOP DWI PLAN**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign Memorandums of Understanding with the following agencies in the amount of \$4,000.00 (Four thousand dollars) for DWI enforcement patrols and specific expenses listed in paragraph no. 4 of the MOU on behalf of the Stop DWI Program for 2006; effective January 01, 2006 through December 31, 2006

- Arcade Police Department, 17 Church Street, Arcade NY 14009
- Attica Police Department, 43 Exchange St., Attica, NY 14011
- Perry Police Department, 46 North Main Street, Perry, NY 14530
- Warsaw Police Department, 67 West Buffalo Street, Warsaw, NY 14569

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

Mr. Kushner was asked to present a Certificate of Appreciation to Mr. Lee for his many years of volunteer service to the Community of Wyoming County. Mr. Kushner then asked Mr. Reger, Mr. Lee and Mr. Lee's daughter to come forward and accept the certificate.

Mr. Lee stated that without the support of his family he would not have been able to serve the community the way he did.

There was a motion by Mr. Fleischman, T/Java, to combine resolutions #21 through #24. A voice vote was taken and all voted aye.

#21

RESOLUTION NO. 06-23

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(January 10, 2006)

By Mr. Fleischman, Chairman of Planning Committee:

**APPROVING PUBLIC EMPLOYEES FIDELITY
(BLANKET) BOND FOR GENESEE/FINGER LAKES
REGIONAL PLANNING COUNCIL**

WHEREAS, The County of Wyoming has appropriated the sum of \$6,647.00 (Six thousand six hundred forty-seven dollars) as its share of the Year 2006 operating funds of the Genesee/Finger Lakes Regional Planning Council; and

WHEREAS, Pursuant to Section 119-00 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 an 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 S. 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 officers and employees of the Council in the amount of \$220,000.00 (Two hundred twenty thousand dollars); now, therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors hereby approves such bond as the official undertaking required pursuant to Section 119-00 of the General Municipal Law.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#22

**RESOLUTION NO. 06-24
(January 10, 2006)**

By Mr. Fleischman, Chairman of Planning Committee:

**CHAIRMAN AUTHORIZED TO SIGN AN AGREEMENT
WITH WYOMING COUNTY SOIL & WATER
CONSERVATION DISTRICT**

WHEREAS, The County of Wyoming needs to review and recertify the County's NYS Agricultural Districts on a regular basis to help support Wyoming County's farm businesses; now, therefore

BE IT RESOLVED, That the Chairman of the Board, with the approval of the County Attorney, is hereby authorized and directed to sign an agreement with the Wyoming County Soil & Water Conservation District, 31 Duncan Street Extension, Warsaw, New York 14569 to review County Agricultural Districts in compliance with NYS Agriculture District regulations and guidelines; said contract not to exceed \$25,000.00 (Twenty-five thousand dollars), effective January 1, 2006 through December 31, 2006; contingent upon the availability of funds.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#23

**RESOLUTION NO. 06-25
(January 10, 2006)**

By Mr. Fleischman, Chairman of Planning Committee:

**CHAIRMAN AUTHORIZED TO SIGN CONTRACT WITH
GENESEE/FINGER LAKES REGIONAL PLANNING
COUNCIL FOR GIS MAPPING SERVICES**

BE IT RESOLVED, That the Chairman of the Board, with the approval of the County Attorney, is hereby authorized and directed to sign a contract with the Genesee Finger Lakes Regional Planning Council (GFLRPC), City Place, 50 West Main Street, Suite 8107, Rochester, NY 14614 for the purpose of providing the Wyoming County Department of Planning & Development with consulting services to assist in the digitizing of information layers that will be used to produce Geographic Information System (GIS) maps for the County; said contract not to exceed \$9,500.00 (Nine thousand five hundred dollars); effective January 1, 2006 through December 31, 2006, contingent upon the availability of funds.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

January 10, 2006

RESOLUTION NO. 06-26
(January 10, 2006)

By Mr. Fleischman, Chairman of Planning Committee:

**CHAIRMAN AUTHORIZED TO SIGN AGREEMENT
WITH WYOMING COUNTY CHAMBER OF COMMERCE**

BE IT RESOLVED, That the Chairman of the Board, with the approval of the County Attorney, is hereby authorized and directed to sign an agreement with the Wyoming County Chamber of Commerce, 6470 Route 20A, Suite 2, Perry, NY 14530-9798 for the purposes of providing economic and business development services to Wyoming County for an amount not to exceed \$74,500.00 (Seventy-four thousand five hundred dollars); and for providing needed funds for the operations of the Wyoming County Empire Zone to be designated by NYS Empire State Development for an amount not to exceed \$25,000.00 (Twenty-five thousand dollars), effective January 1, 2006 through December 31, 2006, contingent upon the availability of funds.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

There was a motion by Mr. Davis, T/Covington, to combine resolutions #25 through #33. A voice vote was taken and all voted aye.

#25

RESOLUTION NO. 06-27
(January 10, 2006)

By Mr. Davis, Chairman of Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN CONTRACT
EXTENSION WITH LIVINGSTON / WYOMING ARC,
HILLTOP INDUSTRIES ON BEHALF OF WYOMING
COUNTY**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a one year contract extension with Livingston / Wyoming ARC, Hilltop Industries of

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18 Main Street, Mt. Morris, NY 14510 on behalf of Wyoming County. The original contract effective dates were December 10, 2002 through December 10, 2004. This would be the second of up to three one - year extensions. This contract provides for printing services for the various Wyoming County departments per bid specs. and acceptance of offer. Contingent upon the availability of funds.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#26

**RESOLUTION NO. 06-28
(January 10, 2006)**

By Mr. Davis, Chairman of Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
WITH PHILIPS LYTLER ON BEHALF OF THE
TREASURER'S OFFICE**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Philips Lytle on behalf of the County Treasurer's office for Foreclosure Services on 2004 Taxes. Contractor will be paid \$250 per parcel; effective January 01, 2006 through December 31, 2006, contingent upon the availability of funds.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#27

**RESOLUTION NO. 06-29
(January 10, 2006)**

By Mr. Davis, Chairman of Finance Committee:

January 10, 2006

Proceedings of the Board of Supervisors**CHAIRMAN AUTHORIZED TO SIGN LETTERS OF
UNDERSTANDING WITH CONTRACT AGENCIES FOR
2006**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign Letters of Understanding with the following Contract Agencies for 2006:

| <i>Contract Agency</i> | <i>2006 Expenditures</i> |
|---|-------------------------------------|
| Wyoming County Soil & Water | \$141,903.00 |
| Pioneer Library System | 26,687.00 |
| Wyoming County Fair Association | 19,569.00 |
| Arts Council for Wyoming County | 15,878.00 |
| Erie Wyoming County Soil & Water | 2,514.00 |
| Wyoming County Tourist Promotion Agency | 109,145.00 |
| Wyoming County Business Education Council | 6,413.00 |
| Totals | \$322,109.00 |

Contingent upon the availability of funds.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#28

**RESOLUTION NO. 06-30
(January 10, 2006)**

By Mr. Davis, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
WITH MERCY FLIGHT**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Mercy Flight in an amount not to exceed \$9,000.00 (Nine

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thousand dollars); effective January 01, 2006 through December 31, 2006; contingent upon the availability of funds.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#29

**RESOLUTION NO. 06-31
(January 10, 2006)**

By Mr. Davis, Chairman of Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A MEMORANDUM
OF AGREEMENT WITH CORNELL COOPERATIVE
EXTENSION OF WYOMING COUNTY**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a Memorandum of Agreement with Cornell Cooperative Extension of Wyoming County for the payment of County Appropriations in the amount of \$378,196.00 (Three hundred seventy-eight thousand one hundred ninety-six dollars) to be allocated as follows:

- **\$156,963.73** to fully fund the Agricultural Dept.
- **193,117.24** to fully fund the 4-H Dept.
- **28,115.03** to partially fund the FCS Dept.
\$378,196.00

Effective January 01, 2006 through December 31, 2006; contingent upon the availability of funds.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#30

**RESOLUTION NO. 06-32
(January 10, 2006)**

By Mr. Davis, Chairman of Finance Committee:

APPROVES PROPERTY AUCTION SALE

January 10, 2006

Proceedings of the Board of Supervisors

WHEREAS, The County of Wyoming has acquired the right to transfer the following property pursuant to a Judgement of Foreclosure under Article 11 of the Real Property Tax Law; and

WHEREAS, The Board of Supervisors of the County of Wyoming determines that 40 Favor Street in the Village and Town of Attica, New York, tax map No. 6.15-1-47.1, a large portion of which is a substantially deteriorated heavy industrial site which is of limited or negligible value to the County of Wyoming, is, therefore, surplus property; and

WHEREAS, The County of Wyoming has determined that the most advantageous method of disposing of this property consistent with the ongoing redevelopment efforts coordinated by the Wyoming County Industrial Development Agency is a private sale of the property to Hillcrest Industries, Inc., 40 Favor Street, Attica, New York; and

WHEREAS, The Finance Committee of the Board of Supervisors understands that the Wyoming County Industrial Development Agency has entered into a series of agreements with Hillcrest Industries, Inc. which will have the effect of causing the improvement and development of the premises at 40 Favor Street, Attica, New York and Hillcrest Industries, Inc. has offered to purchase the property located at 40 Favor Street in the Town and Village of Attica, New York, Tax Map # 6.15-1-47.1, for the amount of \$10.00, said parcel being formerly assessed to Attica Industrial Park, Inc.; now therefore

BE IT RESOLVED, That the above transfer is hereby approved and accepted, subject to the County Attorney approval, and the County Treasurer is hereby authorized to execute and deliver a deed to the purchaser.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#31

**RESOLUTION NO. 06-33
(January 10, 2006)**

By Mr. Davis, Chairman of Finance Committee:

**RPTS DIRECTOR AUTHORIZED TO APPROVE
CORRECTION OF ERRORS**

BE IT RESOLVED, That in accordance with Chapter 515 of Laws of 1997, the Wyoming County Board of Supervisors amends the Correction of

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Errors procedure (RPTL 550-559) by authorizing the Director of Real Property Tax Services to approve the correction of the tax roll and tax bill, in an amount not to exceed \$1,000.00 (One thousand dollars) (RPTL 554 (9); and be it

FURTHER RESOLVED, That the Director of Real Property Tax Service is also authorized to issue a tax refund and direct the Wyoming County Treasurer to issue refund, in an amount not to exceed \$1,000.00 (One thousand dollars) (RPTL 556 (8) (a).

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#32

**RESOLUTION NO. 06-34
(January 10, 2006)**

By Mr. Davis, Chairman of Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN CONTRACT WITH
THE INDUSTRIAL DEVELOPMENT AGENCY**

WHEREAS, The Wyoming County Board of Supervisors passed Resolution No. 05-34 which stated their support for the development of a business park; and

WHEREAS, The Wyoming County Industrial Development Agency is in the process of acquiring a business park development site on Route 98, Arcade, NY; now therefore

BE IT RESOLVED, That the Chairman of this Board, is hereby authorized, pursuant to Local Law No. 2 of the year 1998, to sign an agreement, to be prepared by the County Attorney, with the Wyoming County Industrial Development Agency for the purpose of facilitating and assisting in the acquisition and development of an industrial/business park site in the Town of Arcade, New York at an amount not to exceed one-hundred fifty thousand dollars (\$150,000.00), contingent upon the availability of funds.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#33

**RESOLUTION NO. 06-35
(January 10, 2006)**

January 10, 2006

**CORRECTION OF ERRORS IN THE TOWN OF ATTICA
APPROVED**

WHEREAS, Pursuant to the Real Property Tax Law, application has been made for correction of error, assessment or levy on the parcel of real property hereafter described, said application having been reviewed and approved by the Finance Committee, now, therefore,

BE IT RESOLVED, That the indicated error is hereby corrected in accordance with the applicable section of the Real Property Tax Law, and the Wyoming County Treasurer shall charge back and apportion the various amounts thereof, as and if applicable, to the appropriate taxing authorities to the extent to which each has been benefited thereby:

PARCEL ONE: Town of Attica
Tax Map # 46.-1-11

LOCATION: Mengs Rd. (vacant farmland)

ASSESSED TO: Zigler, Thomas
Ziegler, Mary
3436 Merle Rd.
Attica, NY 14011

ERROR TYPE: Clerical – Erroneous Assessment & Tax Computation Error

AUTHORITY: **RPTL §550.2(h)** *“an incorrect entry on a Tax Roll of a releived school tax”*

ACTION: Correction 2006 Town/County Tax Bill
Original Bill \$ 1,510.05 (before interest and
penalty)
Corrected Bill \$ 1,448.79 “ “ “ “

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

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There being no further business to come before this board the new senior member of this board Supervisor Bush adjourned the meeting with a rap on his desk at 3:45 PM

Respectfully submitted,

Cheryl J. Ketchum
Clerk to the Board of Supervisors
Wyoming County

January 10, 2006

**REGULAR SESSION
(February 14, 2006)****Tuesday****3:00 PM**

The regular Session of the Wyoming County Board of Supervisors was held at the Wyoming County Government Center in the Board of Supervisors' Chambers located at 143 North Main Street, Warsaw, New York with all but Supervisor Patti T/Attica present. Also present were County Attorney, Eric Dadd; Budget Officer, Paula Parker; Clerk to the Board of Supervisors, Cheryl Ketchum and Deputy Clerk to the Board, Brenda Ferrell.

At 3:25 PM Chairman Berwanger, T/Arcade, called the meeting to order.

It has been the custom of the Wyoming County Board of Supervisors to have a Veteran from Wyoming County to lead the Pledge of Allegiance. This month it is under the recommendation of the Director of Veterans' Services, Gary Cousins that the County's Boy Scouts be given an opportunity to lead the Board in the pledge of allegiance.

BOY SCOUTS OF AMERICA

The Boy Scouts of America are celebrating 95 years of service in the United States. Its original concept came from a British Officer, Robert Baden-Powell and was designed to train soldiers for war. The concept was transformed in the training of young boys during times of peace.

The Boy Scouts of America were incorporated in the United States in 1910 and by 1912 there were Scout Troops in every state. Scout Troops in our own Wyoming County date back to the early 1930's.

During World War I, Boy Scouts sold over \$200 million of Savings Bonds and Stamps, grew vegetables on 12,000 Scout Farms, and helped patrol the coast for the US Navy. During World II, Boy Scouts collected recyclables, and worked with Civil Defense as messengers, medical units, and firewatchers.

The Scout Oath and Scout Law embodies the principles by which the Scouts live and learn, "To do their best, To serve God and Country, and To help other people at all times." As their training, experiences, and responsibilities increase, a scout can advance from the rank of Tenderfoot to the highest rank, that of being an Eagle Scout.

February 14, 2006

Distinguished citizens who became Eagle Scouts, to name only a few, include: former President Gerald Ford, Senator and Astronaut John Glenn and our own Honorable John Conable and Honorable Barber Conable.

There are presently seven active Boy Scout Troops in Wyoming County: Attica, Arcade, Castile, Perry, Silver Springs, Strykersville, and Warsaw. These troops have produced 8 Eagle Scouts in just the past year. All Eagle Scouts and Scout Troops were invited today, but were unable to attend, due to either college or other previous commitments.

Leading our Pledge of Allegiance today are four boys from Warsaw Troop 4033.

Eagle Scout Matthew Hess
Life Scout Mike Bonham
Life Scout Phil Barone
Tenderfoot Scout Ryan Kaczmarek

The pledge was said by all.

Chairman Berwanger presented a Certificate of Appreciation to the troop as well as to each individual Scout in recognition of their service to their community and their appearance here today.

The Department of Social Services proudly recognizes outstanding employees within the department. The employees are invited and encouraged to learn more about the governmental proceedings and the inter-relationship between the Department of Social Services and the Board of Supervisors.

Each month, Commissioner Schmitt, invites an employee of the month to attend the Health and Human Services Committee meeting to see first hand how Departmental requests are processed by the Board.

The employee of the month for February 2006 is Eleanor Wagner, a Social Services Program Specialist. Ellie was nominated by her peers as a result of her diligent work in assisting the disabled to obtain SSI and this in turn not only brings money back to the County but also reduces our local share. Ellie has been a part of the DSS "team" since 1990.

We would like to thank her for her years of service to the community and to the County of Wyoming.

Please join me in recognizing Ellie Wagner.

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At this time the Chairman asked that Mr. Davis present a certificate of appreciation to Linda Williams, who retired at the end of January. Ms. Williams graciously accepted the certificate and thanked the Board for the honor. She will be greatly missed by all. She was an exemplary employee.

Communications:

- Inter – County of Western NY will be hosted by Genesee County this month at Liberty Pump in Bergen NY on the 17th of February. Reservations are due by the end of today.

#1

**RESOLUTION NO. 06-36
(February 14, 2006)**

By Mr. Davis, Chairman of Finance Committee:

FUNDS TRANSFERRED TO VARIOUS 2006 ACCOUNTS

BE IT RESOLVED, That funds are hereby transferred to the various 2006 accounts as follows:

| Treasurer | | | Dept. Totals: |
|---|------------|------------|----------------------|
| From: 01.35.1990.4.42107 Contingency | \$5,932.50 | | |
| To: 01.33.1325.1.10001 S/D/I Salary | | \$5,000.00 | |
| 01.33.1325.8.81001 NYS Retirement | | 550.00 | |
| 01.33.1325.8.83001 FICA | | 310.00 | |
| 01.33.1325.8.85001 Medicare | | 72.50 | |
| Reason: To allow transfer from contingency for payment of the salary for the Deputy Treasurer. | | | |
| Treasurer Total | | | \$5,932.50 |

Carried: XXX Ayes: 1454 Noes: Absent: 164 (Attica) Abstain:

#2

**RESOLUTION NO. 06-37
(February 14, 2006)**

By Mr. Davis, Chairman of Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2005 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2005 accounts as follows:

February 14, 2006

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| | | | |
|--|----------------|--------------|-----------------------|
| Wyoming County Community Hospital | | | Dept. Totals: |
| To: 02.56.4510.4.42501 Contractual w/ 02.04.4510.1635 Income revenue in same amount to Reason: To balance 2005 budget account. | \$1,536,228.56 | 1,536,228.56 | |
| Wyoming County Community Hospital Total | | | \$1,536,228.56 |
| Public Health | | | |
| To: 01.38.4010.4.40710 Lab Fees – HWP w/01.11.4010.340110 increased by same Reason: To appropriate for estimated expenses in the current year. | \$5,000.00 | \$5,000.00 | |
| Public Health Total | | | \$5,000.00 |

Carried: XXX Ayes: 1454 Noes: Absent: 164 (Attica) Abstain:
#3

RESOLUTION NO. 06-38 (February 14, 2006)

By Mr. Davis, Chairman of Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2006 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2006 accounts as follows:

| | | | |
|--|--------------------------------|--------------------------------|----------------------|
| Snowmobile Federation | | | Dept. Totals: |
| To: 01.47.7989.4.40918 Snowmobile w/ 01.11.7989.3317 State Fees increased by same Reason: To appropriate to reflect total snowmobile grant amount from NYS Parks & Recreation Department. Total grant for 2006 season is now \$120,062.50. | \$45,062.50 | \$45,062.50 | |
| Snowmobile Federation Total | | | \$45,062.50 |
| Tourism | | | |
| To: 01.42.6420.4.40901 Bed Tax – Tourism w/ revenue to 01.02.1325.1113 – Bed Tax Rev Reason: to expend funds to Tourism (less 5% Administrative fee). 1 st two quarters of 2006 – estimated. | \$19,000.00 | \$19,000.00 | |
| Tourism Total | | | \$19,000.00 |
| Information Technology | | | |
| CIP To: 12.61.9950.9.99004 Inter fund Transfer <i>From any funds available</i> 1A. APPROPRIATION General Fund 2006 To: 01.34.1681.4.41410 Software Purchase w/ offsetting revenue to 01.13.1681.5031 (Interfund revenue) Reason: Allow CIP funds to be transferred for the purpose of upgrading the Sheriff's Department Records Mngmt Software (LEMS) (\$75,000) and the Positron Interface (\$10,000). | \$85,000.00 \$85,000.00 | \$85,000.00 \$85,000.00 | |
| Information Technology Total | | | \$85,000.00 |

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| | | | |
|--|---|--------------|---------------------|
| Public Health | | | |
| To: 01.38.4010.4.40710 Lab Fees – HWP w/01.11.4010.340110 increased by same Reason: To appropriate for estimated expenses in the current year. | \$7,000.00 | \$7,000.00 | |
| Public Health Total | | | \$7,000.00 |
| Sheriff | | | |
| CIP 2006 To: 12.61.9950.9.99004 Inter fund Transfer <i>From any funds available</i> | \$175,000.00 | \$175,000.00 | |
| General Fund 2006 To: 01.37.3110.2.23001 Cars w/ offsetting revenue to 01.13.3110.5031 (interfund revenue) | \$175,000.00 | \$175,000.00 | |
| Reason: Allow CIP funds to be transferred for the purpose of purchasing new patrol cars for the Sheriff's Department. Cars will include light bars and siren units, but no radios as all are up-to-date. | | | |
| To: 01.37.3110.4.40938 Posse w/01.03.3110.1289 Other Dept Income increased by same Reason: Donation received from Wal-Mart for the Posse | \$1,000.00 | \$1,000.00 | |
| To: 01.37.3110.4.40301 Professional Services w/01.12.3110.438903 Homeland Security Law Enforcement increased by same Reason: To cover the balance of the cost for the consultant hired for the Wyoming County Communications System | \$3,597.85 | \$3,597.85 | |
| Sheriff Total | | | \$179,597.85 |
| District Attorney | | | |
| To: 01.32.1169.1.10101 CSEA Salary 01.32.1169.1.10602 Ins. Repudiation 01.32.1169.2.20201 Computer Equipment 01.32.1169.4.40402 Conf./Conv. 01.32.1169.4.40406 Employee Mileage 01.32.1169.4.41010 Misc. Office Supplies 01.32.1169.8.80001 Workers Comp. 01.32.1169.8.81001 Retirement 01.32.1169.8.82002 CSEA Disability Ins. 01.32.1169.8.83001 FICA 01.32.1169.8.85001 Medicare / FICA 01.32.1169.8.86001 Employee Assist. Program 01.32.1169.8.89001 Hospitalization Ins. w/01.12.1169.4389 Federal Aid – CVB Grant increased by Reason: Appropriate remainder from 2005 CV Grant Year. | \$44,980.77 1,000.00 3,147.00 1,000.00 750.00 50.00 705.00 5,977.50 312.00 2,851.06 666.97 30.00 7,893.50 | \$69,363.80 | |
| District Attorney Total | | | \$69,363.80 |

Carried: XXX Ayes: 1454 Noes: Absent: 164 (Attica) Abstain:

Mr. Bush, T/Gainesville, Chairman of the Audit Committee, presented bills totaling **\$1,430,116.80** for the Month of January, 2006.

Carried: Ayes: 1454 Noes: Absent: 164 (Attica) Abstain:

#4

RESOLUTION NO. 06-39
(February 14, 2006)

By Mr. Patti, Chairman of Public Works Committee:

February 14, 2006

**CHAIRMAN AUTHORIZED TO SIGN CONTRACT WITH
NOMAD ENTERPRISES ON BEHALF OF BUILDINGS
AND GROUNDS**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Nomad Enterprises, 6270 Abbot Rd., Silver Springs, NY 14550 for the provision of Lawn maintenance at:

- Human Services building (\$1,480.00)
- Social Services Buildings (\$3,237.50)
- Fire Training Center (\$2,127.50)
- Courthouse/Public Safety Campus (\$1,850.00)
- Public Health Dept. (\$1,202.50)
- Radio Tower at the Fire Training Center (\$647.50)

For a total amount not to exceed \$10,545.00. Contract effective April 01, 2006 through December 31, 2006 contingent upon the availability of funds.

Carried: XXX Ayes: 1454 Noes: Absent: 164 (Attica) Abstain:

There was a motion by Mr. Rogers, T/Pike, to combine resolutions #5 through #10. A voice vote was taken and all voted aye.

#5

**RESOLUTION NO. 06-40
(February 14, 2006)**

By Mr. Rogers, Chairman of Human Services Committee:

**CHAIRMAN / COMMISSIONER AUTHORIZED TO SIGN
A RENEWAL CONTRACT ON BEHALF OF THE
DEPARTMENT OF SOCIAL SERVICES**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a renewal contract with NYS OTDA Youth Division of Employment & Transitional Supports, 40 N. Pearl Street - 9C, Albany, NY 12243-0001 for the

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period January 01, 2006 through December 31, 2006 in the minimum amount of seventy-four thousand four hundred one dollars (\$74,401.00) grant award.

Carried: XXX Ayes: 1454 Noes: Absent: 164 (Attica) Abstain:
#6

RESOLUTION NO. 06-41
(February 14, 2006)

By Mr. Rogers, Chairman of Human Services Committee:

**CHAIRMAN / COMMISSIONER AUTHORIZED TO SIGN
A MEMORANDUM OF AGREEMENT WITH THE
WYOMING COUNTY SHERIFF'S DEPARTMENT ON
BEHALF OF THE DEPARTMENT OF SOCIAL SERVICES**

BE IT RESOLVED, That the Chairman of this Board and the Commissioner of Social Services with the approval of the County Attorney are hereby authorized and directed to sign a Memorandum of Understanding with the Wyoming County Sheriff's Department, 151 N. Main Street, Warsaw, NY 14569 to assist in Welfare Fraud investigations for the period January 01, 2006 through December 31, 2006 in an amount not to exceed nine thousand nine hundred ninety-six dollars (\$9,996.00) contingent upon the availability of funds.

Carried: XXX Ayes: 1454 Noes: Absent: 164 (Attica) Abstain:
#7

RESOLUTION NO. 06-42
(February 14, 2006)

By Mr. Rogers, Chairman of Human Services Committee:

**MEMBERS APPOINTED / REAPPOINTED TO
THE OFFICE FOR THE AGING ADVISORY COUNCIL**

BE IT RESOLVED, That the following persons are hereby appointed to the Office for the Aging's Advisory Council:

February 14, 2006

Supervisor Member:

for a term of 1 year; effective January 01, 2006 through December 31, 2006

- Hank Bush, (Supervisor T/Gainesville) 4579 Miller Rd., Silver Springs, NY 14550

Agency Representative:

For an unexpired 3 year term; effective through December 31, 2006

- Deb Browne (Home Care & Hospice) replacing – Esther Goodrich (Home Care & Hospice)

204-206 N. Main Street, Perry, NY 14530

Carried: XXX Ayes: 1454 Noes: Absent: 164 (Attica) Abstain: #8

**RESOLUTION NO. 06-43
(February 14, 2006)**

By Mr. Rogers, Chairman of Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN VARIOUS GRANT
APPLICATION / ACCEPTANCE AWARDS ON BEHALF
OF THE OFFICE FOR THE AGING**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign the following grant application/acceptance awards on behalf of the Wyoming County Office for the Aging:

Effective April 01, 2006 through March 31, 2007

- | | |
|--|-----------|
| • HIICAP – Health Insurance Information Counseling | 15,000.00 |
| • LTCOP – Long Term Care Ombudsman Program | 3,900.00 |

Effective July 01, 2006 through June 30, 2007

- | | |
|--|-----------|
| • Title V – Sr. Community Service Employment | 27,249.00 |
|--|-----------|

Effective January 01, 2006 through December 31, 2006

- | | |
|--|----------|
| • Title VII – Long Term Care Ombudsman | 8,300.00 |
|--|----------|

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Effective August 01, 2006 through July 31, 2007

- WRAP (SOFA) – Weatherization Referral Assist. Prog. 26,960.00

Effective September 30, 2006 through September 29, 2007

- POMP – Performance Outcome Measurement Prog. 4,000.00

Amounts are based on current awards.

All grants are 100% federal and state monies, except Title V, but Community Action provides needed match.

Carried: XXX Ayes: 1454 Noes: Absent: 164 (Attica) Abstain: #9

**RESOLUTION NO. 06-44
(February 14, 2006)**

By Mr. Rogers, Chairman of Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
WITH QUALITY CARE – USA ON BEHALF OF THE
OFFICE FOR THE AGING**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Quality Care – USA, Inc., d.b.a. Gentiva Health Services, 3 Hungington Quadrangle, 200S, Melville, NY 11747. Contract to provide in-home services (homemaker chore and personal care) to residents 60+ in the county; effective April 01, 2005 through March 31, 2008. Amount based on need and is contingent upon the availability of funds.

Carried: XXX Ayes: 1454 Noes: Absent: 164 (Attica) Abstain: #10

**RESOLUTION NO. 06-45
(February 14, 2006)**

By Mr. Rogers, Chairman of Human Services Committee:

February 14, 2006

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
WITH STEVEN TARBELL ON BEHALF OF THE YOUTH
BUREAU**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Steven Tarbell, 4270 Fairview Rd., Castile, NY 14427 on behalf of the Youth Bureau to provide for Youth Court Coordinator services; effective January 1, 2006 through December 31, 2006 in an amount not to exceed four thousand eight hundred dollars (\$4,800.00).

Carried: XXX Ayes: 1454 Noes: Absent: 164 (Attica) Abstain:

Chairman Berwanger welcomed a group of Senior Citizens representing Arcade and Eagle. The Chairman had visited them a few weeks ago and invited them to a Board Meeting.

Mr. Rogers was invited to update the Boardroom on the selection of a Director of Aging and Youth. Interviews were done with four good candidates. Hope to have an appointment made within the next few days.

There was a motion by Mrs. Totslin, T/Genesee Falls, to combine resolutions #11 through #14. A voice vote was taken and all voted aye.

#11

**RESOLUTION NO. 06-46
(February 14, 2006)**

By Mrs. Totslin, Chairman of Public Health Committee:

**JEAN TOTSLINE APPOINTED TO THE MENTAL
HEALTH COMMUNITY SERVICES BOARD AND
MENTAL HEALTH SUBCOMMITTEE**

BE IT RESOLVED, That *Jean Totslin*, 6949 River Rd., Portageville, NY 14536 is hereby appointed to the *Mental Health Community Services Board* and the *Mental Health Subcommittee* as a *Supervisor Member for a term of 1 year; effective January 01, 2006 through December 31, 2006.*

Carried: XXX Ayes: 1454 Noes: Absent: 164 (Attica) Abstain:

**RESOLUTION NO. 06-47
(February 14, 2006)**

By Mrs. Totslin, Chairman of Public Health Committee:

**CHAIRMAN AUTHORIZED TO SIGN A MEMORANDUM
OF AGREEMENT WITH CANFIELD IMAGING SYSTEMS
ON BEHALF OF THE DEPARTMENT OF MENTAL
HEALTH**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a Memorandum of Agreement with Canfield Imaging Systems, 253 Passaic Avenue, Fairfield, NJ 07004-2524 on behalf of Mental Health for Simulation Software in an amount not to exceed three thousand seven hundred fifty dollars (\$3,750.00) effective January 01, 2006 through December 31, 2006.

Carried: XXX Ayes: 1454 Noes: Absent: 164 (Attica) Abstain:
#13

**RESOLUTION NO. 06-48
(February 14, 2006)**

By Mrs. Totslin, Chairman of Public Health Committee:

**JEAN TOTSLINE APPOINTED TO THE WYOMING
COUNTY BOARD OF HEALTH**

BE IT RESOLVED, That *Jean Totslin*, 6949 River Rd., Portageville, NY 14536 is hereby appointed to the *Wyoming County Board of Health* as a *Supervisor Member for a term of 1 year effective January 01, 2006 through December 31, 2006.*

Carried: XXX Ayes: 1454 Noes: Absent: 164 (Attica) Abstain:

February 14, 2006

**RESOLUTION NO. 06-49
(February 14, 2006)**

By Mrs. Totslin, Chairman of Public Health Committee:

RESOLUTION NUMBER 05-353 AMENDED

WHEREAS, Resolution number 05-353 provides for various contracts for the Public Health Department and Certified Home Health Agency for fiscal year 2006; now therefore

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign an amended contract with Ohri Medical Group for the provision of Tuberculosis Program Medical Director Service from January 01, 2006 through December 31, 2006 in the additional amount of eight hundred dollars (\$800.00) for a total contract price not to exceed two thousand dollars (\$2,000.00).

Carried: XXX Ayes: 1454 Noes: Absent: 164 (Attica) Abstain:

There was a motion by Mrs. Meeder, T/Middlebury, to combine resolutions #15 through #16. A voice vote was taken and all voted aye.

#15

**RESOLUTION NO. 06-50
(February 14, 2006)**

By Mrs. Meeder, Chairman of Human Resources Committee:

**FAMILY MEDICAL LEAVE ACT (FMLA) POLICY AND
PROCEDURE APPROVED**

BE IT RESOLVED, That the Family Medical Leave Act (FMLA) Policy and Procedure attached hereto is adopted as presented

Carried: XXX Ayes: 1454 Noes: Absent: 164 (Attica) Abstain:

**RESOLUTION NO. 06-51
(February 14, 2006)**

By Mrs. Meeder, Chairman of Human Resources Committee:

**COUNTY CLERK ANNUAL MORTGAGE TAX
RETENTION FEE**

WHEREAS, Section 262 of the New York State Tax Law provides that the recording office of the County Clerk shall be entitled to recover necessary expenses for the purpose of the collection of mortgage taxes; and

WHEREAS, The County Clerk wishes to receive an annual expense of one hundred forty-two thousand four hundred forty-eight dollars. (\$142,448.00) and;

WHEREAS, The State Tax Commission has adopted a resolution stating, that if the allowance of a recording officer for expenses is certified by the County Board of Supervisors as a reasonable allowance, an allowance can be made; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors does hereby request the State Tax Commission to allow the Wyoming County Clerk the sum of one hundred forty-two thousand four hundred forty-eight dollars (\$142,448.00) annually April 2006 through March 2007 for necessary expenses in carrying out the provisions of Article 11 of the New York State Tax Law.

Carried: XXX Ayes: 1454 Noes: Absent: 164 (Attica) Abstain:

There was a motion by Mr. Kushner, T/Eagle, to combine resolutions #17 through #30. A voice vote was taken and all voted aye.

#17

**RESOLUTION NO. 06-52
(February 14, 2006)**

By Mr. Kushner, Chairman of Public Safety Committee:

February 14, 2006

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
EXTENSION WITH ROBERT JAE ON BEHALF OF THE
SHERIFF'S DEPARTMENT**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract extension with Robert Jae, 2227 Route 20A, Varysburg, NY 14167 for the provision of consulting services regarding the improvement of public safety response through more effective and efficient interoperable wireless communications. Contract effective through November 30, 2006 in an amount not to exceed seven thousand five hundred dollars (\$7,500.00); contingent upon the availability of funds.

Carried: XXX Ayes: 1454 Noes: Absent: 164 (Attica) Abstain:
#18

**RESOLUTION NO. 06-53
(February 14, 2006)**

By Mr. Kushner, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
EXTENSION WITH UNITED UNIFORM ON BEHALF OF
THE SHERIFF'S DEPARTMENT**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract extension with United Uniform Co. Inc., 495 North French Road, Buffalo to provide uniforms for the Sheriff and Jail at current level pricing or lower; contract effective March 01, 2006 through February 28, 2007.

Carried: XXX Ayes: 1454 Noes: Absent: 164 (Attica) Abstain:
#19

**RESOLUTION NO. 06-54
(February 14, 2006)**

By Mr. Kushner, Chairman of Public Safety Committee:

Proceedings of the Board of Supervisors**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
WITH THE TOWN OF COVINGTON ON BEHALF OF THE
SHERIFF'S DEPARTMENT**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with the Town of Covington for full reimbursement of patrols on Route 63 for the year 2006.

Carried: XXX Ayes: 1454 Noes: Absent: 164 (Attica) Abstain:
#20

**RESOLUTION NO. 06-55
(February 14, 2006)**

By Mr. Kushner, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
EXTENSION WITH SINCLAIR PHARMACY ON BEHALF
OF THE WYOMING COUNTY JAIL**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract extension with Sinclair Pharmacy, 75 N. Main St, Warsaw for the provision of the Pharmaceutical bid contract for a period April 08, 2006 through April 07, 2007 at the current level pricing or lower.

Carried: XXX Ayes: 1454 Noes: Absent: 164 (Attica) Abstain:
#21

**RESOLUTION NO. 06-56
(February 14, 2006)**

By Mr. Kushner, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A MAINTENANCE
AGREEMENT WITH SIMPLEX GRINNELL ON BEHALF
OF THE WYOMING COUNTY JAIL**

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BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a maintenance agreement with Simplex Grinnell, 1999 Mt. Read Blvd. 1, Rochester, NY 14615, for the maintenance and repair of the control room, fire and smoke alarms for the Public Safety Building on behalf of the Wyoming County Jail. This contract is in an amount not to exceed eleven thousand thirty-one dollars (\$11,031.00) effective January 01, 2006 through December 31, 2006.

Carried: XXX Ayes: 1454 Noes: Absent: 164 (Attica) Abstain: #22

**RESOLUTION NO. 06-57
(February 14, 2006)**

By Mr. Kushner, Chairman of Public Safety Committee:

**JOSEPH KUSHNER REAPPOINTED TO THE
MERCY FLIGHT CITIZENS ADVISORY COMMITTEE**

BE IT RESOLVED, That *Joseph Kushner* (T/Eagle) 3468 E. Main Street, Bliss, NY 14024, is hereby appointed to the *Mercy Flight Citizens Advisory Committee* as a *Supervisor Member for a term of 1 year; effective January 01, 2006 through December 31, 2006.*

Carried: XXX Ayes: 1454 Noes: Absent: 164 (Attica) Abstain: #23

**RESOLUTION NO. 06-58
(February 14, 2006)**

By Mr. Kushner, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN CONTRACTS WITH
WILLIAM STREICHER AND GARY HUFF ON BEHALF
OF EMERGENCY SERVICES**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a

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contract with William Streicher, 486 Sanders Hill Road, Strykersville, NY 14145 and Gary Huff, 10 Watkins Ave., Perry, NY 14530 on behalf of Emergency Services. These contracts are to provide for maintenance of the Weapons of Mass Destruction (WMD) Equipment at a rate of \$20.00/hr, not to exceed ten thousand dollars (\$10,000.00) effective January 01, 2006 through December 31, 2007. Funds are budgeted from the 2005-2006 Homeland Security Grant; contingent upon the availability of funds.

Carried: XXX Ayes: 1454 Noes: Absent: 164 (Attica) Abstain:
#24

**RESOLUTION NO. 06-59
(February 14, 2006)**

By Mr. Kushner, Chairman of Public Safety Committee:

**PERMISSION TO EXTEND ALL HAZARDOUS
MITIGATION GRANT CYCLE APPROVED**

WHEREAS, Resolution number 04-264 provides for a grant with the New York State Emergency Management for the All Hazard Mitigation Plan for municipalities and Wyoming County; and

WHEREAS, Wyoming County applied to the Federal Emergency Management Agency (FEMA) through the State Emergency Management Office (SEMO) for a grant under the Hazard Mitigation Plan Grant (HMPG) to prepare a multi-jurisdictional, Multi-Hazard Mitigation Plan that will include up to 23 municipalities in Wyoming County, and

WHEREAS, in a letter dated October 25, 2005, FEMA approved Wyoming County's application for the development of a multi-jurisdictional Multi-Hazard Mitigation Plan, and

WHEREAS, the deadline for completion of the project was September 24, 2005; and

WHEREAS, in a letter dated November 29, 2005, New York SEMO, on behalf of Wyoming County, requested an extension of time from FEMA to complete the project from September 24, 2005 to January 27, 2007, and

WHEREAS, FEMA, in a letter dated December 12, 2005, has granted the extension until January 27, 2007, now therefore

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BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign this grant extension of the All Hazard Mitigation Plan Grant.

Carried: XXX Ayes: 1454 Noes: Absent: 164 (Attica) Abstain: #25

**RESOLUTION NO. 06-60
(February 14, 2006)**

By Mr. Kushner, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A GRANT
ACCEPTANCE AWARD FOR THE VIOLENCE AGAINST
WOMEN GRANT ON BEHALF OF THE DISTRICT
ATTORNEY'S OFFICE**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a grant acceptance award with the Department of Criminal Justice Service for the Violence Against Women (VAWA) Grant for the period January 01, 2006 through December 31, 2006 in the minimum amount of forty-one thousand six hundred dollars (\$41,600.00) (75% Grant Funds/25% Matching Funds).

Carried: XXX Ayes: 1454 Noes: Absent: 164 (Attica) Abstain: #26

**RESOLUTION NO. 06-61
(February 14, 2006)**

By Mr. Kushner, Chairman of Public Safety Committee:

**2006 ALTERNATIVES TO INCARCERATION PLAN
APPROVED**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with the Division of Probation and Correctional Alternatives located at 80 Wolf Road, Albany, NY 12205-2604. This agreement will provide for

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community service, pretrial release, and the Data Day Program in a minimum amount of twenty-four thousand nine hundred dollars (\$24,900.00) effective January 01, 2006 through December 31, 2006.

Carried: XXX Ayes: 1454 Noes: Absent: 164 (Attica) Abstain: #27

**RESOLUTION NO. 06-62
(February 14, 2006)**

By Mr. Kushner, Chairman of Public Safety Committee:

2006 INTENSIVE SUPERVISION PLAN APPROVED

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with the Division of Probation and Correctional Alternatives located at 80 Wolf Road, Albany, NY 12205-2604. This agreement will provide for the Intensive Supervision Program, goals and objectives in a minimum amount of two thousand dollars (\$2,000.00) effective January 01, 2006 through December 31, 2006.

Carried: XXX Ayes: 1454 Noes: Absent: 164 (Attica) Abstain: #28

**RESOLUTION NO. 06-63
(February 14, 2006)**

By Mr. Kushner, Chairman of Public Safety Committee:

**2006 PROBATION ELIGIBLE DIVERSION PLAN
APPROVED**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with the Division of Probation and Correctional Alternatives located at 80 Wolf Road, Albany, NY 12205-2604. This agreement will provide for the Probation Eligible Diversion Program, Drug Court funding, goals and objectives in a minimum amount of thirteen thousand four hundred dollars (\$13,400.00) effective January 01, 2006 through December 31, 2006.

Carried: XXX Ayes: 1454 Noes: Absent: 164 (Attica) Abstain:
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**RESOLUTION NO. 06-64
(February 14, 2006)**

By Mr. Kushner, Chairman of Public Safety Committee:

2006 ANNUAL PROBATION PLAN APPROVED

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with the Division of Probation and Correctional Alternatives located at 80 Wolf Road, Albany, NY 12205-2604. This agreement will provide for general services of the Probation department in a minimum amount of sixty thousand three hundred dollars (\$60,300.00) effective January 01, 2006 through December 31, 2006.

Carried: XXX Ayes: 1454 Noes: Absent: 164 (Attica) Abstain:
#30

**RESOLUTION NO. 06-65
(February 14, 2006)**

By Mr. Kushner, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN GRANT
ACCEPTANCE AWARDS WITH THE DIVISION OF
CRIMINAL JUSTICE ON BEHALF OF PROBATION**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign grant acceptance awards with the Division of Criminal Justice for the provision of additional safety equipment, radios, microphones, bulletproof vests, wand, two radios and cameras in a minimum amount of five thousand dollars (\$5,000.00) and four thousand three hundred twenty-nine dollars (\$4,329.00) with matching funds of two thousand twenty-five dollars (\$2,025.00) (bulletproof vests).

Carried: XXX Ayes: 1454 Noes: Absent: 164 (Attica) Abstain:

There was a motion by Mr. Fleischman, T/Java, to combine resolutions #31 through #43. A voice vote was taken and all voted aye.

#31

**RESOLUTION NO. 06-66
(February 14, 2006)**

By Mr. Fleischman, Chairman of Planning Committee:

**REVIEW OF AGRICULTURAL DISTRICTS 1 AND 6 AND
SET PUBLIC HEARING**

WHEREAS, This Board is conducting a review of Agricultural Districts No. 1 and 6 located in the Towns of Arcade, Java, Sheldon and small portions in the Towns of Eagle, Wethersfield and Bennington as authorized under Article 25AA of Agricultural Districts Law; and

WHEREAS, The review process was initiated with a 30-day review period and this Board directed the County Agricultural and Farmland Protection Board and the County Planning Board to prepare reports and recommendations regarding District No. 1 which is being merged with District No. 6; and

WHEREAS, This Board will be receiving and reviewing the reports of these Boards and their recommendations to merge and modify the Districts; and

WHEREAS, This Board is required to hold a Public Hearing prior to making a finding whether the Districts should be continued, terminated or modified; now therefore

BE IT RESOLVED, That a Public Hearing will be held by the Board of Supervisors of Wyoming County, State of New York, at the Wyoming County Government Center in Warsaw, on the 14th day of March, 2006 at 3:00 PM regarding Wyoming County Agricultural District No. 1 located in the Towns of Arcade, Java, Sheldon, and small portions in the Towns of Eagle, Wethersfield and Bennington to consider the recommendations of the Agricultural and Farmland Protection Board and the County Planning Board to merge and modify the District; and be it

FURTHER RESOLVED, That copies of the Review Plan including a map of the District showing the proposed modifications and the reports and recommendations of the Wyoming County Agricultural and Farmland Protection Board and the Wyoming County Planning Board will be available for public review at: Wyoming County Planning & Development, 6470 Route 20A in the

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Town of Perry; and the Soil & Water Office, 31 Duncan Street Ext., Warsaw, NY.

Carried: XXX Ayes: 1454 Noes: Absent: 164 (Attica) Abstain: #32

**RESOLUTION NO. 06-67
(February 14, 2006)**

By Mr. Fleischman, Chairman of Planning Committee:

COUNTY PLANNING BOARD MEMBERS APPOINTED

BE IT RESOLVED, That the following persons are hereby appointed to the County Planning Board:

for a term of three (3) years, effective January 01, 2006 through December 31, 2008:

- Michael R. Armbrust (T/Sheldon), 601 Brookledge Ct., Strykersville, NY 14145

for a term of one (1) year, effective January 01, 2006 through December 31, 2006

Alternate Member #2

- Gerald R. Pfeifer, (T/Warsaw) 39 Mt. View Ave., Warsaw, NY 14569

Carried: XXX Ayes: 1454 Noes: Absent: 164 (Attica) Abstain: #33

**RESOLUTION NO. 06-68
(February 14, 2006)**

By Mr. Fleischman, Chairman of Planning Committee:

**CHAIRMAN AUTHORIZED TO SIGN CDBG
SMALL CITIES GRANT AGREEMENT**

WHEREAS, The County of Wyoming has been approved to receive a three hundred ninety thousand dollars (\$390,000) Small Cities grant that will be used by the Wyoming County IDA to provide financial assistance to

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McCormick Farms, Bliss, New York, for their continued growth and expansion; and

WHEREAS, the loan repayments from McCormick Farms will be used by the Wyoming County IDA to provide financial assistance to other Wyoming County businesses that will create additional job opportunities for county residents; now therefore

BE IT RESOLVED, That the Chairman of this Board, is hereby authorized as the official representative of Wyoming County, New York to execute the grant agreement from the Governor's Office For Small Cities for a three hundred ninety thousand dollars (\$390,000) NYS Community Development Block Grant, Small Cities Economic Development program, and is hereby authorized and directed, upon the approval of the County Attorney, to sign all documents and take all actions needed to receive the approved grant funds; and be it

FURTHER RESOLVED, that the Chairman of this Board of Supervisors designates Richard L. Tindell to act as Certifying Officer for the purposes of carrying out an environmental review.

Carried: XXX Ayes: 1454 Noes: Absent: 164 (Attica) Abstain: #34

**RESOLUTION NO. 06-69
(February 14, 2006)**

By Mr. Fleischman, Chairman of Planning Committee:

**CHAIRMAN AUTHORIZED TO SIGN
SMALL CITIES GRANT APPLICATION**

WHEREAS, The County of Wyoming wishes to apply for a four hundred thousand dollars (\$400,000) Small Cities grant that will be used by the Wyoming County IDA to provide financial assistance to qualified microenterprises for their startup and expansion; and

WHEREAS, the loan repayments form these microenterprises can be used by the Wyoming County IDA to provide financial assistance to other Wyoming County businesses that will create additional economic opportunities for county residents; now therefore

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BE IT RESOLVED, That the Chairman of this Board of Supervisors, is hereby authorized as the official representative of Wyoming County, New York, to execute and submit a grant application to the Governor's Office For Small Cities for a NYS Community Development Block Grant, Small Cities Micro Enterprise program, and is hereby authorized and directed, upon the approval of the County Attorney, to take all actions needed for the submission of the grant application and to provide such additional information and assistance as may be necessary; and be it

FURTHER RESOLVED, That two public hearings by this Board of Supervisors will be held on March 14, 2006 and March 28, 2006 at 2:00 p.m. at the Wyoming County Business Center, 6470 Route 20A, in the Town of Perry, New York, and at least five days notice of such hearings shall be given by the Clerk of this Board by publishing such notice at least once in official newspapers of the county designated for such publications.

Carried: XXX Ayes: 1454 Noes: Absent: 164 (Attica) Abstain: #35

**RESOLUTION NO. 06-70
(February 14, 2006)**

By Mr. Fleischman, Chairman of Planning Committee:

**CHAIRMAN AUTHORIZED TO SIGN AN AGREEMENT
WITH H. SICHERMAN & COMPANY INC. FOR SMALL
CITIES GRANT SERVICES**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign a contract with H. Sicherman & Company Inc., 5852 Forest Creek Drive, East Amherst, NY 14051 to prepare a CDBG Small Cities grant application of four hundred thousand dollars (\$400,000.00). If the grant funds are awarded they will be used by the Wyoming County IDA to provide loans to microenterprises in Wyoming County. Total cost of said contract not to exceed seven thousand five hundred dollars (\$7,500) contingent upon the availability of funds.

Carried: XXX Ayes: 1454 Noes: Absent: 164 (Attica) Abstain: #36

**RESOLUTION NO. 06-71
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By Mr. Fleischman, Chairman of Planning Committee:

**CHAIRMAN AUTHORIZED TO SIGN AGREEMENT
WITH ENVIRONMENTAL ENTERPRISES FOR GLOW
REGION 2006 HOUSEHOLD HAZARDOUS WASTE
COLLECTION PROGRAM**

WHEREAS, The GLOW Region Solid Waste Management Committee has received funding from the NYS Department of Environmental Conservation (NYSDEC) for the 2006 Household Hazardous Waste Collection Program; and

WHEREAS, The GLOW Committee has recommended that a contract with Environmental Enterprises Inc. be extended to provide collection services for the May, 2006 Household Hazardous Waste Collection Program; now therefore

BE IT RESOLVED, That upon the approval of the County Attorney, the Chairman of the Wyoming County Board of Supervisors is authorized and directed to sign a contract extension with the other GLOW Counties and Environmental Enterprises Inc. for the 2006 GLOW Household Hazardous Waste Collection Program in an amount not to exceed twenty-three thousand dollars (\$23,000.00).

Carried: XXX Ayes: 1454 Noes: Absent: 164 (Attica) Abstain:
#37

RESOLUTION NO. 06-72
(February 14, 2006)

By Mr. Fleischman, Chairman of Planning Committee:

**SUPERVISOR MEMBERS APPOINTED/REAPPOINTED
TO THE GENESEE/FINGER LAKES REGIONAL
PLANNING COUNCIL**

BE IT RESOLVED, That the following persons are hereby appointed to the Genesee/Finger Lakes Regional Planning Council:

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Supervisor Members for a term of 1 year; effective January 01, 2006 through December 31, 2006

- A. Douglas Berwanger (T/Arcade) 6608 East Arcade Rd., Arcade, NY 14009
- Jerry Davis (T/Covington) 7414 Court Rd., P.O. Box 445, Pavilion, NY 14525
- Ron Smith (T/Warsaw) 4553 Route 20A, Warsaw, NY 14569

Supervisor Member/Alternate for a term of 1 year; effective January 01, 2006 through December 31, 2006

- Jim Brick (T/Perry) 7618 Route 20A, Perry, NY 14530

Carried: XXX Ayes: 1454 Noes: Absent: 164 (Attica) Abstain: #38

**RESOLUTION NO. 06-73
(February 14, 2006)**

By Mr. Fleischman, Chairman of Planning Committee:

**MEMBERS APPOINTED/REAPPOINTED TO THE
GLOW REGIONAL SOLID WASTE COMMITTEE**

Supervisor Members for a term of 1 year; effective January 01, 2006 through December 31, 2006:

- E. Joseph Gozelski (T/Castile) 6175 East Lake Rd., Silver Springs, NY 14550
- Larry Rogers (T/Pike) 14 East Koy Rd., P. O. Box 82, Pike, NY 14130-0082

Supervisor Member/Alternate for a term of 1 year; effective January 01, 2006 through December 31, 2006:

- Sue May (T/Orangeville) 2916 Orangeville Center Rd., Warsaw, NY 14530

Member for a term of 1 year; effective January 01, 2006 through December 31, 2006:

- Richard Tindell (Planning & Development Director) 6470 Route 20A, Suite 4, Perry, NY 14530-9796

Carried: XXX Ayes: 1454 Noes: Absent: 164 (Attica) Abstain:

**RESOLUTION NO. 06-74
(February 14, 2006)**

By Mr. Fleischman, Chairman of Planning Committee:

**SUPERVISOR MEMBERS APPOINTED/REAPPOINTED
TO THE WYOMING COUNTY TOURIST PROMOTION
AGENCY**

BE IT RESOLVED, That the following persons are hereby appointed to the Wyoming County Tourist Promotion Agency:

Supervisor Member for a term of 1 year; effective January 01, 2006 through December 31, 2006

- Jim Fleischman (T/Java) 5824 Java Lake Rd., Arcade, NY 14009

Supervisor Member/Alternate for a term of 1 year; effective January 01, 2006 through December 31, 2006

- E. Joseph Gozelski (T/Castile) 6175 East Lake Rd., Silver Springs, NY 14550

Carried: XXX Ayes: 1454 Noes: Absent: 164 (Attica) Abstain: #40

**RESOLUTION NO. 06-75
(February 14, 2006)**

By Mr. Fleischman, Chairman of Planning Committee:

**E. JOSEPH GOZELSKI REAPPOINTED TO THE
BUSINESS EDUCATION COUNCIL**

BE IT RESOLVED, That *E. Joseph Gozelski (T/Castile)* 6175 East Lake Rd., Silver Springs, NY 14550 is hereby reappointed to the *Business Education Council* as the *Supervisor Member for a term of 1 year; effective January 01, 2006 through December 31, 2006.*

Carried: XXX Ayes: 1454 Noes: Absent: 164 (Attica) Abstain:

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**RESOLUTION NO. 06-76
(February 14, 2006)**

By Mr. Fleischman, Chairman of Planning Committee:

**MEMBERS APPOINTED/REAPPOINTED TO THE
GLOW ADVISORY COMMITTEE**

BE IT RESOLVED, That following persons are hereby
appointed/reappointed to the GLOW Advisory Committee:

*Supervisor Member for a term of 1 year; effective January 01, 2006 through
December 31, 2006*

- Larry Rogers (T/Pike) 14 East Koy Rd., P. O. Box 82, Pike NY 14130-0082

*Planning & Development Rep. for a term of 1 year; effective January 01, 2006
through December 31, 2006*

- Richard Tindell (Planning & Development Director) 56 Mt. View Ave.,
Warsaw, NY 14569

Carried: XXX Ayes: 1454 Noes: Absent: 164 (Attica) Abstain:
#42

**RESOLUTION NO. 06-77
(February 14, 2006)**

By Mr. Fleischman, Chairman of Planning Committee:

**CHAIRMAN AUTHORIZED TO SIGN A RENEWAL
CONTRACT WITH STU BROWN ASSOCIATES**

BE IT RESOLVED, That the Chairman of this Board with the
approval of the County Attorney is hereby authorized and directed to sign a
renewal contract with Stu Brown Assoc., 640 CrossKeys Office Park, Fairport
NY 14450 on behalf of Wyoming County to provide grant writing services on
an as needed basis for County Departments and other municipalities as approved
by the Planning Committee at the same rate of \$75.00 / hr not to exceed fifteen

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thousand dollars (\$15,000.00) effective March 01, 2006 through February 28, 2007.

Carried: XXX Ayes: 1454 Noes: Absent: 164 (Attica) Abstain: #43

**RESOLUTION NO. 06-78
(February 14, 2006)**

By Mr. Fleischman, Chairman of Planning Committee:

**CHAIRMAN AUTHORIZED TO SIGN A RENEWAL
CONTRACT
WITH J. O'CONNELL & ASSOCIATES**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a renewal contract with J. O'Connell & Associates, 10646 Main St., Clarence NY 14031 on behalf of Wyoming County to provide grant writing services on an as needed basis for County Departments and other municipalities as approved by the Planning Committee at the same rate of \$75.00 / hr, not to exceed fifteen thousand (\$15,000.00) effective March 01, 2006 through February 28, 2007.

Carried: XXX Ayes: 1454 Noes: Absent: 164 (Attica) Abstain:

There was a motion by Mr. Rogers, T/Pike, to combine resolutions #44 through #50. A voice vote was taken and all voted aye.

#44

**RESOLUTION NO. 06-79
(February 14, 2006)**

By Mr. Gozelski, Chairman of Agriculture Committee:

**JIM BRICK APPOINTED TO THE
CORNELL COOPERATIVE EXTENSION BOARD OF
DIRECTORS**

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BE IT RESOLVED, That *Jim Brick (T/Perry)* 7618 Route 20A, Perry, NY 14530 is hereby appointed to the *Cornell Cooperative Board of Directors* as a *Supervisor Member for a term of 1 year; effective January 01, 2006 through December 31, 2006.*

Carried: XXX Ayes: 1454 Noes: Absent: 164 (Attica) Abstain: #45

**RESOLUTION NO. 06-80
(February 14, 2006)**

By Mr. Gozelski, Chairman of Agriculture Committee:

**MEMBERS APPOINTED/REAPPOINTED TO THE
SOIL AND WATER CONSERVATION DISTRICT BOARD**

BE IT RESOLVED, That the following persons are appointed/reappointed to the Soil & Water Conservation District Board:

Supervisor Member for a term of 1 year; effective January 01, 2006 through December 31, 2006

- E. Joseph Gozelski (T/Castile), 6175 E. Lake Rd., P.O. Box 331, Silver Springs, NY 14550
- Sally Meeder (T/Middlebury) 4631 Gay Rd. Warsaw, NY 14569

Member At-Large for a term of 3 years; effective January 01, 2006 through December 31, 2008

- Richard Youngers (Wyoming Co. - Pomona Grange), 31 Duncan St., Ext. Warsaw, NY 14569

Carried: XXX Ayes: 1454 Noes: Absent: 164 (Attica) Abstain: #46

**RESOLUTION NO. 06-81
(February 14, 2006)**

By Mr. Gozelski, Chairman of Agriculture Committee:

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MEMBERS APPOINTED/REAPPOINTED TO
THE REGION 9 – FOREST PRACTICE BOARD

BE IT RESOLVED, That the following persons are hereby appointed/reappointed to the Region 9 – Forest Practice Board:

Supervisor Member for a term of 1 year; effective January 01, 2006 through December 31, 2006

- E. Joseph Gozelski, 6175 E. Lake Rd., P.O. Box 331, Silver Springs, NY 14550

Forest or Farm Woodland Members for a term of 3 years; effective January 01, 2006 through December 31, 2008

- Doug Wolcott, 1247 Dale Rd., Dale NY 14039
- Corey Ketchum, 6578 Pearl Street, Bliss, NY 14024

(to fill a vacant term through December 31, 2008)

- Ron Smith, 4553 Route 20A, Warsaw NY 14569

Carried: XXX Ayes: 1454 Noes: Absent: 164 (Attica) Abstain: #47

RESOLUTION NO. 06-82
(February 14, 2006)

By Mr. Gozelski, Chairman of Agriculture Committee:

MEMBERS APPOINTED/REAPPOINTED TO THE
REGION 9 – FISH & WILDLIFE MANAGEMENT BOARD

BE IT RESOLVED, That the following persons are appointed to the Region 9 – Fish & Wildlife Management Board:

Supervisor Member for a term of 1 year; effective January 01, 2006 through December 31, 2006

- Jerry Davis (T/Covington) 7414 Court Rd., Pavilion NY 14525

Supervisor Member/Alternate for a term of 1 year; effective January 01, 2006 through December 31, 2006

- Ron Smith, (T/Warsaw) 4553 Route 20A, Warsaw NY 14569

Carried: XXX Ayes: 1454 Noes: Absent: 164 (Attica) Abstain:

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**RESOLUTION NO. 06-83
(February 14, 2006)**

By Mr. Gozelski, Chairman of Agriculture Committee:

**MEMBERS APPOINTED/REAPPOINTED TO THE
NYS DEC ADVISORY COMMITTEE**

BE IT RESOLVED, That the following persons are hereby appointed/reappointed to the New York State Department of Environmental Conservation Advisory Committee:

Supervisor Member for a term of 1 year; effective January 01, 2006 through December 31, 2006

➤ John Copeland (T/Wethersfield) 5888 Sheppard Rd., Bliss, NY 14024

Supervisor Member/Alternate for a term of 1 year; effective January 01, 2006 through December 31, 2006

➤ Larry Rogers (T/Pike) P. O. Box 82, Pike, NY 14130-0082

Carried: XXX Ayes: 1454 Noes: Absent: 164 (Attica) Abstain:

#49

**RESOLUTION NO. 06-84
(February 14, 2006)**

By Mr. Gozelski, Chairman of Agriculture Committee:

**E. JOSEPH GOZELSKI REAPPOINTED TO
THE SENECA TRAIL RC&D COUNCIL**

BE IT RESOLVED, That *E. Joseph Gozelski (T/Castile)*, 6175 E. Lake Rd., P.O. Box 331, Silver Springs, NY 14550 is hereby appointed to the *Seneca Trail Resource Conservation & Development Council* as a *Supervisor*

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Member for a term of 1 year; effective January 01, 2006 through December 31, 2006.

Carried: XXX Ayes: 1454 Noes: Absent: 164 (Attica) Abstain: #50

**RESOLUTION NO. 06-85
(February 14, 2006)**

By Mr. Gozelski, Chairman of Agriculture Committee:

**CLERK TO THE BOARD DIRECTED TO PUBLISH
NOTICE OF 30-DAY REVIEW OF AGRICULTURAL
DISTRICT #5**

WHEREAS, The State of New York Department of Agriculture and Markets has notified this Board that Agricultural District No. 5 in the Towns of Middlebury, Attica, Warsaw and Orangeville is due for an eight year review; now therefore

BE IT RESOLVED, That the Clerk of the Board of Supervisors is directed to publish a notice in a newspaper having general circulation within the area of Agricultural District No. 5, that this notice be posted in at least five conspicuous places within the district, and that said notice also be sent to the affected municipalities in the District; and be it

FURTHER RESOLVED, That after this 30 day period, this Board of Supervisors hereby directs the Clerk to refer Agricultural District No. 5 to the Wyoming County Agricultural and Farmland Protection Board and the Wyoming County Planning Board for their respective recommendations, and be it

FURTHER RESOLVED, That a certified copy of this resolution be sent to Wyoming County Soil & Water Conservation.

Carried: XXX Ayes: 1454 Noes: Absent: 164 (Attica) Abstain:

At 3:54 PM there was a motion by Mr. Davis, T/Covington and a second by Mr. Rogers, T/Pike to enter into executive session to discuss ongoing litigation with the County Attorney.

At 4:15 PM there was a motion by Mr. Davis, T/Covington and a second by Mrs. Meeder, T/Middlebury, to exit executive session and the meeting resumed.

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There was a motion by Mr. Davis, T/Covington, to combine resolutions #51 through #61. A voice vote was taken and all voted aye.

#51

**RESOLUTION NO. 06-86
(February 14, 2006)**

By Mr. Davis, Chairman of Finance Committee:

**CORRECTION OF ERRORS IN THE TOWN OF JAVA
DENIED**

WHEREAS, Pursuant to the Real Property Tax Law, application has been made for correction of error, assessment or levy on the parcel of real property hereafter described, said application having been reviewed and denied by the Finance Committee, now, therefore, be it

RESOLVED, That the indicated error is hereby ***DENIED*** in accordance with the applicable section of the Real Property Tax Law.

PARCEL ONE: Town of Java
Tax Map # 563600 139.-2-14

ASSESSED TO: Manfred O. Gremmel
5714 Route 98
Arcade, NY 14009

ERROR: NONE

AUTHORITY: RPTL §550.2(c)

ACTION: DENY corrected Tax Bill application.
Veterans exemption application filed after Taxable Status Date.

Carried: XXX Ayes: 1454 Noes: Absent: 164 (Attica) Abstain:
#52

**RESOLUTION NO. 06-87
(February 14, 2006)**

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By Mr. Davis, Chairman of Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN AN ADDENDUM TO
THE EBS – ADMINISTRATION OF HEALTH
REIMBURSEMENT ACCOUNT PLAN CONTRACT ON
BEHALF OF THE COUNTY INSURANCE OFFICE**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign an addendum to the EBS – Administration of Health Reimbursement Account Plan adopting the new definition of “dependent.”

Carried: XXX Ayes: 1454 Noes: Absent: 164 (Attica) Abstain:

#53

**RESOLUTION NO. 06-88
(February 14, 2006)**

By Mr. Davis, Chairman of Finance Committee:

SALARY SCHEDULE “D” AMENDED

BE IT RESOLVED, That the Wyoming County Salary Schedule “D” which became effective January 01, 1967, as amended, be amended to set the salary of the Workers’ Compensation Program Administrator to thirty-six thousand five hundred dollars (\$36,500.00) effective January 30, 2006.

Carried: XXX Ayes: 1454 Noes: Absent: 164 (Attica) Abstain:

#54

**RESOLUTION NO. 06-89
(February 14, 2006)**

By Mr. Davis, Chairman of Finance Committee:

**LINDA WILLIAMS RECOGNIZED FOR EXEMPLARY
SERVICE TO THE COUNTY UPON HER RETIREMENT**

WHEREAS, Linda Williams began her career in the Board of Supervisors Office as an Account Clerk on December 30, 1985; and

February 14, 2006

WHEREAS, After a few more promotions she became the Workers' Compensation Program Administrator on August 06, 2001; and

WHEREAS, During her tenure as the Workers' Compensation Program Administrator, Linda was charged with the task of negotiating, along with other county officials, Health Insurance benefits for County employees, administration of the County's Disability Insurance as well as the Workers' Compensation Program; now therefore

BE IT RESOLVED, That this Board of Supervisors hereby wishes Linda the very best on her retirement; and be it

FURTHER RESOLVED, That this board of Supervisors hereby wishes to thank Linda for her dedication to Wyoming County and its employees by presenting her with a certificate of appreciation.

Carried: XXX Ayes: 1454 Noes: Absent: 164 (Attica) Abstain: #55

**RESOLUTION NO. 06-90
(February 14, 2006)**

By Mr. Davis, Chairman of Finance Committee:

CANCELLATION OF TAXES FOR FIRE DISTRICT 2006

WHEREAS, Pursuant to the Real Property Tax Law §1138(6)(a), the County Legislative Body may direct the cancellation of certain delinquent taxes where it is determined that there is no practical method to enforce collection of the delinquent tax and a supplementary proceeding to enforce collection of the tax would not be effective, and

WHEREAS, several parcel(s) of real property exist within the County of Wyoming, and have been identified and so designated by the Finance Committee, now, therefore,

BE IT RESOLVED, That the County of Wyoming, in accordance with the Section 1138(6) of the Real Property Tax Law, hereby directs the cancellation of any and all delinquent taxes levied against the following tax parcels and the Wyoming County Treasurer shall, pursuant to Section 1138(6)(c) of the Real Property Tax law, charge back to the appropriate municipal corporation the amount of such cancelled delinquent tax as shall have been credited or otherwise guaranteed to such municipal corporation.

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AUTHORITY: RPTL §1138(6)(a) - Cancellation of Tax.

PARCEL ONE: Town of Castile
Tax Map # : 147.-3-15

ASSESSED TO: Wyck Van Reality Corporation, c/o Micro-Link, Inc.,
P.O. Box 747, Getzville, NY 14068-0747

ACTION: Approve cancellation of taxes

Carried: XXX Ayes: 1454 Noes: Absent: 164 (Attica) Abstain:
#56

RESOLUTION NO. 06-91
(February 14, 2006)

By Mr. Davis, Chairman of Finance Committee:

**JANET MILLER REAPPOINTED TO THE WYOMING
COUNTY COMMUNITY HOSPITAL BOARD OF
MANAGERS**

BE IT RESOLVED, That *Janet Miller*, 5401 Curriers Rd., Arcade, NY 14009 is hereby appointed to the *Wyoming County Community Hospital Board of Managers for a corrected 5 year term effective February 11, 2006 through December 31, 2010.*

Carried: XXX Ayes: 1454 Noes: Absent: 164 (Attica) Abstain:
#57

RESOLUTION NO. 06-92
(February 14, 2006)

By Mr. Davis, Chairman of Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
WITH BETH HILDEBRANT ON BEHALF OF WYOMING
COUNTY**

February 14, 2006

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a Temporary Services Agreement with Beth Hildebrant, 16 Cottage Court, Warsaw, NY 14569 in the amount of \$11.47/hr., subject to funds available by the requesting department; effective January 01, 2006 through December 31, 2006.

Carried: XXX Ayes: 1454 Noes: Absent: 164 (Attica) Abstain: #58

**RESOLUTION NO. 06-93
(February 14, 2006)**

By Mr. Davis, Chairman of Finance Committee:

**ONE POSITION OF RPN CREATED IN THE CERTIFIED
HOME HEALTH AGENCY IN THE WYOMING COUNTY
HEALTH DEPARTMENT**

BE IT RESOLVED, That there is hereby one position of Registered Professional Nurse (RPN) created in the Public Health Department in the Certified Home Health Agency effective immediately, said position to be placed on the appropriate grade and step as indicated in the CSEA Union agreement.

Carried: XXX Ayes: 1454 Noes: Absent: 164 (Attica) Abstain: #59

**RESOLUTION NO. 06-94
(February 14, 2006)**

By Mr. Davis, Chairman of Finance Committee:

**ONE POSITION OF SECRETARY TO THE HUMAN
RESOURCE DIRECTOR, TEMPORARY, FT CREATED IN
THE HUMAN RESOURCE DEPARTMENT**

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BE IT RESOLVED, That one position of *Secretary to the Human Resource Director, Temporary, FT* be created in the Human Resource Department. Said position to expire in 6 months; and

BE IT FURTHER RESOLVED, That Salary Schedule “S” be amended to add the position of *Secretary to the Human Resource Director, Temporary, FT* and set the salary at twenty-one thousand five hundred dollars (\$21,500) annually, effective February 13, 2006.

Carried: XXX Ayes: 1454 Noes: Absent: 164 (Attica) Abstain:
#60

RESOLUTION NO. 06-95
(February 14, 2006)

By Mr. Davis, Chairman of Finance Committee:

SALARY SCHEDULE “G” AMENDED

BE IT RESOLVED, That Salary Schedule “G” is hereby amended to set the salary of the Domestic Violence Coordinator at twenty-seven thousand dollars (\$27,000) annually effective immediately.

Carried: XXX Ayes: 1454 Noes: Absent: 164 (Attica) Abstain:
#61

RESOLUTION NO. 06-96
(February 14, 2006)

By Mr. Davis, Chairman of Finance Committee:

INTER COUNTY MEMBERS APPOINTED/REAPPOINTED

BE IT RESOLVED, That the following members are hereby appointed/reappointed to Inter-County of Western New York for a 1 year term effective January 01, 2006 through December 31, 2006:

- **Jerry Davis**, 7414 Court Street, Town of Covington, Pavilion, NY 14525
- **Larry Rogers**, P.O. Box 82, Town of Pike, Pike NY 14130-0082
- **John Knab**, 2246 Thomas Road, Town of Sheldon, Varysburg, NY 14167

February 14, 2006

And

BE IT FURTHER RESOLVED, That the following members are hereby appointed/reappointed to Inter-County of Western New York as alternate members for a term of 1 year effective January 01, 2006 through December 31, 2006:

- **A. Douglas Berwanger**, 6608 East Arcade Road, Town of Arcade, NY 14009
- **Joseph Kushner**, 3468 E. Main Street, Town of Eagle, Bliss, NY 14024

Carried: XXX Ayes: 1454 Noes: Absent: 164 (Attica) Abstain:

As the Chairman to the Committee of the Whole Chairman Berwanger asked if there were any Supervisor that objected to the presentation of Unanimous Consent Resolution #62. Hearing none he presented the resolution as follows:

**Unanimous Consent
#62**

**RESOLUTION NO. 06-97
(February 14, 2006)**

By Mr. Berwanger, Chairman of the Committee of the Whole:

**CHAIRMAN AUTHORIZED TO SIGN LOCAL
GOVERNMENT RECORDS MANAGEMENT
IMPROVEMENT FUND GRANT ON BEHALF OF
RECORDS RETENTION**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign the Local Government Records Management Improvement Fund (LGRMIF) Grant acceptance award with the New York State Department of Education on behalf of Records Retention. Said grant is to provide for much needed space for the storage of a variety of county records. The grant is in a minimum amount of forty-seven thousand five hundred seventy-seven dollars (\$47,577.00) effective August 01, 2005 through July 31, 2006.

Carried: XXX Ayes: 1454 Noes: Absent: 164 (Attica) Abstain:

Before the meeting was adjourned for the afternoon Chairman Berwanger asked if Mrs. Morgan had anything she would like to address the Board with. Her

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reply was that the Seniors didn't like the fact that the Wyoming Transit Service was not allowed to go around the traffic circle on Main Street. The Seniors had to walk from the road. Chairman Berwanger stated that the bus would be picking them up in the parking lot.

Mr. Rogers stated that he and Mr. Davis would be out of town at the time of the Inter-County meeting and asked that Mr. Kushner and the Chairman attend in their absence.

There being no further business to come before this Board the meeting was adjourned by Mr. Bush at 4:23 PM.

**REGULAR SESSION
(March 14, 2006)**

Tuesday

3:00 PM

The regular Session of the Wyoming County Board of Supervisors was held at the Wyoming County Government Center in the Board of Supervisors' Chambers located at 143 North Main Street, Warsaw, New York with all Supervisors present. Also present were Asst. County Attorney, Jane Monaghan; Budget Officer, Paula Parker; Clerk to the Board of Supervisors, Cheryl Ketchum and Deputy Clerk to the Board, Brenda Ferrell.

At 3:10 PM Chairman Berwanger, T/Arcade, called the meeting to order.

It has been the custom of the Wyoming County Board of Supervisors to have a Veteran from Wyoming County to lead the Pledge of Allegiance. This month it is under the re commendation of the Director of Veterans' Services, Gary Cousins that the County's Girl Scouts be given an opportunity to lead the Board in the pledge of allegiance.

GIRL SCOUTS OF AMERICA

The Girl Scouts of America are celebrating 93 years of service in the United States of America. Its origin in America was in Savannah, Georgia in 1912, starting with 18 girls, and due to the efforts of Juliette Gordon Low. Mrs. Low wanted to get the girls out-of-doors, to learn more about nature to develop self-reliance and resourcefulness. Its concept was also to prepare the girls for professional careers in the arts, sciences, and business fields, as well as being more active in citizenship.

In 1917, Mrs. Woodrow Wilson became the first honorary President of the Girl Scouts, and by 1918 there were Girl Scout units forming in our area. The nationally franchised Girl Scout Cookie Sale started in 1936 and by 1938 over one million boxes had been sold.

The Girl Scouts of America served our nation during both World War I & II by selling Defense bonds, collecting waste fat and scrap iron, and by growing Victory Gardens to help provide food for our nation. Special programs in seafaring and aviation, called Mariner Girl Scouts and Wing Girl Scouts were developed for Senior Girl Scouts.

The Girl Scouts of America have grown to a membership of more than four million. They strive to fulfill their oath of "Duty to God and Country" and to

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help other people at all times. There are presently 27 different units within Wyoming County and include the towns of Arcade, Attica, Perry, Warsaw, and Wyoming.

We are pleased to have with us Girl Scouts from Troops #2084 and #2134 from Perry, Troops #2064 and #3033 from Arcade.

Sierra Snyder
Leader Donnalynn Lawton
Katrina Heppner
Sarah Czelusta
Caila Goodemote
Morgan Tackentien
Casey Roscyk
Sara Haggerty
Leader Kathy Heppner

Jasmine Pfenninger
Kristen Callanan
Morgan Czelusta
Emily Bialaszewski
Kaylee Blesy
Alexiss Roscyk
Jessica Hobin
Leader Michelle Callanan

The pledge was said by all.

The Girl Scouts shared the Girl Scout Oath with the Board of Supervisors and visitors.

Chairman Berwanger presented a Certificate of Appreciation to the troop as well as to each individual Scout in recognition of their service to their community and their appearance here today.

Before the meeting continued the meeting was dedicated to the late Arnold Cox, former Supervisor from the Town of Middlebury who passed way during the past month.

Mr. Cox served on the Board of Supervisors for over ten (10) years.

A few of the Supervisors shared stories regarding their shared tenure with the Supervisors. Condolences were conveyed to his widow who was in attendance.

The Department of Social Services proudly recognizes outstanding employees within the department. The employees are invited and encouraged to learn more about governmental proceedings and the inter-relationship between the Department of Social Services and the Board of Supervisors.

Each month, Commissioner Schmitt, brings an employee of the month to the Health and Human Services Committee meeting to see first hand how Departmental requests are processed by the Board.

March 14, 2006

The employee of the month for March 2006 is Kathy Schwab who has been with the department since 1984 and is now a Program Specialist in our Services Department. Kathy was nominated by her peers because of her diligence and hard work. An example of her efforts is the savings of \$110,000 that was found after she worked on updating and correcting deficiencies on non-reimbursable expenditures.

We would like to thank her for her years of service to the community and to the County of Wyoming.

Please join me in recognizing Kathy Schwab.

Public Hearing regarding Findings to Modify Agricultural Districts 1 and 6

#1

**RESOLUTION NO. 06-98
(March 14, 2006)**

By Mr. Davis, Chairman of Finance Committee:

FUNDS TRANSFERRED TO VARIOUS 2006 ACCOUNTS

BE IT RESOLVED, That funds are hereby transferred to the various 2006 accounts as follows:

| Civil Service / Human Resource | | | <u>Dept. Totals:</u> |
|--|-------------|--|-----------------------------|
| From: 01.34.1430.1.10001 Salary S,D,I To: 01.34.1430.4.40301 Prof. Service Cntrts Reason: To transfer funds for payment of professional services contract as approved by the Board of Supervisors | \$20,000.00 | \$20,000.00 | |
| Civil Service / Human Resource Total | | | \$20,000.00 |
| Historian | | | |
| From: 01.35.1990.4.42107 Contingency Acct To: 01.46.7510.1.10001 S&D Salary 01.46.7510.8.81001 NYS Retirement 01.46.7510.8.83001 FICA 01.46.7510.8.85001 Medicare Reason: To transfer from contingency to allow for salary increase by Finance Committee as referred by Human Resources Committee. | \$9,098.19 | \$7,604.00 912.48 471.45 110.26 | |
| Historian Total | | | \$9,098.19 |

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| | | | |
|---|-----------------|-----------------|--------------------|
| District Attorney | | | |
| From: 01.32.1166.1.10201 PT & Temp | \$12,000.00 | | |
| 01.32.1166.4.41010 Misc. Supplies | 7.00 | | |
| 01.32.1166.8.81001 NYS Ret. | 1,440.00 | | |
| 01.32.1166.8.83001 FICA | 744.00 | | |
| 01.32.1166.8.85001 Medicare | 174.00 | | |
| 01.32.1166.8.89001 Med. Ins. | <u>2,275.00</u> | | |
| To: 01.32.1166.2.20201 Computers | \$16,640.00 | \$6,340.00 | |
| 01.32.1166.4.40301 Prof. Serv. Cont. | | 8,375.50 | |
| 01.32.1166.4.40401 Training/Ed | | <u>1,924.50</u> | |
| Reason: Request approval of the transfer of funds in the amount of \$16,640.00 w/in Byrne Grant | | \$16,640.00 | |
| District Attorney Total | | | \$16,640.00 |

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#2

**RESOLUTION NO. 06-99
(March 14, 2006)**

By Mr. Davis, Chairman of Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2005 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2005 accounts as follows:

| | | | |
|--|--------------|----------------|-----------------------|
| Tobacco | | | Dept. Totals: |
| To: 01.51.9789.6.60004 TASC Closing | \$106,572.91 | | |
| 01.51.9789.6.60005 Debt Defeasement | 3,417,926.06 | | |
| w/revenues 01.08.9789.2655 Minor Sales increased by | | \$3,524,498.97 | |
| Reason: To reflect the expenses and revenues from the tobacco bond sale in November 2005. | | | |
| Tobacco Total | | | \$3,524,498.97 |
| Highway | | | |
| Machinery Fund | | | |
| To: 03.54.5130.4.40504 Diesel | \$26,739.73 | | |
| <i>from any available funds</i> | | \$26,739.73 | |
| Reason: Balance Machinery fund for 2005 accounts due to rise in prices not budgeted. | | | |
| Highway Total | | | \$26,739.73 |

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#3

**RESOLUTION NO. 06-100
(March 14, 2006)**

By Mr. Davis, Chairman of Finance Committee:

March 14, 2006

FUNDS APPROPRIATED TO VARIOUS 2006 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2006 accounts as follows:

| | | | |
|---|--------------|--|----------------------|
| District Attorney | | | Dept. Totals: |
| To: 01.32.1163.4.42306 DA Seized Assets – Other w/revenues 01.07.1163.2626 Seized Assets: Reason: To appropriate the reserve to allow for program activities in 2006 per State regulations. | \$1,350.00 | \$1,350.00 | |
| District Attorney Total | | | \$1,350.00 |
| Highway | | | |
| To: 04.53.5112.4.40940 HBRR Contract w/04.12.5112.4089 Corp of Engineers <i>from any available funds</i> Reason: Funds not used in 2005 are to be carried over for the 2006 expenses, which are being incurred. | \$394,487.16 | \$315,589.73 78,897.43 | |
| Highway Total | | | \$394,487.16 |
| Office for the Aging | | | |
| To: 01.44.6772.2.20001 – Furniture w/01.11.6772.377203 – EISEP increased by 01.12.6772.477202 – III-B 01.12.6772.477221 – LTCIEOP 01.12.6772.477220 – SPAP Reason: Purchase of furniture for agency move. | \$7,000.00 | \$2,000.00 \$1,000.00 \$2,000.00 \$2,000.00 | |
| To: 01.44.6772.4.42306 Other w/01.12.6772.477220 SPAP Grant Reason: Increase in allocation from what was projected in the 2006 County budget preparation. Increase budgeted under “Other program Expenses” and will transfer into appropriate lines at a later date. | \$50,000.00 | \$50,000.00 | |
| Office for the Aging Total | | | \$57,000.00 |
| Mental Health | | | |
| To: 01.38.4325.4.40926 ARA, Inc. w/01.03.4325.1289 Other Dept. Revenue increased same Reason: Physical Wellness Program contract w/ARA Inc., funded through the WNY Care Coordination Program | \$23,000.00 | \$23,000.00 | |
| Mental Health Total | | | \$23,000.00 |
| Public Health | | | |
| To: 01.38.4010.2.20406 Misc. Office Equip. <i>From any funds available</i> Reason: Funds required for new phone system at South Warsaw. | \$25,000.00 | \$25,000.00 | |
| Public Health Total | | | \$25,000.00 |
| Records Retention | | | |
| To: 01.34.1460.4.42306 misc. other - shelving <i>From any funds available</i> Reason: Shelving for Records Retention | \$4,000.00 | \$4,000.00 | |
| Records Retention Total | | | \$4,000.00 |

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| | | | |
|--|------------------------|-------------|--------------------|
| Planning and Development | | | |
| To: 16.65.6422.4.40301 Professional Services 16.65.6422.4.42277 Micro Loan Funds w/16.12.6422.408903 Federal Grant Revenues Reason: To rollover remaining grant funds to the new fiscal year. | \$2,600.00 8,256.46 | \$10,856.46 | |
| Planning and Development Total | | | \$10,856.46 |

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

Mr. Bush, T/Gainesville, Chairman of the Audit Committee, presented bills totaling **\$1,635,738.47** for the month of February, 2006.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

There was a motion by Mr. Rogers, T/Pike, to combine resolutions #4 through #8. A voice vote was taken and all voted aye.

#4

**RESOLUTION NO. 06-101
(March 14, 2006)**

By Mr. Rogers, Chairman of Human Services Committee:

**SABRINA PRIBEK APPOINTED AS THE DIRECTOR OF
AGING AND YOUTH**

BE IT RESOLVED, That *Sabrina Pribek*, 80 Elm Street, Apt. 2, Malone, NY 12953, is hereby appointed as the Director of Aging and Youth *for a term of two years effective March 13, 2006 through March 12, 2008.*

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#5

**RESOLUTION NO. 06-102
(March 14, 2006)**

By Mr. Rogers, Chairman of Human Services Committee:

March 14, 2006

**CHAIRMAN AUTHORIZED TO SIGN A GRANT
ACCEPTANCE AWARD ON BEHALF OF THE OFFICE
FOR THE AGING**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a grant application and acceptance award for the State Pharmaceutical Assistance Program Grant on behalf of the Office for the Aging for the provision of education, information, counsel, and assist the seniors of Wyoming County in regards to Medicare D. This grant is in a minimum amount of one hundred thousand dollars (\$100,000.00); effective October 01, 2005 through September 30, 2006.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#6

**RESOLUTION NO. 06-103
(March 14, 2006)**

By Mr. Rogers, Chairman of Human Services Committee:

**CHAIRMAN / COMMISSIONER AUTHORIZED TO SIGN
AN AGREEMENT WITH WYOMING COUNTY
CHEMICAL ABUSE TREATMENT ON BEHALF OF THE
DEPARTMENT OF SOCIAL SERVICES**

BE IT RESOLVED, That the Chairman of this Board and the Commissioner of Social Services with the approval of the County Attorney are hereby authorized and directed to sign an Agreement for Alcohol and Drug Abuse Assessments with Wyoming County Chemical Abuse Treatment on behalf of the Department of Social Services in an amount not to exceed thirteen thousand six hundred thirty dollars (\$13,630.00); effective March 23, 2006 through March 22, 2009, contingent upon the availability of funds.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#7

**RESOLUTION NO. 06-104
(March 14, 2006)**

By Mr. Rogers, Chairman of Human Services Committee:

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**CHAIRMAN / COMMISSIONER AUTHORIZED TO SIGN
A CONTRACT WITH NANCY MAGUIRE ON BEHALF OF
THE DEPARTMENT OF SOCIAL SERVICES**

BE IT RESOLVED, That the Chairman of this Board and the Commissioner of Social Services with the approval of the County Attorney are hereby authorized and directed to sign a contract with Nancy Maguire, 3567 Truesdell Road, Warsaw, NY 14569, for the provision of Domestic Violence / Independent Case Manager services in an amount not to exceed twenty-two thousand five hundred dollars (\$22,500.00); effective March 01, 2006 through December 31, 2006, contingent upon the availability of funds.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#8

**RESOLUTION NO. 06-105
(March 14, 2006)**

By Mr. Rogers, Chairman of Human Services Committee:

**CHAIRMAN / COMMISSIONER AUTHORIZED TO SIGN
A MEMORANDUM OF UNDERSTANDING WITH NEW
YORK STATE DEPARTMENT OF HEALTH ON BEHALF
OF THE DEPARTMENT OF SOCIAL SERVICES**

BE IT RESOLVED, That the Chairman of this Board and the Commissioner of Social Services with the approval of the County Attorney are hereby authorized and directed to sign a Memorandum of Agreement with New York State Department of Health for stipulation of settlement regarding 621 Claims in a minimum amount of one hundred twelve thousand three hundred eighty-three dollars (\$112,383.00); effective April 01, 2006 through December 30, 2006.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

Mr. Rogers introduced the newly appointed Director of Aging and Youth, Sabrina Pribeik.

There was a motion by Mrs. Totslin; T/Genesee Falls, to combine resolutions #9 through #12. A voice vote was taken and all voted aye.

March 14, 2006

**RESOLUTION NO. 06-106
(March 14, 2006)**

By Mrs. Totslin, Chairman of Public Health Committee:

**CHAIRMAN AUTHORIZED TO SIGN A GRANT
APPLICATION AND ACCEPTANCE AWARD ON BEHALF
OF MENTAL HEALTH**

BE IT RESOLVED, That this Board of Supervisors with the approval of the County Attorney hereby approves a Grant Application and Acceptance Award for the Drug-Free Community Grant for year four of a five year grant; effective October 01, 2006 through September 30, 2007. This grant is in a minimum amount of one hundred thousand federal dollars (\$100,000.00) and will result in no increase in county dollars.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#10

**RESOLUTION NO. 06-107
(March 14, 2006)**

By Mrs. Totslin, Chairman of Public Health Committee:

RESOLUTION NUMBER 05-350 AMENDED

WHEREAS, Resolution number 05-350 provides for various 2006 Mental Health contracts; now therefore

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign an amended contract with Coordinated Care Services, Inc. of Rochester, NY for the provision of Coordinated Care Project Physical Health Initiative/Nurse Wellness Coach as well as the Peer Family Advisory Consultant for an additional twenty three thousand dollars (\$23,000.00) bringing the total contract amount to thirty five thousand five hundred dollars (\$35,500.00); CCP Physical Health

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Initiative/Nurse Wellness Coach covers the period of January 01, 2006 through March 31, 2006, contingent upon the availability of funds; and be it

FURTHER RESOLVED, That Resolution number 05-350 be amended to reflect the above change.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#11

**RESOLUTION NO. 06-108
(March 14, 2006)**

By Mrs. Totline, Chairman of Public Health Committee:

RESOLUTION NUMBER 05-350 AMENDED

WHEREAS, Resolution number 05-350 provides for various 2006 Mental Health Contracts; now therefore

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign an amended contract with Allegany Rehabilitation Associates (ARA). An increase of \$23,000.00 for the provision of Coordinated Care Project Physical Health Initiative/Nurse Wellness Coach. This increases the contract with ARA from five hundred twenty-four thousand seven hundred twenty-seven dollars (\$524,727.00) to five hundred forty-seven thousand seven hundred twenty-seven dollars (\$547,727.00); contingent upon the availability of funds; and be it

FURTHER RESOLVED, That Resolution number 05-350 be amended to reflect the above change.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#12

**RESOLUTION NO. 06-109
(March 14, 2006)**

By Mrs. Totline, Chairman of Public Health Committee:

March 14, 2006

**MARGARET MEYER / CATHOLIC CHARITIES
APPOINTED TO THE MENTAL HEALTH
SUBCOMMITTEE**

BE IT RESOLVED, That *Margaret Meyer of Catholic Charities*, 25 Liberty Street, Batavia, NY 14020 is hereby appointed to the *Mental Health Subcommittee* filling the unexpired 4 year vacant term of Linda Klein; effective *through December 31, 2006*.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#13

**RESOLUTION NO. 06-110
(March 14, 2006)**

By Mrs. Meeder Chairman of Human Resource Committee:

**AUTHORIZE HOME RULE REQUEST IN SUPPORT OF
LEGISLATION S6334-A/A9289-A, AN ACT TO AMEND
CHAPTER 185 OF THE LAWS OF 2005, RELATING TO
AUTHORIZING THE COUNTY OF WYOMING TO IMPOSE
A COUNTY RECORDING TAX ON OBLIGATIONS
SECURED BY A MORTGAGE ON REAL PROPERTY, IN
RELATION TO PROVIDING FOR THE REPEAL OF SUCH
PROVISION UPON EXPIRATION THEREOF**

WHEREAS, On November 08, 2005 Wyoming County adopted Local Law #5, of the year 2005, entitled, **“A LOCAL LAW IMPOSING A COUNTY RECORDING TAX ON OBLIGATIONS SECURED BY A MORTGAGE ON REAL PROPERTY;”** and

WHEREAS, A precedent has been set in previous legislation, which was signed into law that includes a specific date when the law expires. This bill specifically states that Chapter 185 of the Laws of 2005 shall expire December 01, 2008; and

WHEREAS, Assembly Bill A9289-A and Senate Bill S6334-A have been introduced into the New York State Assembly and Senate respectively to amend the tax law in relation to authorizing the County of Wyoming to impose an additional mortgage tax, and

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WHEREAS, Pursuant to Article IX of the Constitution of the State of New York it is necessary for this legislature to enact a Home Rule Request for the passage of said legislation, now therefore,

BE IT RESOLVED, That the Wyoming County Board of Supervisors hereby approves the adoption and passage of said Assembly Bill A9289-A and Senate Bill S6334-A entitled “*An Act to Amend Chapter 185 of the Laws of 2005, Relating to Authorizing the County of Wyoming to Impose a County Recording Tax on Obligations Secured by a Mortgage on Real Property, In Relation to Providing for the Repeal of Such Provision upon Expiration Thereof,*” and hereby declares that a necessity exists for the passage of such bills in that the local legislative body of the County of Wyoming does not have the power to enact such legislation by local law, and

BE IT FURTHER RESOLVED, That a Home Rule Request be submitted to the Assembly and Senate of the New York State Legislature indicating that the necessity exists for the enactment of said legislation.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

There was a motion by Mr. Kushner; T/Eagle, to combine resolutions #14 and #15. A voice vote was taken and all voted aye.

#14

**RESOLUTION NO. 06-111
(March 14, 2006)**

By Mr. Kushner, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN BID ACCEPTANCE
WITH SIEMENS BUILDING TECHNOLOGIES, INC ON
BEHALF OF THE COUNTY JAIL**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a bid acceptance with Siemens Building Technologies, Inc. on behalf of the County Jail. This bid provides for an upgrade of camera equipment for the jail in the amount of seven thousand one hundred thirty dollars (\$7,130.00); contingent upon the availability of funds.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

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**RESOLUTION NO. 06-112
(March 14, 2006)**

By Mr. Kushner, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A LEASE
AGREEMENT WITH TOMPKINS LEASING ON BEHALF
OF FIRE AND BUILDING CODES**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a lease agreement with Tompkins Leasing on behalf of Fire and Building Codes for the provision of a Savin 8020d Digital copier. This lease is for a term of three years in an amount not to exceed three thousand seven hundred twenty dollars (\$3,720.00) with a buy out at the end of the lease in the amount of one dollar (\$1.00); contingent upon the availability of funds.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#16

**RESOLUTION NO. 06-113
(March 14, 2006)**

By Mr. Fleischman, Chairman of Planning Committee:

**CHAIRMAN AUTHORIZED TO SIGN SUB-RECIPIENT
AGREEMENT EXTENSION WITH THE GENESEO
FOUNDATION, INC. TO PROVIDE SERVICES TO
MICROENTERPRISE ASSISTANCE AND DOWNTOWN
REVITALIZATION PROGRAMS**

WHEREAS, Wyoming County has received federal grant funds to operate the Microenterprise Assistance and Downtown Revitalization Programs and the Geneseo Foundation is providing needed administrative services, and program office/classroom space; therefore

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized to sign an agreement
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extension with the Geneseo Foundation, Inc., Erwin Hall - Room 202, One College Circle, SUNY Geneseo, Geneseo, New York 14454, cost of said agreement not to exceed five thousand dollars (\$5,000.00); said contract extension effective January 1, 2006 through December 31, 2006, contingent upon the availability of funds.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#17

**RESOLUTION NO. 06-114
(March 14, 2006)**

By Mr. Gozelski, Chairman of Agriculture Committee:

**PUBLIC HEARING FOR AGRICULTURAL DISTRICT
ADDITIONS**

WHEREAS, NYS Agriculture and Markets Law section 303-b was enacted to provide for the designation of an annual thirty-day period during which land owners may submit requests for the inclusion of predominantly viable agricultural land within an existing certified agricultural district; and

WHEREAS, The thirty-day period for Wyoming County was *December 1 to December 30, 2005*; and

WHEREAS, This Board has referred the requests that were received to the WC Agricultural and Farmland Protection Board for their review and recommendation; and

WHEREAS, This Board is required to hold a Public Hearing prior to making a decision to adopt or reject the requests to include this land within existing certified agricultural districts; now therefore

BE IT RESOLVED, That a Public Hearing will be held by the Wyoming County Board of Supervisors at the Wyoming County Government Center in Warsaw, on the 11th day of April, 2006 at 3:00 PM to consider the inclusion of the following properties in Agricultural Districts Two and Three in the Towns of Wethersfield and Perry and the recommendations of the WC Agricultural and Farmland Protection Board, and be it

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| <u>SBL No.</u> | <u>Property Owner</u> | <u>Location</u> |
|----------------|-----------------------|------------------------------|
| 131.-1-6 | William Kuipers | 3532 Mote Road, Wethersfield |
| 89.-1-9.1 | Jean Rozanski | Route 39, Perry |
| 89.-1-12.1 | Jean Rozanski | 7474 Route 39, Perry |

FURTHER RESOLVED, That the Clerk of this Board is authorized and directed to publish the hearing notice and that Wyoming County Soil & Water is directed to provide notices to the property owners, the Towns of Wethersfield and Perry and the NYS Commissioner of Agriculture and Markets, and be it

FURTHER RESOLVED, That information about this action will be available for public review at: Wyoming County Planning & Development, 6470 Route 20A, Perry, NY; and the WC Soil & Water Office, 31 Duncan Street Extension, Warsaw, NY.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

Assistant County Attorney Jane Monaghan was welcomed to today's meeting. She is sitting in for County Attorney Dadd.

Amend Resolution number 18 to include an interim and final report. The Treasurer has already been contacted regarding this change and has agreed to the revision.

There was a motion by Mr. Davis; T/Covington, to combine resolutions #18 through #22. A voice vote was taken and all voted aye.

#18

**RESOLUTION NO. 06-115
(March 14, 2006)**

By Mr. Davis, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONSULTING
CONTRACT WITH JOHN EDWARDS ON BEHALF OF
THE TREASURER'S OFFICE**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a consulting contract with John Edwards, 398 Maplewood Road, Attica, NY 14011 for the provision of banking and investment guidance to the Treasurer's

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office in the amount of \$30/hr. not to exceed two thousand four hundred fifty dollars (\$2,450.00); effective through December 31, 2006; contingent upon the availability of funds.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#19

**RESOLUTION NO. 06-116
(March 14, 2006)**

By Mr. Davis, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
EXTENSION WITH GROVER & BATES ASSOCIATES ON
BEHALF OF REAL PROPERTY TAX SERVICE**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract extension with Grover & Bates, Associates, Perry, NY on behalf of Real Property Tax Service. This extension will provide detailed documentation and identify F/M edits (geodatabase updates) during the transition to final digital Tax Map conversion. Rates are the same as 2005; effective January 01, 2006 through June 30, 2006 not to exceed five thousand dollars (\$5,000.00); contingent upon the availability of funds.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#20

**RESOLUTION NO. 06-117
(March 14, 2006)**

By Mr. Davis, Chairman of the Finance Committee:

SALARY SCHEDULES “D” AND “S” AMENDED

BE IT RESOLVED, That Wyoming County Salary Schedule “D” which became effective January 01, 1967, as amended, be hereby amended as follows:

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- Combine the titles of Youth Director and Office for the Aging Director to Director of Aging and Youth and set the salary at \$38,000.00/annually; effective March 13, 2006.
- Set the Salary of the County Historian at \$26,000.00/annually, effective January 01, 2006, thus increasing the position to 35 hours per week. and be it;

FURTHER RESOLVED, That Wyoming County Salary Schedule “S” which became effective January 01, 1967, as amended, be hereby amended as follows:

- Set the salary of the Deputy Historian at \$5,000.00/annually effective March 27, 2006.

➤

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#21

**RESOLUTION NO. 06-118
(March 14, 2006)**

By Mr. Davis, Chairman of the Finance Committee:

**MICHAEL MEDDEN APPOINTED TO THE WYOMING
COUNTY COMMUNITY HOSPITAL BOARD OF
MANAGERS**

BE IT RESOLVED, That *Michael Medden*, 28 Deacon Drive, Arcade, NY 14009 is hereby appointed to the *Wyoming County Community Hospital Board of Managers* as a *Town Representative* for a *corrected five year term effective May 01, 2006 through December 31, 2009*.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#22

**RESOLUTION NO. 06-119
(March 14, 2006)**

By Mr. Davis, Chairman of the Finance Committee:

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**AUTHORIZE HOME RULE REQUEST IN SUPPORT OF
LEGISLATION S6430/A9620, AN ACT IN RELATION TO
GRANTING MATTHEW E. HEIM MEMBERSHIP IN THE
SPECIAL RETIREMENT PLAN FOR SHERIFFS, UNDER-
SHERIFFS, AND DEPUTY SHERIFFS ESTABLISHED
PURSUANT TO ARTICLE 14-B OF THE RETIREMENT
AND SOCIAL SECURITY LAW.**

WHEREAS, Assembly Bill A9620 and Senate Bill S6430 have been introduced into the New York State Assembly and Senate respectively to amend the tax law in relation to authorizing the County of Wyoming to grant Matthew E. Heim Membership in the Special Retirement Plan for Sheriffs, Under-Sheriffs, and Deputy Sheriffs, and

WHEREAS, Pursuant to Article IX of the Constitution of the State of New York it is necessary for this legislature to enact a Home Rule Request for the passage of said legislation, now therefore,

BE IT RESOLVED, That the Wyoming County Board of Supervisors hereby approves the adoption and passage of said Assembly Bill A9620 and Senate Bill S6430 entitled "*An Act in Relation to Granting Matthew E. Heim Membership in the Special Retirement Plan for Sheriffs, Under-Sheriffs, and Deputy Sheriffs Established Pursuant to Article 14-B of the Retirement and Social Security Law*, and

BE IT FURTHER RESOLVED, That a Home Rule Request be submitted to the Assembly and Senate of the New York State Legislature indicating that the necessity exists for the enactment of said legislation.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

Supervisor Kushner was asked to comment on resolution number 23 as the Supervisor Member on the Board of Managers for Wyoming County Community Hospital.

**2/3 Majority
#23**

**RESOLUTION NO. 06-120
(March 14, 2006)**

By Mr. Davis, Chairman of the Finance Committee:

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**BOND RESOLUTION OF THE COUNTY OF WYOMING,
NEW YORK, DATED MARCH 14, 2006, FOR THE
ISSUANCE AND SALE OF BONDS OF THE COUNTY OF
WYOMING, NEW YORK, IN THE AMOUNT OF
\$540,000.00 FOR THE ACQUISITION OF CRITICAL
HOSPITAL EQUIPMENT FOR THE INTENSIVE CARE,
EMERGENCY ROOM, 3RD FLOOR NURSING UNITS,
CARDIAC REHAB, AND LABOR AND DELIVERY.**

**RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY
OF WYOMING, NEW YORK** (by the favorable vote of not less than two-
thirds of the voting strength of said Board) **AS FOLLOWS:**

Section 1. The County of Wyoming, New York is hereby
authorized to acquire by purchase the following equipment for Wyoming
County Community Health System.

Item

**Estimated Maximum
Cost**

Equipment:

| | |
|--|--------------|
| One (1) Patient Central Telemetry Unit + sixteen (16) Packs, One (1) Central Station + seven (7) bedside monitors, Two (2) Remote Repeaters 3 rd Floor Nursing Unit. (ICU). One (1) Central Station + six (6) bedside units + Monitor, Six (6) telemetry packs. (Emergency Room). One (1) Patient Central Telemetry Units + eight (8) Packs. (Cardiac Rehab). Neonatal Intensive Care Unit. (Labor and Delivery). (Replaces current fragile twenty (20) year old system) Life use is ten (10) years | \$340,000.00 |
|--|--------------|

| | |
|---|--------------|
| OBIX (Clinical Computer System), Remote Monitoring & Optical Data Storage (Labor and Delivery) (This is a new system) | \$164,000.00 |
|---|--------------|

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Life use is ten (10) years.

Renovation/Electrical Cost:

| | | |
|-----------------|------------------|-----------|
| Network Upgrade | 5,000.00 | |
| Wiring | 15,000.00 | |
| Miscellaneous | <u>16,000.00</u> | 36,000.00 |

The estimated maximum cost of the acquisition of such equipment is the sum of \$540,000.00 and said amount is hereby appropriated therefore. The plan of financing involves the issuance of \$540,000.00 in serial bonds of the County of Wyoming to finance the appropriation, and the levy and collection of taxes upon all the taxable real property in the County in an amount sufficient to pay the principal of and interest of said bonds.

Section 2. Serial bonds of said County of Wyoming in the principal amount of \$540,000.00 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law of the State of New York, to finance the said appropriation.

Section 3. The following additional matters are hereby determined and declared:

a. In accordance with Section 11 of the Local Finance Law, the period of probable usefulness for which said bonds are to be issued, is hereinabove set forth in Section 1 for each item or items to be acquired, such period of probable usefulness being the period of five (5) years. Also, set forth for each item is the maximum estimated cost of each item or items.

b. No current funds need be provided because the period of probable usefulness for each item does not exceed five (5) years.

Section 4. Each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of such bonds shall contain the recital of validity prescribed by Section 52.00 of said Local Finance Law, and said serial bonds and any notes issued in anticipation of said bonds shall be general obligations of the County payable as to both principal and interest by general tax upon all the taxable real property within the County without limitation of rate or amount. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and provision shall be made annually in the budget of the County by appropriation for (a) the amortization and redemption of the bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and pursuant to Section 30.00 of the Local Finance Law relative to the authorization

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of the issuance of bond anticipation notes and of Section 50.00 and Section 56.00 to Section 60.00 of said law, the powers and duties of the Board of Supervisors relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the serial bonds authorized by this resolution and of any notes authorized and issued in anticipation of the sale of said bonds, and the renewals thereof, are hereby delegated to the County Treasurer, as the Chief Fiscal Officer of the County.

Section 6. The validity of the bonds authorized by this resolution and of any notes issued in anticipation of the sale of said bonds may be contested only if: (a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or (b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. The specific object or purpose of the purchase herein authorized is to provide equipment for use at Wyoming County Community Hospital, a public general hospital owned and operated by the County of Wyoming.

Section 8. **This resolution shall take effect immediately**

Carried: XXX Ayes: 1687 Noes: Absent: Abstain:
Unanimous Consent
#24

RESOLUTION NO. 06-121
(March 14, 2006)

By Mr. Berwanger, Chairman of Committee of the Whole:

FUNDS APPROPRIATED TO VARIOUS 2005 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2005 accounts as follows:

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| Workers' Compensation | | | <u>Dept. Totals:</u> |
|---|----------------------------|--------------|-----------------------------|
| To: 05.58.1720.4.41601 Medical Benefits 05.58.1720.4.41602 Indemnity Payments W revenue 05.04.1710.2222 Assessment Revenue Reason: Appropriate funds (both revenues and expenses) per the actuary and auditors for the entries to be made to accrue estimated liabilities and revenues for the 2005 fiscal year. | \$195,527.00 238,978.00 | \$434,505.00 | |
| Workers' Compensation Total | | | \$434,505.00 |

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:
Unanimous Consent
#25

RESOLUTION NO. 06-122
(March 14, 2006)

By Mr. Berwanger, Chairman of Committee of the Whole:

**WYOMING COUNTY DEPUTY SHERIFF'S
ASSOCIATION CONTRACT APPROVED**

BE IT RESOLVED, That the Wyoming County Board of Supervisors hereby accepts the Agreement between the *Wyoming County Deputy Sheriff's Association (D.S.A.) and the County of Wyoming/Wyoming County Sheriff dated January 1, 2006 to December 31, 2008*, subject to language clarification approval by the office of the County Attorney; and be it

FURTHER RESOLVED, That the Chairman of this Board of Supervisors and the members of the Committee of the Whole of this Board, with the approval of the County Attorney are hereby authorized and directed to execute the above mentioned agreements on behalf of the County of Wyoming.

This resolution shall become effective immediately, contingent on the ratification of said agreement by all parties.

Carried: XXX Ayes: 1570 Noes: Absent: Abstain: 48 (Orangeville)

Public Comment:

Nancy Herman (Soil & Water) – As of this morning there is one parcel that was considered to be in and would like to be out so that will change the acreage being removed from 12,279 to 12,300.

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Richard Tindell – Nancy has done most of the work on the district review. Review of the district was done in conjunction with the County Planning Board and the County Agricultural Farmland Protection Board. Public Notices were posted along with informational meetings. If there were any parcels missed there is a 30-day review one time per year. Estimated time to complete was 2 years.

Close Public Hearing

**Public Hearing
#26**

**RESOLUTION NO. 06-123
(March 14, 2006)**

By Mr. Fleischman, Chairman of Planning Committee:

**FINDING TO MODIFY AGRICULTURAL DISTRICTS 1
AND 6**

WHEREAS, The Board has conducted a review of Agricultural Districts 1 and 6 located in the Towns of Arcade, Java, Sheldon and small portions in the Towns of Eagle, Wethersfield, and Bennington; and

WHEREAS, The District reviews were initiated with a 30-day review process and this Board directed the County Agricultural and Farmland Protection Board and the County Planning Board to prepare reports including their recommendations to continue, terminate or modify Districts 1 and 6; and

WHEREAS, This Board has received these reports and their recommendations to modify these Districts and this Board has held the required Public Hearing; and

WHEREAS, This Board has reviewed the District Review Report and the Environmental Assessment Form; and

WHEREAS, This Board must make a finding whether the District should be continued, terminated, or modified, now therefore

BE IT RESOLVED, That this Board determines that the proposed modified District 1 does not include unique circumstances, which increase the likelihood of environmental impact significance, and the proposed modified

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Wyoming County Agricultural District No. 1 will not have a significant adverse environmental impact; and be it

FURTHER RESOLVED, That this Board does hereby make the finding that Wyoming County Agricultural Districts 1 and 6 should be modified by merging Ag District 6 with Ag District 1, by adding two thousand four hundred eighty-two (2,482) acres and by removing twelve thousand three hundred (12,300) acres; and be it

FURTHER RESOLVED, That copies of the District Review Report, including a map of the District showing the proposed modification and the reports and recommendations of the Wyoming County Agricultural and Farmland Protection Board and the Wyoming County Planning Board be forwarded to the Commissioner of Agriculture and Markets for re-certification as required by the New York State Agriculture and Markets Law.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

In conclusion, Chairman Berwanger stated that he received a letter last week from a publication specialist from The Legislative Gazette published in Albany, stating that they are currently scheduling additional special report features on the counties of New York in The Legislative Gazette newspaper. Individual profile sections to generate an effective way to show case areas and send a powerful message to New York State's governmental leaders are being created. Should Wyoming County be considered they will call for some input from the county...

The Chairman stated that he reviewed the publication and that it was pretty nice. If any of the supervisors were interested they should let him know.

There being no further business to come before this board Supervisor Bush declared the meeting adjourned at 3:55 PM.

Respectfully submitted,

Cheryl J. Ketchum

March 14, 2006

REGULAR SESSION
(April 11, 2006)

Tuesday

3:00 PM

The regular Session of the Wyoming County Board of Supervisors was held at the Wyoming County Government Center in the Board of Supervisors' Chambers located at 143 North Main Street, Warsaw, New York with all Supervisors present. Also present were County Attorney, Eric Dadd; Budget Officer, Paula Parker; Clerk to the Board of Supervisors, Cheryl Ketchum and Deputy Clerk to the Board, Brenda Ferrell.

At 3:10 PM Chairman Berwanger, T/Arcade, called the meeting to order.

It has been the custom of the Wyoming County Board of Supervisors to have a Veteran from Wyoming County to lead the Pledge of Allegiance. The Veteran leading the Pledge of Allegiance for the month of April is:

MR. KENNETH E. KOHLHAGEN

Mr. Kohlhaben's service to his country comes from the United States Navy. At the age of eighteen and on the day he graduated from High School, Mr. Kohlhaben enlisted in the United States Navy. He completed his Naval Basic Training at Sampson, New York and then was then assigned to the Naval Reserve Station on Treasure Island, off the coast of San Francisco, CA. There he completed advanced training as "Stores Keeper" in the Ship's Service, known in other branches *as Supply or Quartermaster*.

After completing Advance Training, Mr. Kohlhaben was assigned duty at the Kirkland Naval Base near Seattle, Washington. Here he received Destroyer Training and became part of the charter crew of a new "Destroyer Tender" where he was responsible for supplies aboard ship that would support Destroyers in the fleet. This new Destroyer Tender was commissioned the "USS Grand Canyon" in April of 1946 at the Lake Washington shipyard. The first voyage of the USS Grand Canyon included patrolling the waters of the West Coast from Washington, south to Panama, and then up the East Coast, where it docked at New Port, Rhode Island.

Mr. Kohlhaben obtained the rank of Seaman First Class and was honorably discharged from active duty on August 9, 1946 at Lido Beach, Long Island, New York. For his service to his country, Mr. Kohlhaben earned the

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American Theater Ribbon and was awarded the **World War II Victory Medal**.

Mr. Kohlhausen returned to the area and worked in agriculture for a year and then used his vocational training in Drafting and Design and went to work for Graham Manufacturing in Batavia for 4 years. He then extended his career by working for the engineering department of Trojan for about 12 years until its closing. Mr. Kohlhausen continued his vocational skills at Mallory timers for the next 7 years. His final career move took him to E.G.W., a design company for Harrison Radiator for the next 16 years, until his retirement in 1996.

Mr. Kohlhausen has been an active member of West Star #413 of the Free and Accepted Masons for 50 years and an active member of the Genesee-Wyoming Post #32 of the Masonic War Veterans of the State of New York for over 20 years. He enjoys gardening and grows his own seed. Mr. Kohlhausen and his wife Ester live in Attica and are celebrating their 53rd wedding anniversary today.

The pledge was said by all.

Chairman Berwanger presented a Certificate of Appreciation to Mr. Kohlhausen in recognition of his service to his community and his appearance here today.

The Department of Social Services proudly recognizes outstanding employees within the department. The employees are invited and encouraged to learn more about governmental proceedings and the inter-relationship between the Department of Social Services and the Board of Supervisors.

Each month, Commissioner Schmitt, brings an employee of the month to the Health and Human Services Committee meeting to see first hand how Departmental requests are processed by the Board.

The employee of the month for April 2006 is Amber Stackhouse who has been with the department since 1996 and is now a Principal Program Specialist supervising our Food Stamp/HEAP Department. Since Amber has taken this responsibility, the units have shown a complete turnaround with improved moral and worker output. She definitely is an asset to the Department.

We would like to thank Amber for her years of service to the community and to the County of Wyoming.

Please join me in recognizing Amber Stackhouse.

Communications:

Regular Session

C1: Allegany County is hosting Inter County this month, April 21, 2006. This month's program is a tour of the New Allegany County Public Safety Complex. Reservations are due no later than April 13, 2006. Please see D. Clerk Ferrell if you plan to attend.

C2: US Senator Schumer will be in town this Thursday at Cornell Cooperative Extension. The Senator was originally scheduled to be at the Extension building at 10:00 AM. That time has been rescheduled to 2:15 PM.

Open Public Hearing

Agricultural District Additions

#1

RESOLUTION NO. 06-124 (April 11, 2006)

By Mr. Davis, Chairman of Finance Committee:

FUNDS TRANSFERRED TO VARIOUS 2006 ACCOUNTS

BE IT RESOLVED, That funds are hereby transferred to the various 2006 accounts as follows:

| CIP Fund | | | Dept. Totals: |
|--|--------------|--------------|----------------------|
| To: 12.61.9950.9.99004 Interfund Trans. With offsetting revenue as follows: To: 12.04.1620.1289 Other Dept. Revenue Reason: To move monies from Trust & Agency: \$150.00 for plan deposits and 19,697.43 for interest earned on the Nudd performance cash bond (communication tower project). Interest figure should be finalized upon transfer of actual funds Per actual receipt provided by Treasurer's Office 05-24-06 | \$21,247.71 | \$21,247.71 | |
| CIP Fund Total | | | \$21,247.71 |
| Judgement & Claims | | | |
| From: 01.35.1990.4.42107 Contingency To: 01.35.1931.4.42306 Other Judgments & Reason: To allow for payment of court ordered services for 2006. | \$210.00 | \$210.00 | |
| Judgement & Claims Total | | | \$210.00 |
| Buildings & Grounds | | | |
| From: 12.61.1620.4.40312 Kaplan Renov. Project To: 12.61.1620.2.21004 Equip – Kaplan Project Reason: To place budget amounts in correct line items for proper recording and payment of project expenses. | \$100,000.00 | \$100,000.00 | |
| Buildings & Grounds Total | | | \$100,000.00 |
| Reimbursement/Purchasing | | | |
| From: 01.33.1345.4.40007 Telephone-basic(purchasing) To: 01.33.1231.4.40007 Telephone-basic(R & B) Reason: To move basic phone from purchasing to Budget/Reimbursement to allow payment of phone services for the remainder of 2006. | \$400.00 | 400.00 | |
| Reimbursement/Purchasing Total | | | \$400.00 |

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| | | | |
|---|-------------|-------------|--------------------|
| Workers' Compensation | | | |
| From: 05.58.1710.1.10202 Temporary Salary | \$2,695.00 | | |
| 05.58.1710.1.10602 Insurance Repudiation | 760.00 | | |
| 05.58.1710.4.40007 Telephone-Basic | 300.00 | | |
| 05.58.1710.4.40008 Telephone-Long Distance | 400.00 | | |
| 05.58.1710.4.40010 Telephone-Fax | 600.00 | | |
| 05.58.1710.4.40109 Insurance-Other | 9,535.21 | | |
| 05.58.1710.4.40901 Audit Services | 1,000.00 | | |
| 05.58.1710.4.41101 Paper | 500.00 | | |
| 05.58.1710.4.41402 Computer Maintenance | 300.00 | | |
| 05.58.1710.4.41404 Copier Maintenance | 600.00 | | |
| 05.58.1710.4.41405 Printer Maintenance | 300.00 | | |
| 05.58.1710.4.41410 Computer Software | 600.00 | | |
| To: 05.58.1710.1.10601 Unused Benefit Time | | \$5,405.21 | |
| 05.58.1710.4.40304 Temp Employment Contract | | 2,695.00 | |
| 05.58.1710.8.83001 FICA | | 400.00 | |
| 05.58.1710.8.85001 Medicare | | 90.00 | |
| 05.58.1710.8.89001 Health Ins. | | 9,000.00 | |
| Reason: transfers necessary due to staffing changes. | | | |
| Workers' Compensation Total | | | \$17,590.21 |
| Department of Social Services | | | |
| From: 01.40.6102.4.42249 (MMIS) | \$25,000.00 | | |
| To: 01.39.6010.4.40801 (Contract Building Repair Costs) | | \$25,000.00 | |
| Reason: To cover cost of building renovations at 466 N. Main | | | |
| Department of Social Services Total | | | \$25,000.00 |
| Public Health Department | | | |
| From: 01.38.4050.4.40604 Copier Lease | \$2,487.98 | | |
| 01.38.4050.4.40929 Speech Pathology | 915.74 | | |
| To: 01.38.4010.4.40604 Copier Leasing | | \$3,403.72 | |
| REASON: Transfer funds for the cost of a new copier lease Agreement for April to December, 2006 including \$100 acquisition fee. | | | |
| From: 01.11.4050.3401 CHHA State Aid | \$3,403.72 | | |
| To: 01.11.4010.3401 PH Add'l State Aid | | 3,403.72 | |
| REASON: Move State Aid Revenue with the Expense for the PH/CHHA copier lease Agreement. | | | |
| Public Health Department Total | | | \$6,807.44 |
| Human Resource Department | | | |
| From: 01.34.1430.1.10001 S/D/I Salaries | \$7,900.00 | | |
| To: 01.34.1430.8.84001 Unemployment Ins. | | 7,900.00 | |
| Reason: To transfer funds for payment of unemployment benefits. | | | |
| From: 01.34.1430.1.10001 S/D/I Salaries | \$10,000.00 | | |
| To: 01.34.1430.4.40401 Training/Education | | \$10,000.00 | |
| Reason: To transfer funds for payment of training services for all County Departments as approved by the Board of Supervisors. | | | |
| Human Resource Department Total | | | \$17,900.00 |

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#2

**RESOLUTION NO. 06-125
(April 11, 2006)**

By Mr. Davis, Chairman of Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2006 ACCOUNTS

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BE IT RESOLVED, That funds are hereby appropriated to the various 2006 accounts as follows:

Mental Health

To: 01.38.4325.4.42445 Supported Apart/Housing \$320.00
w/ #01.11.4325.3490 Mental Health revenue account \$320.00
increased by the same amount

Reason: Increased state aid for Supported Apartment contract with Living Opportunities of DePaul.

Dept. Totals:

Mental Health Total

\$320.00

District Attorney

To: 01.32.1167.1.10101 Salaries \$1,539.82
01.32.1167.8.81001 Retirement 184.78
01.32.1167.8.83001 FICA 95.46
01.32.1167.8.85001 Medicare 22.33
w/01.12.1167.4389 Federal Grant Rev. \$1,842.39

Reason: To appropriate remaining 2005 VAWA (Stop Violence Against Women Grant) monies to the 2006 VAWA budget. (Appropriation form attached).

District Attorney Total

\$1,842.39

Emergency Services

To: 01.37.3020.2.20501 Fire & Safety Equipment \$19,072.50
w/01.02.3020.1140 911 increased by same \$19,072.50

Reason: Funds left over from previous year for tower project. Committee approved 04/28/05 Res. #05-161.

To: 01.37.3645.2.20401 Misc. Equipment \$22,315.20
01.37.3645.4.42306 Other 531.00
01.37.3645.4.42102 Safety Expenses 3,510.59
w/01.12.3645.438901 Federal Aid increased by \$26,356.79

Reason: To rollover unspent grant funds that were advance in 2002-2003 and remained unspent at the end of 2005.

Emergency Services Total

\$45,429.29

Probation

To: 01.37.3140.4.42101 Law Enfor. Supplies \$10,772.00
w/01.11.3140.3310 Probation State Aid 5,000.00
01.12.3140.4310 Probation Federal Aid (Byrne) 4,329.00
01.12.3140.438901 Bulletproof Vest Fed. Aid 1,443.00

Reason: To appropriate grant funds for the Narcotics (Byrne) \$4,329; Legislative Block Grant (State Aid) \$5,000; and the Bulletproof Vest Program (Federal Aid) \$1,443. Expenses and revenues both being appropriated.

Probation Total

\$10,772.00

Public Defender

To: 01.32.1171.4.40902 Legal Services (pd to \$17,491.17
Attica Legal Aid) 7,214.81
w/01.11.1171.3089 Other State Aid – PP Program 638.18
01.11.1171.308910 ATI Program State Aid 9,638.18

From any funds available

Reason: to appropriate balance of the Indigent Parolee Program funding for 2006 fiscal year / State program years 06/2005 – 09/2006 and the match for the ATI program. Revenues with partial fund balance needed to accommodate for the ATI matching funds.

Public Defender Total

\$17,491.17

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

April 11, 2006

Mr. Bush, T/Gainesville, Chairman of the Audit Committee, presented bills totaling **\$2,118,171.55** for the month of **March 2006**.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#3

**RESOLUTION NO. 06-126
(April 11, 2006)**

By Mr. Rogers, Chairman of Human Services Committee:

**JAMES PRUSAK APPOINTED TO THE WYOMING
COUNTY YOUTH BOARD**

BE IT RESOLVED, That *James Prusak*, 7 Elm Street, Attica, NY 14011 is hereby appointed to the Wyoming County Youth Board as a Community Representative to fill an unexpired vacant term of 3 years effective through December 31, 2006.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

There was a motion by Mrs. Totslin, T/Genesee Falls, to combine resolutions #4 through #7. A voice vote was taken and all voted aye.

#4

**RESOLUTION NO. 06-127
(April 11, 2006)**

By Mrs. Totslin, Chairman of Public Health Committee:

**BOARD OF SUPERVISORS'
SUPPORT AND APPROVE ESTABLISHMENT OF
AN INDIVIDUAL RESIDENTIAL ALTERNATIVE (IRA)**

BE IT RESOLVED, That the Wyoming County Board of Supervisors authorize Mr. Snell, Director of Community Services, to approve the Certificate of Need (CON) for Livingston/Wyoming Arc to establish a six bed Individual Residential Alternative (IRA), at 15 North Street, Warsaw, NY.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

**RESOLUTION NO. 06-128
(April 11, 2006)**

By Mrs. Totslin, Chairman of Public Health Committee:

RESOLUTION NUMBER 06-47 AMENDED

WHEREAS, Resolution number 06-47 authorized the Chairman to sign a contract with Canfield Imaging Systems, 253 Passaic Avenue, Fairfield, NY 07004-2524 on behalf of the Mental Health Department; and

WHEREAS, This contract is to provide for simulation software in an amount not to exceed three thousand seven hundred fifty dollars (\$3,750.00); effective January 01, 2006 through December 31, 2006; and

WHEREAS, It has been determined that Partners for Prevention is capable of providing the training at a savings of twelve hundred fifty dollars (\$1,250.00) and therefore the money saved in training and an additional two hundred fifty dollars (\$250.00) will be used for additional software; and

WHEREAS, Reality Check will be using the additional software and will be reimbursing the Mental Health Department fifteen hundred dollars (\$1,500.00). This project was addressed in the Drug Free Communities Grant for 2005-2006; now therefore

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign the amended contract with Canfield Imaging Systems for a total amount of four thousand dollars (\$4,000.00) an increase of two hundred and fifty dollars (\$250.00) all other provisions remaining the same and is contingent upon the availability of funds.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#6

**RESOLUTION NO. 06-129
(April 11, 2006)**

April 11, 2006

By Mrs. Totline, Chairman of Public Health Committee:

**CHAIRMAN AUTHORIZED TO SIGN A LEASE
AGREEMENT WITH TOMPKINS LEASING, INC. ON
BEHALF OF THE PUBLIC HEALTH DEPARTMENT**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a lease agreement with Tompkins Leasing, Inc. on behalf of the Public Health Department. Said lease is for a Savin 4051 Digital copier, including a 4-year maintenance contract. Cost of the copier is fourteen thousand seven hundred ninety-five dollars (\$14,795) with a one hundred-dollar (\$100) acquisition fee and is for 48 months. Payments are in the amount of three hundred sixty-seven dollars and eight cents (\$367.08) monthly for a total lease amount of seventeen thousand six hundred nineteen dollars and eighty-four cents (\$17,619.84) with a \$1.00 buy out.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#7

**RESOLUTION NO. 06-130
(April 11, 2006)**

By Mrs. Totline, Chairman of Public Health Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
WITH THOMAS A. GUERIN, PE ON BEHALF OF THE
PUBLIC HEALTH DEPARTMENT**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Thomas A. Guerin, PE, 3132 Rush Mendon Road, Honeoye Falls, NY 14472 for administration of the New York State Department of Health Drinking Water Enhancement Program; effective April 1, 2006 through March 31, 2007 at \$30.00/hr.; total contract not to exceed thirty nine thousand dollars (\$39,000.00) and subject to the continued availability of funding.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

**RESOLUTION NO. 06-131
(April 11, 2006)**

By Mrs. Meeder, Chairman of Human Resource Committee:

TIME AND ATTENDANCE POLICY AMENDED

WHEREAS, Resolution number 06-14 provides for the adoption of a county wide Time and Attendance policy that became effective on February 10, 2006; now therefore

BE IT RESOLVED, That the above mentioned Time and Attendance Policy is hereby amended and the revised policy is annexed hereto; and be it

FURTHER RESOLVED, That these revisions are effective immediately.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

**Wyoming County
ADMINISTRATIVE POLICY**

| | | |
|--|---|---|
| EFFECTIVE DATE: February 10, 2006 DATE ADOPTED: January 10, 2006 DATE REVISED: April 11, 2006 DATE REVIEWED: | REVIEWED BY: (Individuals/Committees) Human Resource Committee WCCHS Personnel Committee | DEPARTMENTS AFFECTED: All Departments WCCHS SUPERCEDES: |
| ADMINISTRATIVE APPROVAL: A.D. Berwanger, Chairman, Board of Supervisors | PREPARED BY: HR Workgroup | REFERENCES: |

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ATTENDANCE & PUNCTUALITY

POLICY: Employees will be at their assigned workplace ready to work at their regular starting time each day they are scheduled to work.

PURPOSE: Wyoming County provides important and valuable services to its customers. In order to accomplish its Mission, it is imperative that every employee be present when scheduled to work. Employees who are frequently absent from work, or who are not present when the workday begins reduce their own productivity and lower the morale of their fellow workers. Wyoming County has developed a policy designed to promote fairness and consistency when addressing employee attendance and punctuality matters.

DEFINITIONS: An absence occurrence is a period of one or more consecutive days of absence separated by one or more consecutive days of attendance at work. Each period of consecutive absence will be regarded as one occurrence regardless of the number of days of duration.

A tardiness occurrence shall occur whenever an employee fails to be at his/her assigned work station at the start of his/her shift or fails to complete his/her assigned shift.

An exclusion is an absence occurrence due to a pre-employment agreement, bereavement, jury duty, military duty, a Worker's Compensation claim, available Personal Leave accrual time (including Vacation Time, Holiday Time, Personal Leave Time and Compensatory Time), FMLA-approved leave and approved leaves of absence that are not due to sickness or disability.

Previously scheduled employee appointments with a medical or dental professional may qualify as an exclusion, if available employee sick time is utilized and subject to the following:

- The appointment must be previously-scheduled, with prior written notification to the Department Head or designee as far in advance as possible; and
- Additional or overtime expense will not be incurred by the Employer to ensure appropriate coverage, at the sole discretion of the Department Head or designee; and
- Verification of the employee appointment with a medical or dental professional may be required.

An exclusion is not subject to the Corrective Action Process.

PROCEDURE:

- Two (2) absence occurrences in any three (3) month period will initiate the Corrective Action Process.
- Three (3) tardiness occurrences will be equivalent to one (1) absence occurrence and will be counted as such.
- The Corrective Action Process will be cumulative for a period of eighteen (18) months; Warnings greater than eighteen (18) months old will be voided.
- The Corrective Action Process for employees with absence and/or tardiness exceeding the limits set forth above will be as follows:

| | |
|---|---------------------|
| Two (2) absence occurrences within any three (3) month period | Counseling |
| Two (2) absence occurrences within any three (3) months following the date of Counseling | Verbal Warning |
| Two (2) absence occurrences within any three (3) months following the date of Verbal Warning | Written Warning |
| Two (2) absence occurrences within any three (3) months following the date of Written Warning | Employee Suspension |

| | |
|---|----------------------|
| Two (2) absence occurrences within any three (3) months following the date of Employee Suspension | Employee Termination |
|---|----------------------|

Habitual offenders who have established a pattern of absences, may initiate the Corrective Action Process, or advance to the next step in the Corrective Action Process, as appropriate. Patterns of absence shall include but not be limited to: absence or tardiness occurrences before or after scheduled days off or holidays.

An employee who fails to report as scheduled or fails to complete their assigned shift without appropriate notification (“no call / no show”) will immediately initiate the Corrective Action Process or proceed to the next step in the Corrective Action Process, dependent upon the number and frequency of prior occurrences.

Two (2) consecutive “no call / no show” days will be considered a voluntary resignation on the part of the employee.

Exceptions to this policy may be made based upon extraordinary employee circumstances, at the discretion of the Department Head or designee and in consultation with the Human Resource Department.

There was a motion by Mr. Kushner, T/Eagle, to combine resolutions #9 through #11. A voice vote was taken and all voted aye.

#9

RESOLUTION NO. 06-132
(April 11, 2006)

By Mr. Kushner, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
WITH WILMAC ON BEHALF OF THE SHERIFF’S
DEPARTMENT**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Wilmac, P. O. Box 14387, Rochester, NY 14614 on behalf of the Sheriff’s Department. Said contract is for the provision of maintenance of the

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Wordnet Voice Logger and is in the amount of seven hundred ten dollars (\$710.00) quarterly for the period of April 01, 2006 through June 30, 2006; contingent upon the availability of funding.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#10

**RESOLUTION NO. 06-133
(April 11, 2006)**

By Mr. Kushner, Chairman of Public Safety Committee:

**FEE SCHEDULE AMENDED IN FIRE AND BUILDING
CODES**

BE IT RESOLVED, That the current Building Permits fee schedule, effective April 01, 2002, as amended is hereby amended to include a \$10.00 fee for property searches (information retrieved from department files); effective immediately.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#11

**RESOLUTION NO. 06-134
(April 11, 2006)**

By Mr. Kushner, Chairman of Public Safety Committee:

**RESOLUTION IN SUPPORT OF STATE LEGISLATION
TO ALLOW SUPERVISION FEES ON ALL
PROBATIONERS**

WHEREAS, New York State has reduced reimbursement to Probation from 46.5% to 21% since 1985; and

WHEREAS, the State has passed legislation to collect probation supervision fees for DWI probationers; and

WHEREAS, New York State Attorney General Spitzer recommended legislation for collection of fees on all probationers in 2003; and

April 11, 2006

WHEREAS, The Division of Parole is allowed to collect supervision fees; and

WHEREAS, The current fee bill before the legislature is voluntary and protective toward the indigent; now therefore

BE IT RESOLVED, That Wyoming County supports New York State Legislation to allow Probation Departments to collect supervision fees from probationers who utilize the service and therefore reduce tax payer burden; and be it

FURTHER RESOLVED, That the Clerk to the Board of Supervisors is hereby directed to send a certified copy of this resolution to Congressman Reynolds, Assemblyman Burling, and Senator Volker.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

Chairman Berwanger offered the floor to Supervisor Kushner in order to recognize the attendance of Sheriff Heimann and the two Law Enforcement Officers involved in the shooting incident in Bennington on March 15. Sheriff Heimann was proud to introduce Wyoming County Deputy Sheriff Greg Rudolph, and Village of Attica Police Officer Randy Houghton. Deputy Rudolph officially returned to work 25 minutes ago.

Deputy Rudolph very eloquently thanked all in attendance for the support the County and his community has shown during his recovery.

A standing ovation was displayed to these men by every person in chambers in appreciation for their dedicated service to all residents of Wyoming County. There was a motion by Mr. Patti, T/Attica, to combine resolutions #12 and #13. A voice vote was taken and all voted aye.

#12

RESOLUTION NO. 06-135 (April 11, 2006)

By Mr. Patti, Chairman of Public Works Committee:

FEE SCHEDULE CREATED IN HIGHWAY DEPARTMENT

WHEREAS, The Public Works Committee along with the County Superintendent of Highways has determined that it is no longer economically feasible to inspect installation of Driveways at no cost; and

WHEREAS, Wyoming County Highway inspects thirty five to forty new driveways each year county wide; now therefore

BE IT RESOLVED, That a Fee Schedule be created in the Highway Department and include a Driveway Permit fee of twenty five dollars (\$25.00) effective March 31, 2006.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#13

**RESOLUTION NO. 06-136
(April 11, 2006)**

By Mr. Patti, Chairman of Public Works Committee:

**CHAIRMAN AUTHORIZED TO SIGN CONTRACTS WITH
WASTE MANAGEMENT OF NY LLC ON BEHALF OF
BUILDINGS AND GROUNDS**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign contracts with Waste Management of NY, LLC, 10860 Olean Rd., Chaffee, NY 14030-9799 on behalf of Buildings and Grounds. Said contracts are for the provision of dumpster service at the following locations:

- Public Safety 2x per week in the amount of \$7,240.68;
- Human Services - \$3,817.80
- Department of Social Services - \$4,085.64

effective June 01, 2006 through May 31, 2009; contingent upon the availability of funds.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

There was a motion by Mr. Fleischman, T/Java, to combine resolutions #14 through #16. A voice vote was taken and all voted aye.

April 11, 2006

**RESOLUTION NO. 06-137
(April 11, 2006)**

By Mr. Fleischman, Chairman of Planning Committee:

**RATIFYING AMENDMENTS TO
GENESEE/FINGER LAKES REGIONAL PLANNING
COUNCIL'S COLLABORATION AGREEMENT**

WHEREAS, the County of Wyoming formally adopted the Collaboration Agreement of the Genesee Finger Lakes Regional Planning Council and subsequent amendments; and

WHEREAS, it is necessary for a majority of members to formally endorse amendments before they become effective; and

WHEREAS, the proposed amendments are needed to address the efficient conduct of meetings and to more clearly communicate the intent of the Agreement; now, therefore

BE IT RESOLVED, that the amendments as proposed are ratified as submitted; and be it

FURTHER RESOLVED, that the Clerk of this Board is authorized to send a copy of this resolution to the Chair of the Genesee Finger Lakes Regional Planning Council.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#15

**RESOLUTION NO. 06-138
(April 11, 2006)**

By Mr. Fleischman, Chairman of Planning Committee:

JAMES MOREY APPOINTED TO THE IDA BOARD OF DIRECTORS

BE IT RESOLVED, That *James Morey*, 1061 Tower Road, Town of Middlebury, Wyoming, New York is hereby appointed to the Wyoming County Industrial Development Agency's Board of Directors for a *three (3) year term to expire April 11, 2009*.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#16

**RESOLUTION NO. 06-139
(April 11, 2006)**

By Mr. Fleischman, Chairman of Planning Committee:

**MAUREEN ALLESI APPOINTED TO THE GENESEE
LIVINGSTON ORLEANS WYOMING WORKFORCE
INVESTMENT BOARD**

BE IT RESOLVED, That *Maureen Allesi (Experience Works)*, 28 N. Liberty St., Albion, NY 14411 is hereby appointed to the **GLOW WIB** (*Genesee, Livingston, Orleans, Wyoming Workforce Investment Board*) as an *At-Large member effective immediately* (as per letter dated 03/10/06 from Mary Lou Hamm GLOW).

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

Chairman Berwanger asked Supervisor Fleischman to thank the Business Education Council for another successful year of Student Solutions.

#17

**RESOLUTION NO. 06-140
(April 11, 2006)**

By Mr. Gozelski, Chairman of Agriculture Committee:

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Proceedings of the Board of Supervisors**JUSTA GOODELL REAPPOINTED ANIMAL CONTROL OFFICER**

BE IT RESOLVED, That Justa D. Goodell, 90 Park East Road, Town of Castile, Castile, New York, 14427, is hereby reappointed Wyoming County Animal Control Officer for a four (4) year term; said term to expire August 12, 2007.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

There was a motion by Mr. Davis, T/Covington, to combine resolutions #18 through #28. A voice vote was taken and all voted aye.

#18

**RESOLUTION NO. 06-141
(April 11, 2006)**

By Mr. Davis, Chairman of Finance Committee:

**DR. J. THOMAS REAGAN REAPPOINTED TO THE
WYOMING COUNTY COMMUNITY HOSPITAL BOARD
OF MANAGERS**

BE IT RESOLVED, That J. Thomas Reagan, MD, 3148 Merchant Rd., Warsaw, NY 14569 is hereby reappointed to the Wyoming County Community Hospital Board of Managers as a representative of the Medical Staff for a corrected 5 year term effective May 1, 2006 through December 31, 2010.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#19

**RESOLUTION NO. 06-142
(April 11, 2006)**

By Mr. Davis, Chairman of Finance Committee:

FEE SCHEDULE CREATED IN TREASURER'S OFFICE

WHEREAS, The County Treasurer has determined that it is no longer economically feasible to provide the public with a tax search at no cost; now therefore

BE IT RESOLVED, That a Fee Schedule be created in the Treasurer's Office to include a twenty dollar (\$20) fee for a 5 year search plus an additional five dollars (\$5) for each additional year past five; effective April 18, 2006.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#20

**RESOLUTION NO. 06-143
(April 11, 2006)**

By Mr. Davis, Chairman of Finance Committee:

**REFUND OF TOWN/COUNTY TAX IN THE TOWN OF
GAINESVILLE**

WHEREAS, Pursuant to the Real Property Tax Law, application has been made for refund and of Real Property Taxes on the parcel of real property hereafter described, said application having been reviewed and approved by the Finance Committee, now therefore, be it

RESOLVED, That the indicated error is hereby approved in accordance with the applicable section of the Real Property Tax Law, and the Wyoming County Treasurer shall issue a refund as stated and shall charge back and apportion the various amounts thereof, as and if applicable, to the appropriate taxing authorities, to the extent to which each has been benefited thereby:

PARCEL ONE: Town of Gainesville
Tax Map 563289 132.-2-33.1

OWNER: Mary Jane Fisher
4736 Delhi Road
Gainesville, NY 14066

ERROR TYPE: Exemption not Applied

AUTHORITY: RPTL Section: 550.2(c) *“an incorrect entry on an assessment or tax roll for a parcel which, except for a*

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failure on the part of the assessor to act on a partial exemption, would be eligible for such partial exemption”

ACTION: Issue refund of \$ 1,789.30.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#21

**RESOLUTION NO. 06-144
(April 11, 2006)**

By Mr. Davis, Chairman of Finance Committee:

**NATIONAL COUNTY GOVERNMENT WEEK
PROCLAIMED**

WHEREAS, Each year the National Association of Counties designates one week as National County Government Week as a way to raise awareness about the variety of essential services that our counties provide. This year’s National County Government Week will be held from April 23-29, 2006 and focuses on the theme ***“Protecting Our Communities;”*** and

WHEREAS, America’s counties provide a variety of essential services. Right here in New York State, our counties are at the front line of an array of important programs and services, many of which work to protect our communities and families; and

WHEREAS, Counties protect residents from natural disasters, terrorist attacks, crime and drug abuse. Counties are the first to respond to emergency situations and are primarily responsible for planning for disasters. Counties also work to protect families, children and youth; and

WHEREAS, There are 3,066 counties in the United States, collectively responsible for the well being of more than 250 million residents; and

WHEREAS, In New York State, our 57 counties and the five boroughs of New York City represent thousands of public servants who provide programs and services to New York State’s 19 million residents; and

WHEREAS, Counties provide services that make all of our communities stronger, safer places to live and raise families. Counties police

our roads and streets, save lives in hospitals, keep families healthy, repair bridges, plow snow, help troubled youth, train laid-off workers and perform countless other jobs; and

WHEREAS, Counties have a long history of providing critical services. County governments are the citizen's local government voice, providing solutions that bring communities together. In recognition of the leadership, innovation and valuable service provided by our state's counties; now therefore

BE IT RESOLVED, That this Board of Supervisors does hereby proclaim April 23 – 29, 2006 as:

National County Government Week
in Wyoming County.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#22

RESOLUTION NO. 06-145
(April 11, 2006)

By Mr. Davis, Chairman of Finance Committee:

**ONE POSITION SUPERVISING SOCIAL SERVICES
INVESTIGATOR (1.00 fte) CREATED AND ONE POSITION
OF SENIOR PROGRAM SPECIALIST (1.00fte)
ABOLISHED IN THE DEPARTMENT OF SOCIAL
SERVICES**

BE IT RESOLVED, That one position of Supervising Social Services Investigator (1.00 fte) is hereby created in the Department of Social Services and is placed on the Wyoming County CSEA Salary Schedule "A" Grade 15 (\$31,980-\$33,091/annually) effective immediately; and be it

FURTHER RESOLVED, That one position of Senior Program Specialist be abolish in the Department of Social Services effective immediately.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

April 11, 2006

RESOLUTION NO. 06-146
(April 11, 2006)

By Mr. Davis, Chairman of Finance Committee:

SALARY SCHEDULE “S” AMENDED

BE IT RESOLVED, That Wyoming County Salary Schedule “S” which became effective January 01, 1967, as amended, be hereby amended as follows:

- Retitle Director of Case Management in the Department of Social Services to Director of Programs and set the Salary at \$48,703.00 annually; effective April 24, 2006.
- Set the Salary of the Under Sheriff at \$54,000.00 annually; effective January 01, 2006

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#24

RESOLUTION NO. 06-147
(April 11, 2006)

By Mr. Davis, Chairman of Finance Committee:

ONE POSITION OF KEYBOARD SPECIALIST (1.00 fte)
CREATED IN THE WYOMING COUNTY PUBLIC
HEALTH DEPARTMENT

BE IT RESOLVED, That one position of Keyboard Specialist (1.00 fte) is hereby created in the Public Health Department. Said position shall be placed on Salary Schedule “G” of the Wyoming County Salary Plan at \$11.93/hr. Appointment to said position shall run concurrently with the New York State Department of Health Drinking Water Enhancement Program grant and is contingent upon the continued availability of such funding.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

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**RESOLUTION NO. 06-148
(April 11, 2006)**

By Mr. Davis, Chairman of Finance Committee:

RESCIND RESOLUTION NUMBER 71-24

WHEREAS, Resolution number 71-24 provides for the establishment of a revolving petty cash fund for the Sheriff's Department in the amount five hundred dollars (\$500.00); now therefore

BE IT RESOLVED, That resolution number 71-24 is hereby rescinded and that the Treasurer's office take proper measures to reconcile this account effective immediately.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#26

**RESOLUTION NO. 06-149
(April 11, 2006)**

By Mr. Davis, Chairman of Finance Committee:

**RESOLUTION NO. 01-91 RE: CAPITAL IMPROVEMENT
PLAN 2001 EXPENDITURES AMENDED**

BE IT RESOLVED, That Resolution No. 01-91 re: Capital Improvement Plan 2001 Expenditures, passed by this Board of Supervisors on March 13, 2001 is hereby amended to transfer the remaining appropriation for the Emergency Services Capital Project Communications Tower Account 25.72.3641.2.22001 in the amount of thirty-eight thousand eight hundred six dollars and thirteen cents (\$38,806.13) to the Radio System Equipment Project Account 15.64.3020.2.20101 in the same amount.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

April 11, 2006

**RESOLUTION NO. 06-150
(April 11, 2006)**

By Mr. Davis, Chairman of Finance Committee:

**PAY RATE OF WYOMING COUNTY HIGHWAY
TEMPORARY SEASONAL LABORERS INCREASED**

BE IT RESOLVED, That the positions of temporary Seasonal Laborers (12) in the Wyoming County Highway Department shall be paid at a rate of seven dollars per hour (\$7.00/hr.) plus twenty five cents (\$.25/hr) for each previous season worked, effective through December 31, 2006, with no other benefits except those mandated by law.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#28

**RESOLUTION NO. 06-151
(April 11, 2006)**

By Mr. Davis, Chairman of Finance Committee:

**RESOLUTION IN SUPPORT OF THE CREATION
OF A LOCAL DEVELOPMENT CORPORATION**

WHEREAS, The Wyoming County Chamber of Commerce was been instructed to explore the feasibility and cost associated with forming a Local Development Corporation (LDC) with the support of the Wyoming County Board of Supervisors and in cooperation with the Wyoming County Industrial Development Agency; and

WHEREAS, The Wyoming County Chamber of Commerce presented their findings to the Wyoming County Board of Supervisors' Planning Committee on April 03, 2006. The Planning Committee supported the idea of forming the LDC that would be sponsored by the Wyoming County Board of Supervisors and also agreed that the Wyoming County Chamber of Commerce should lead in its formation; and

WHEREAS, The Wyoming County Board of Supervisors' Finance Committee made a motion to reimburse the Wyoming County Chamber of Commerce for the estimated seven thousand five hundred dollars (\$7,500) in expenses that will be incurred to establish the LDC; now therefor

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a Memorandum of agreement with the Wyoming County Chamber of Commerce for the above mentioned creation of a Local Development Corporation

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

Before the vote is taken Chairman Berwanger stated to Supervisor Davis that he would entertain a motion to enter into executive session in order for the County Attorney to address all of the Supervisors.

At 3:32 Supervisor Davis then made a motion to enter into executive session, all voted aye.

At 3:40 Supervisor Rogers made a motion to come out of executive session seconded by Supervisor Smith, the regular meeting resumed.

UC #29

**RESOLUTION NO. 06-152
(April 11, 2006)**

By Mr. Berwanger, Chairman of Committee of the Whole:

2006 UNITED WAY CAMPAIGN SUPPORTED

WHEREAS, The United Way of Wyoming County has raised much needed funding for vital services provided by a number of human services agencies to residents of Wyoming County; and

WHEREAS, The United Way has a 2006 campaign goal of two hundred eighty five thousand dollars (\$285,000.00) for these needed services to county residents; now, therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors does hereby endorse and support the 2006 United Way Campaign, and encourages county and municipal employees, and county residents and

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employers to make a critical investment in their community and help us towards ***“the way to health”*** by participating in this year’s campaign.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

Chairman Berwanger asked that Mrs. Anne Humphrey, this year’s Campaign Chairman and the Executive Director of the United Way Campaign of Wyoming County, Mike Pachuta to join him at the podium for the presentation of this year’s United Way Day proclamation.

Mrs. Humphrey thanked the Chairman and explained that the United Way has a new county employee sweepstakes. The Amber Lantern in Warsaw, the LumberYard Restaurant in Perry, and Byrnclyff Resort for a day of golf donated gift certificates. The grand prize will be a paid day off not subject to the Time and Attendance Policy. She asked that everyone give till it hurts in order to support this year’s campaign.

UC #30

**RESOLUTION NO. 06-153
(April 11, 2006)**

By Mr. Berwanger, Chairman of the Committee of the Whole:

**WYOMING COUNTY SHERIFF’S EMPLOYEE
ASSOCIATION (S.E.A.) CONTRACT APPROVED**

BE IT RESOLVED, That the Wyoming County Board of Supervisors hereby accepts the Agreement between The Wyoming County Sheriff’s Employees Association (S.E.A.) and The County of Wyoming/Wyoming County Sheriff dated January 1, 2006 to December 31, 2008, subject to language clarification approval by the office of the County Attorney; and be it

FURTHER RESOLVED, That the Chairman of this Board of Supervisors and the members of the Committee of the Whole of this Board, with the approval of the County Attorney are hereby authorized and directed to execute the above mentioned agreements on behalf of the County of Wyoming.

This resolution shall become effective immediately, contingent on the ratification of said agreement by all parties.

Carried: XXX Ayes: 1570 Noes: Absent: Abstain: 48 (Orangeville)

Public Comment:

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Tracy Rozanski: Asked again this year that the Board consider the inclusion of property owned by her Grandmother, Jean Rozanski, 7474 Route 39, Perry identified as 89.-1-12.1 in district number 3.

#31

**RESOLUTION NO. 06-154
(April 11, 2006)**

By Mr. Gozelski, Chairman of the Agriculture Committee:

AGRICULTURAL DISTRICT ADDITIONS

WHEREAS, NYS Agriculture and Markets Law section 303-b was enacted to provide for the designation of an annual thirty-day period during which land owners may submit requests for the inclusion of predominantly viable agricultural land within an existing certified agricultural district; and

WHEREAS, The thirty-day period for Wyoming County was December 1 to December 30, 2005; and

WHEREAS, This Board has referred the two requests that were received to the WC Agricultural and Farmland Protection Board (AFPB) for their review and recommendation, and the AFPB's recommendations have been reviewed by this Board; and

WHEREAS, This Board held a Public hearing on the 11th day of April, 2006 at 3:00 PM at the Wyoming County Government Center in Warsaw, NY after publication of a hearing notice, which was also sent to property owners, the Towns of Perry and Wethersfield and the NYS Commissioner of Agriculture and Markets; now therefore

BE IT RESOLVED, That this Board has found that the proposed additions in Agricultural Districts Two and Three in the Towns of Perry and Wethersfield will not have a significant adverse environmental impact, and be it

FURTHER RESOLVED, That this Board approves the inclusion of the following properties in Agricultural Districts Two and Three in the Towns of Perry and Wethersfield because these parcels are being actively used for agricultural purposes and will help maintain a viable agricultural industry in these Districts,

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| SBL No. | Property Owner | Location |
|-----------|-----------------|------------------------------|
| 131.-1-6 | William Kuipers | 3532 Mote Road, Wethersfield |
| 89.-1-9.1 | Jean Rozanski | Route 39, Perry |

and be it,

FURTHER RESOLVED, That this Board rejects the inclusion of the following property in Agricultural District Three, because its inclusion is not essential to maintaining a viable agricultural industry.

| SBL No. | Property Owner | Location |
|------------|----------------|----------------------|
| 89.-1-12.1 | Jean Rozanski | 7474 Route 39, Perry |

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

There being no further business to come before this board the Chairman reminded everyone to stay for the 6-7 minute United Way presentation and make their pledges and Supervisor Bush adjourned the meeting with a rap on his desk.

Respectfully submitted,

Cheryl J. Ketchum

REGULAR SESSION

(May 09, 2006)

Tuesday

3:00 PM

The regular Session of the Wyoming County Board of Supervisors was held at the Wyoming County Government Center in the Board of Supervisors' Chambers located at 143 North Main Street, Warsaw, New York with all Supervisors present excluding Supervisor Davis T/Covington. Also present were Assistant County Attorney, Jane Monaghan; Budget Officer, Paula Parker; Clerk to the Board of Supervisors, Cheryl Ketchum and Deputy Clerk to the Board, Brenda Ferrell.

At 3:20 PM Chairman Berwanger, T/Arcade, called the meeting to order.

It has been the custom of the Wyoming County Board of Supervisors to have a Veteran from Wyoming County to lead the Pledge of Allegiance.

The Veteran leading the Pledge of Allegiance for the month of May is:

LEONARD B. CONNELLY

Mr. Connelly's service to his country comes from World War II while serving the U. S. Navy. Mr. Connelly graduated from East Aurora High School and enlisted in the U.S. Navy at the age of 17 on March 23, 1945. He completed his basic training at the Sampson Naval Station. Mr. Connelly then spent the next 16 weeks in Gunnery School at the Great Lakes Naval Station. Following his Advanced Individual Training, Mr. Connelly was assigned duties aboard the USS Macombs DMS-23. The USS Macombs was a minesweeper, and Mr. Connelly spent the next year in the Atlantic Theater, patrolling the Atlantic Ocean off the East Coast of the United States. Mr. Connelly was honorably discharged in May of 1946. For his service to his country, Mr. Connelly was awarded:

**THE AMERICAN THEATER RIBBON
THE WORLD WAR II VICTORY MEDAL**

Following the War, Mr. Connelly used the GI Bill and attended the University of Buffalo, he graduated with a degree in Business Administration in 1951. Mr. Connelly worked in the accounting department of Sylvania in Tonawanda for 2 years and then spent the next 35 years working for Motorola in Arcade. His last 14 years was as Assistant Plant Manager, until his retirement in 1988. Mr.

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Connelly was then hired by Prestolite for about a year to help in the plant transition.

Mr. Connelly has been more than just active in the following organizations for community service:

Hendershott-Manness Post 374 of VFW over 45 years
 Eagle Memorial Post 1720 of the American Legion over 20 years
 Arcade Overseas Vets Club for over 35 years
 Arcade Fire Department for over 40 years
 Member/Trustee St. Peter & Paul R.C. Church for 50 years
 Arcade Historical Society for over 10 years
 Arcade Town Councilman 8 years
 Arcade Town Supervisor 6 years
 Arcade Chamber of Commerce "Man of the Year 1989"
 St. Joseph Worker of the Year 2000
 Lifetime Achievement Award, Wyo. Co. Board of Supervisors 2001
 Warsaw Kiwanis, Warsaw Moose
 Franklinville Conservation Club
 4th Degree Charter Member Msgr. Callahan Council K of C

Mr. Connelly enjoys golf, hunting, fishing, and the Buffalo Bills. He has been married to his wife Ann for 55 years and they have lived in Arcade for the past 53 years.

The pledge was said by all.

A certificate of appreciation was presented to Mr. Connelly in honor of service to his country and also to commemorate his appearance here today.

Dave Dutton and John Dildine both from Arcade accompanied Mr. Connelly. The Chairman invited Mr. Dildine to lead in the pledge at a later date.

The Department of Social Services proudly recognizes outstanding employees within the department. The employees are invited and encouraged to learn more about governmental proceedings and the inter-relationship between the Department of Social Services and the Board of Supervisors.

Each month, Commissioner Schmitt, brings an employee of the month to the Health and Human Services Committee meeting to see first hand how Departmental requests are processed by the Board.

The employee of the month for May 2006 is **Joe Santullo**. He is the Computer Information Systems Administrator and has been with the department since 1999.

Joe demonstrates his willingness to help within the department, on a daily basis. He goes well beyond his job duties in assisting with all facets of the organization and management of DSS. He is dedicated and meticulous in his work. He is indeed a great team player with who Ms. Schmitt can personally count on and enjoy working with.

We would like to thank Joe for his years of service to the community and to the County of Wyoming.

Please join me in recognizing Joe Santullo.

Wyoming County Community Hospital Employee of the Year

Leigh A. Case

Leigh Case has worked at Wyoming County Community Health System as a Senior Pharmacy Clerk since April, 2001. Working at the hospital in the Pharmacy Department, she has become a respected and admired employee known for her hard work, willingness to help others, and sense of fun.

Nominated by her co-workers, first as Employee of the Month, and later elected by hospital staff and management as Employee of the Year, Leigh has been described as "the hardest worker in our department. She does it all! She is always organized and one step ahead of us when it comes to ordering products and staying within budget. She has been working on setting up a drug database for our new system and yet she still manages to keep things running smoothly. I'm so glad she works here!"

Ms. Case says that the favorite part of her job is trying to find cheaper prices on pharmaceuticals. We wish her much success with that!

Leigh resides in Warsaw with her husband Matthew and two sons. Her hobbies include photography and writing. When she is not working, she loves to travel and camp and spends a lot of time at her sons' sporting activities.

It is my pleasure today to join with Ron Krawiec, CEO of Wyoming County Community Health System, to recognize Leigh's dedication and hard work. Being nominated and elected by both management and co-workers is, indeed, an award of distinction and one of which she can be very proud.

Leigh exemplifies the best of our county workforce. She and her co-workers make our hospital successful and our county a better place to live and work. We are fortunate to have Leigh as one of our dedicated county employees and I hope

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you will join with me and recognize the 2006 WCCH Employee of the Year Leigh Case.

Chairman Berwanger congratulated Ms. Case and presented her with a Certificate of Appreciation from the Board of Supervisors.

Mr. Krawiec commented that Leigh started this process with a nomination for employee of the month by her co-workers and later the nomination for employee of the year came from the management of the hospital. Leigh is a very hard worker and a joy to work with.

Communications:

None

#1

**RESOLUTION NO. 06-155
(May 09, 2006)**

By Mr. Davis, Chairman of Finance Committee:

FUNDS TRANSFERRED TO VARIOUS 2006 ACCOUNTS

BE IT RESOLVED, That funds are hereby transferred to the various 2006 accounts as follows:

| Wyoming County Community Hospital | | | Dept. Totals: |
|--|---------------------|---------------------|----------------------|
| From: 01.52.9950.9.99008 Transfer – WCCH To: 01.40.6102.4.42250 MMIS/IGT – DSH Pmt Reason: move expense for IGT/DSH local share as per new NYS legislation. | \$188,767.50 | \$188,767.50 | |
| Wyoming County Community Hospital Total | | | \$188,767.50 |
| Civil Service / Human Resource | | | |
| From: 01.34.1430.1.10001 Salaries To: 01.34.1430.4.41010 Misc. Office Supplies Reason: To cover cost of Human Resource and Civil Service sharing office supplies. Needed to order numerous binders to create Personnel files. | \$500.00 | \$500.00 | |
| Civil Service / Human Resource Total | | | \$500.00 |
| Weights and Measures | | | |
| From: 01.35.1990.4.42107 Contingency To: 01.43.6610.4.40601 Office Rent Reason: To transfer funds from contingency to cover Jan. & Feb. 2006 office rent prior to relocation. | \$426.66 | \$426.66 | |
| Weights and Measures Total | | | \$426.66 |

| | | | |
|---|---------------|-----------------|--------------------|
| District Attorney | | | |
| From: 01.32.1167.1.10101 FT CSEA Contract | | | |
| 01.32.1167.1.10602 Insurance Repudiation | \$11,522.17 | | |
| 01.32.1167.8.81001 Retirement | 1,000.00 | | |
| 01.32.1167.8.83001 FICA | 1,382.66 | | |
| 01.32.1167.8.85001 Medicare | 714.38 | | |
| | <u>167.07</u> | | |
| To: 01.32.1167.4.40401 Training/Education | \$14,786.28 | | |
| 01.32.1167.4.40402 Conferences/Conventions | | 5,500.00 | |
| 01.32.1167.4.40405 Employee Expenses | | 150.00 | |
| 01.32.1167.4.40406 Employee Mileage | | 100.00 | |
| 01.32.1167.4.42103 Minor Office Equipment | | 250.00 | |
| 01.32.1167.4.41010 Misc. Office/Operating Supplies | | 300.00 | |
| 01.32.1167.8.89001 Medical/Hospitalization | | 6,526.28 | |
| | | <u>1,960.00</u> | |
| Reason: To transfer monies to the appropriate line items. | | \$14,796.28 | |
| District Attorney Total | | | \$14,796.28 |
| Jail | | | |
| From: 01.37.3150.1.10102 Regular Salaries | | | |
| To: 01.37.3150.4.40301 Professional Services | \$2,912.62 | | |
| Reason: To cover contract with the Jail Chaplain per resolution number 06-15. | | \$2,912.62 | |
| Jail Total | | | \$2,912.62 |
| Buildings & Grounds | | | |
| Transfer: | | | |
| From: 12.61.9950.9.99004 Interfund Transfer | \$30,000.00 | | |
| To: 12.61.1620.4.40315 Public Health Project | | \$30,000.00 | |
| Reason: To place budget amounts in correct line items for proper recording and payment of project expenses | | | |
| Buildings & Grounds Total | | | \$30,000.00 |

Carried: XXX Ayes: 1564 Noes: Absent: 54 (Covington) Abstain:

#2

RESOLUTION NO. 06-156
(May 09, 2006)

By Mr. Davis, Chairman of Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2006 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2006 accounts as follows:

| | | | |
|---|----------------------------------|-------------|----------------------|
| Public Health | | | Dept. Totals: |
| To: 01.38.4050.2.20401 Misc. Equip. w/offsetting revenues 01.04.4050.161003 increased by same | \$8,678.75 | \$8,678.75 | |
| Reason: To appropriate for filing systems | | | |
| Public Health Total | | | \$8,678.75 |
| County Clerk | | | |
| To: 01.34.1460.4.41410 Software (Purchase) 01.34.1460.4.41010 Misc. Office Supplies 01.34.1460.2.20401 Misc. Office Equipment w/ 01.11.1460.3060 State Aid – Records Grant increased by | \$4,190.00 864.00 6,800.00 | \$11,854.00 | |
| Reason: To appropriate to allow expenses and revenues for the Records Management Grant for Records Retention center software, storage boxes, map cabinets, and a shredder. | | | |
| County Clerk Total | | | \$11,854.00 |

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| | | | |
|---|-------------|-------------|--------------------|
| Sheriff | | | |
| To: 01.37.3110.4.40508 Private Auto Repair w/01.08.3110.2680 Insurance Recovery increased by same Reason: to offset repair costs. | \$5,454.21 | \$5,454.21 | |
| Sheriff Total | | | \$5,454.21 |
| Emergency Services | | | |
| From: 01.37.3640.4.40305 All Hazard Plan Prof. Services To: 01.12.3640.438904 All Hazard Plan Federal Aid Reason: To appropriate grant funds, equal expenses and revenues, for the All Hazards Mitigation Plan Grant and project. | \$31,935.75 | \$31,935.75 | |
| Emergency Services Total | | | \$31,935.75 |
| Wyoming County Cornell Cooperative Extension | | | |
| To: 01.49.8751.4.40954 4-H Camp Project From any funds available Reason: Appropriate funds to assist in the funding of a full-time 4-H camp manager for Cornell (1 st of a two year project). | \$15,000.00 | \$15,000.00 | |
| Wyoming County Cornell Cooperative Extension Total | | | \$15,000.00 |

Carried: XXX Ayes: 1564 Noes: Absent: 54 (Covington) Abstain:

Mr. Bush, T/Gainesville, Chairman of the Audit Committee, presented bills totaling **\$1,194,604.45** for the month of **April, 2006**.

Carried: XXX Ayes: 1564 Noes: Absent: 54 (Covington) Abstain:

There was a motion by Mr. Rogers, T/Pike, to combine resolutions #3 through #8. A voice vote was taken and all voted aye.

#3

**RESOLUTION NO. 06-157
(May 09, 2006)**

By Mr. Rogers, Chairman of the Human Services Committee:

SUPPLEMENTAL MILITARY LEAVE IMPLEMENTED

WHEREAS, In response to the terrorist attack on the World Trade Center and the Pentagon on September 11, 2001, and the impact on State and County employees who may be federally activated or activated by the Governor of New York State in response to the “home land security” needs; and

WHEREAS, Employees of Wyoming County may be activated for Home Land Security or active duty in the Armed Forces of the United States; and

WHEREAS, These employees may be activated for long periods of time, and those negotiated benefits may result in the loss of health insurance, reduction in pay and, under present contracts, allow for only thirty (30) days of military leave pay per calendar year; and

WHEREAS, Those negotiated benefits may be insufficient to cover an extended activation; now therefore

BE IT RESOLVED, That Wyoming County shall implement a Supplemental Military Leave, which will extend an employee's military obligation by thirty (30) calendar days or twenty two (22) workdays; and be it

FURTHER RESOLVED, That Wyoming County shall continue to maintain the health insurance benefits of those county employees called to active duty and their families. Wyoming County shall supplement the military pay of those county employees called to long-term active duty, provided all accumulated benefit vacation time and fifty percent (50 %) of all accumulated benefit sick time is exhausted. The combination of their military pay and the supplement will equal what would otherwise be their regular base county pay, retroactive to the date of the activation. Wyoming County shall guarantee employment to any current county employee called to active duty. During the time of activation the employee will not be eligible for any accrual of benefit time. There will be no loss of seniority during a military leave of absence; and be it

FURTHER RESOLVED, That this benefit is based solely on the present military action associated with "Operation Iraqi Freedom"(OIF) and "Operation Enduring Freedom"(OEF) and will not be considered as past practice or precedent setting effective immediately, and terminating on May 08, 2008. The Board of Supervisors reserves the right to review this resolution every two years upon termination.

Carried: XXX Ayes: 1564 Noes: Absent: 54 (Covington) Abstain:

#4

**RESOLUTION NO. 06-158
(May 09, 2006)**

By Mr. Rogers, Chairman of the Human Services Committee:

46th ARMED FORCES WEEK PROCLAIMED

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WHEREAS, The first Armed Forces Day was established by President Harry S. Truman on August 31, 1949, toward the goal of paying special tribute to the men and women of the Armed Forces who in the service of their country protect and defend the United States of America, and

WHEREAS, The tradition continues with the 46th Anniversary of Armed Forces Day, with the eight Western New York Counties joining together in celebration, beginning on *May 07, 2006* and ending on *May 13, 2006*,

WHEREAS, This great event remembers and honors those members of the Armed Forces currently serving, many of them, many miles away from their homes, family and friends and

WHEREAS, This special time of remembrance includes and honors the Veterans of our communities who shouldered the burden of defense and because of their service, they, their families and the citizens of the United States savor the blessings of citizenship, and

WHEREAS, The citizens of the area counties recognize the debt of gratitude we owe to our Armed Service members for their dedication and commitment to the service of their Country, and

WHEREAS, The United States Coast Guard, is the host service for this year's event, we offer through this special week of celebration and remembrance as our salute to those brave men and women who have, and are still serving proudly and call on the citizens of our communities to join us in this celebration and recognition Armed Forces Week, and

WHEREAS, We stop to remember in prayer the members of the Armed Services and their families from our area counties, who have lost their lives in service to their country, they are evidence of a harsh and inescapable truth – that freedom requires sacrifices, now therefore

BE IT RESOLVED, That our eight Western New York counties are rightly proud of our legacy of patriotism and dedication as manifested in the persons of our active and reserve component Armed Forces and our Veterans; and be it

FURTHER RESOLVED, That this Board of Supervisors do hereby proclaim the week of *May 7, 2006* through *May 13, 2006*:

Armed Forces Week

Carried: XXX Ayes: 1564 Noes: Absent: 54 (Covington) Abstain:

Regular Session

**RESOLUTION NO. 06-159
(May 09, 2006)**

By Mr. Rogers, Chairman of the Human Services Committee:

FOSTER CARE MONTH PROCLAIMED

WHEREAS, The family, serving as the primary source of love, identity, self-esteem, and support, is the very foundation of our communities and our state; and

WHEREAS, Foster families have dedicated themselves to providing loving, nurturing care for hundreds of children entrusted to them; and

WHEREAS, 33 foster families in Wyoming County open their homes and hearts to the children in crisis, playing a vital role to help children and families heal and reconnect, and helping launch children into successful adulthood; and

WHEREAS, Dedicated foster families frequently adopt foster children, resulting in a greater need for more foster families; and

WHEREAS, There are numerous individuals, public, and private organizations that work to increase awareness of the needs of children in and leaving foster care, as well as the enduring and valuable contribution of foster parents; now therefore

BE IT RESOLVED, That this Board of Supervisors does hereby proclaim *May 2006* as

Foster Care Month

in Wyoming County; and be it

FURTHER RESOLVED, That the Board of Supervisors urge all citizens to join in recognition of the special people who take care of foster children in our county by wearing a blue ribbon in their honor. We encourage citizens of Wyoming County to open their hearts and homes, and offer support

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to children in foster care, to foster parents, and the child welfare professional staff working with them, during this month and throughout the year.

Carried: XXX Ayes:1564 Noes: Absent: 54 (Covington) Abstain:

#6

**RESOLUTION NO. 06-160
(May 09, 2006)**

By Mr. Rogers, Chairman of the Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
WITH HEARING IMPAIRED INSTRUCTIONAL
SERVICES, LLC ON BEHALF OF THE YOUTH BUREAU**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Hearing Impaired Instructional Services, LLC, 162 Highland Drive, Williamsville, New York 14221 on behalf of the Youth Bureau. Said contract is for the provision of Early Intervention Services in the amount not to exceed program budget variable – depending on number of services, for the period of July 1, 2005 through June 30, 2007; contingent upon the availability of funds.

Carried: XXX Ayes: 1564 Noes: Absent: 54 (Covington) Abstain:

#7

**RESOLUTION NO. 06-161
(May 09, 2006)**

By Mr. Rogers, Chairman of the Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
WITH CANDY FRAZIER ON BEHALF OF THE YOUTH
BUREAU**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a

Regular Session

contract with Candy Frazier, 10792 Sickie Road, Fillmore, New York 14065 on behalf of the Youth Bureau. Said contract is for the provision of Early Intervention Services and Preschool Related Services in an amount not to exceed program budget variable – depending on number of services, for the period of March 1, 2006 through June 30, 2007; contingent upon the availability of funds.

Carried: XXX Ayes: 1564 Noes: Absent: 54 (Covington) Abstain: #8

**RESOLUTION NO. 06-162
(May 09, 2006)**

By Mr. Rogers, Chairman of the Human Services Committee:

**PATRICIA BARON-MILLS APPOINTED TO THE YOUTH
BOARD**

BE IT RESOLVED, That *Patricia Baron-Mills* (Mental Health Department), 338 North Main Street, Warsaw, NY 14569 is hereby appointed to the **Wyoming County Youth Board** to serve as an **Agency Representative to fill a two year unexpired vacant term effective January 1, 2006 to December 31, 2007.**

Carried: XXX Ayes: 1564 Noes: Absent: 54 (Covington) Abstain:

Supervisor Rogers was asked to present the Armed Forces Week proclamation and the Foster Care Month Proclamation. At which time Supervisor Rogers asked Mr. Gary Cousins, Director of Veterans' Services to join him at the podium. The proclamation was read and Mr. Cousins thanked the Supervisors on behalf of his Department and the Veteran's of Wyoming County.

Next, Supervisor Rogers invited Mr. Dave Rumsey, Director of Children and Family Services at the Department of Social Services, to join him at the podium for the presentation of the Foster Care Month Proclamation. The Proclamation was read and presented to Mr. Rumsey. Mr. Rumsey said a short thank you to all and informed all in attendance that Social Services continues to recruit new foster families

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**RESOLUTION NO. 06-163
(May 09, 2006)**

By Mr. Rogers, Chairman of the Human Services Committee:

AMEND RESOLUTION NUMBER 06-163

WHEREAS, Resolution Number 05-306 provides for the appointment of Acting Commissioner Deborah Schmitt, 3062 Suckerbrook Road, Perry, NY 14530 as the Commissioner of Wyoming County Social Services effective January 01, 2006 through April 05, 2008, to complete the remainder of the term vacated by the previous Commissioner; and

WHEREAS, Local Public Welfare Law §116 (1) states,
“...Appointments to such positions in the non-competitive class shall be for terms of five years...” now therefore

BE IT RESOLVED, That Resolution Number 05-306 is hereby amended to reflect a corrected five (5) year term effective January 01, 2006 through December 31, 2010.

Carried: XXX Ayes: 1564 Noes: Absent: 54 (Covington) Abstain:

There was a motion by Mrs. Totline, T/Genesee Falls, to combine resolutions #10 through #12. A voice vote was taken and all voted aye.

#10**RESOLUTION NO. 06-164
(May 09, 2006)**

By Mrs. Totline, Chairman of the Public Health Committee:

CHILDREN’S MENTAL HEALTH WEEK PROCLAIMED

WHEREAS, The citizens of Wyoming County value their health and that of their families and fellow New Yorkers; therefore, they are proud to support observances such as Children's Mental Health Week; and

WHEREAS, Almost 21 percent of children and adolescents aged 9-17 in the United States have a mental health disorder; nearly 11 percent suffer from a major mental illness that results in significantly impaired behavior at home, at school and among peers; 5 percent have extreme functional impairment with their illness; and

WHEREAS, It is important that children and adolescents, along with their families and communities, learn about the warning signs of mental health disorders and where to obtain necessary assistance and treatment; and

WHEREAS, Obtaining a full and accurate diagnosis of a child requires gathering information from diverse sources, including the family, school and others involved with that child; and

WHEREAS, Early diagnosis and appropriate treatment of mental health disorders among children and adolescents provide them better opportunities to lead full and productive lives; and

WHEREAS, The participation of family members in the assessment and treatment of children and adolescents is integral to positive clinical outcomes; and

WHEREAS, Children's Mental Health Week was developed by families of youth with emotional, behavioral and social challenges to focus on the needs of their children and families; and

WHEREAS, In celebrating this week, it is fitting to increase public awareness among all Wyoming County residents of this important issue and diminish stigma; now therefore

BE IT RESOLVED, That this Board of Supervisors, does hereby proclaim **May 7-13, 2006** as

CHILDREN'S MENTAL HEALTH WEEK

In Wyoming County New York

Carried: XXX Ayes: 1564 Noes: Absent: 54 (Covington) Abstain:

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RESOLUTION NO. 06-165
(May 09, 2006)

By Mrs. Totstline, Chairman of the Public Health Committee:

MENTAL HEALTH MONTH PROCLAIMED

WHEREAS, For over fifty years, Mental Health Month has been observed as an effort to raise awareness of the mental health concerns of Americans and to combat the stigma associated with mental illnesses; and

WHEREAS, Mental illnesses are conditions that can affect individuals of all ages and social status; and

WHEREAS, The Wyoming County Board of Supervisors desires to acknowledge the broad array of concerns that individuals and families face with mental illness, including the mental health needs of both children and the elderly, those with serious and persistent mental illness, and those fighting stigma in employment, housing, and community relations; and

WHEREAS, This Board also desires to support efforts to promote good mental health in all county residents through the delivery of services that enable individuals and families to receive treatment, prevention, advocacy and other supportive services to allow them to enjoy a healthy and successful life; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors does hereby proclaim **May 2006** as

MENTAL HEALTH MONTH

in Wyoming County

Carried: XXX Ayes: 1564 Noes: Absent: 54 (Covington) Abstain:

**RESOLUTION NO. 06-166
(May 09, 2006)**

By Mrs. Totstline, Chairman of the Public Health Committee:

**SCOTT TREUTLEIN, MD APPOINTED TO THE
WYOMING COUNTY BOARD OF HEALTH**

BE IT RESOLVED, That *Scott Treutlein, MD*, of Wyoming OB/GYN, 408 N. Main Street, Warsaw NY 14569 is hereby appointed to the *Wyoming County Board of Health* to complete the *unexpired six (6) year term created by the resignation of Dr. Jules Levey, effective April 01, 2006 through June 10, 2010.*

Carried: XXX Ayes: 1564 Noes: Absent: 54 (Covington) Abstain:
#13

**RESOLUTION NO. 06-167
(May 09, 2006)**

By Mrs. Meeder, Chairman of the Human Resources Committee:

MINIMUM HIRING AGE POLICY ADOPTED

BE IT RESOLVED, That the Wyoming County Board of Supervisors have approved a policy of hiring individuals who are 18 years of age and older throughout all departments of the County of Wyoming effective immediately.

Carried: XXX Ayes: 1564 Noes: Absent: 54 (Covington) Abstain:

There was a motion by Ms. Kushner, T/Eagle,, to combine resolutions #14 through #17. A voice vote was taken and all voted aye.

**RESOLUTION NO. 06-168
(May 09, 2006)**

By Mr. Kushner, Chairman of the Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN AN INTER-
MUNICIPAL AGREEMENT WITH THE COUNTY OF
MONROE/MONROE COUNTY SHERIFF ON BEHALF OF
THE WYOMING COUNTY SHERIFF'S DEPARTMENT**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign an Inter-Municipal agreement with the County of Monroe/ Monroe Co. Sheriff on behalf of the Wyoming County Sheriff's Department. Said contract is to provide for security services for Wyoming County inmates admitted to the Rochester Psychiatric Center Forensic Unit at a rate of \$125 per inmate per day; effective January 01, 2006 through December 31, 2010; contingent upon the availability of funds.

Carried: XXX Ayes: 1564 Noes: Absent: 54 (Covington) Abstain: #15

**RESOLUTION NO. 06-169
(May 09, 2006)**

By Mr. Kushner, Chairman of the Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN BID ACCEPTANCE
WITH MONROE AMBULANCE ON BEHALF OF
EMERGENCY SERVICES**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney and the Medical Director for Pre – Hospital Care Agencies is hereby authorized and directed to sign a bid acceptance with Monroe Ambulance, 318 South Street, Rochester, NY 14608 on behalf of Emergency Services. Said contract is for advanced and basic life support services provided to the residents of Wyoming County at no cost to the county;

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effective June 01, 2006 through May 31, 2008 with the option of a 2 year renewal by Wyoming County.

Carried: XXX Ayes: 1564 Noes: Absent: 54 (Covington) Abstain: #16

**RESOLUTION NO. 06-170
(May 09, 2006)**

By Mr. Kushner, Chairman of the Public Safety Committee:

RESOLUTION NUMBER 05-145 AMENDED

WHEREAS, Resolution number 05-145 provides for a contract with the Genesee Finger Lakes Regional Planning Council to assist in the writing of the All Hazardous Mitigation Grant for Wyoming County and all of its municipalities to expire April 11, 2006; now therefore

BE IT RESOLVED, That Resolution number 05-145 is hereby amended to reflect a corrected expiration through the completion of the project.

Carried: XXX Ayes: 1564 Noes: Absent: 54 (Covington) Abstain: #17

**RESOLUTION NO. 06-171
(May 09, 2006)**

By Mr. Kushner, Chairman of the Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN GRANT
ACCEPTANCE AWARD WITH NYS EMERGENCY
MANAGEMENT OFFICE ON BEHALF OF EMERGENCY
SERVICES**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign the Emergency Management Performance Grant Acceptance/Award with NYS Emergency Management Office, Albany NY on behalf of Wyoming County Emergency Services. Said grant is in an amount no less than thirteen thousand one hundred

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fifty – nine dollars (\$13,159.00); effective September 01, 2006 through August 31, 2007.

Carried: XXX Ayes: 1564 Noes: Absent: 54 (Covington) Abstain: #18

**RESOLUTION NO. 06-172
(May 09, 2006)**

By Mr. Patti, Chairman of the Public Works Committee:

HIGHWAY MATERIAL BIDS APPROVED

BE IT RESOLVED, That the attached yearly County Highway material bids are hereby approved effective March 31, 2006 all ties were awarded by lot at the March 31, 2006 Public Works Committee; and be it

FURTHER RESOLVED, That each of the sixteen (16) Towns of Wyoming County are able to utilize all but the Pavement Markings bid.

Carried: XXX Ayes: 1564 Noes: Absent: 54 (Covington) Abstain:

There was a motion by Mr. Fleischman, T/Java, to combine resolutions #19 through #23. A voice vote was taken and all voted aye.

#19

**RESOLUTION NO. 06-173
(May 09, 2006)**

By Mr. Fleischman, Chairman of the Planning Committee:

WILLIAM PRYOR LETCHWORTH DAY PROCLAIMED

WHEREAS, One hundred years have passed since William Pryor Letchworth gave New York State the land which now constitutes Letchworth State Park; and

WHEREAS, Mr. Letchworth was a kind and generous man who was bestowed the name “Hai-wa-ye-is-tah” meaning, “man who always does right,” by the Seneca Indians at the Council Fire on October 01, 1872; and

WHEREAS, William Pryor Letchworth, born on May 26, 1823, was a true humanitarian and a great figure in our area history, and

WHEREAS, 2006 will mark the centennial celebration of Letchworth State Park; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors proclaims **May 26th** of every year as:

William Pryor Letchworth Day

In Wyoming County

Carried: XXX Ayes: 1564 Noes: Absent: 54 (Covington) Abstain: #20

**RESOLUTION NO. 06-174
(May 09, 2006)**

By Mr. Fleischman, Chairman of the Planning Committee:

**APPROVING THE FORMATION OF A LOCAL
DEVELOPMENT CORPORATION AND APPOINTMENT
OF INITIAL DIRECTORS**

WHEREAS, Section 1411 of the New York Not-for-Profit Corporation Law (the “Law”) allows for the formation of local development corporations exclusively for the charitable or public purpose of relieving and reducing unemployment, promoting and providing for additional and maximum employment, bettering and maintaining job opportunities, assisting individuals to improve or develop their capabilities for such jobs, carrying on scientific research for the purpose of aiding the territory in which its operations are principally to be conducted by attracting new industry to such territory or by encouraging the development of, or retention of, industry in said territory, and lessening the burdens of government and acting in the public interest; and

WHEREAS, pursuant to the Law, the County desires to form the Wyoming County Business Center Inc., with the County acting as the sole member thereof such that activities of the Corporation, permitted pursuant to the Law, are through an entity which is separate and distinct from the County, and a bankruptcy remote entity; now therefore

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BE IT RESOLVED, that the formation of the Corporation under the Law is hereby approved and the Chairman is authorized and directed to take all actions on behalf of the County, as the sole member of the Corporation, to organize the Corporation; and be it

FURTHER RESOLVED, that the following individuals are appointed as the initial voting directors of the Corporation:

1. Richard Fish, Town of Castile, 3782 West Lake Road, Perry, NY for a term of three (3) years, said term to expire May 9, 2009.
2. James Fleischman, Town of Java, 5824 Java Lake Road, Arcade, NY for a term of two (2) years, said term to expire May 9, 2008.
3. Norbert Fuest, Town of Bennington, 2039 Church Road, Darien, NY for a term of one (1) year, said term to expire May 9, 2007; and be it

FURTHER RESOLVED, that additional voting and non-voting directors shall be appointed from time to time by the County; and be it

FURTHER RESOLVED, that the Directors and Officers of the Corporation are authorized, empowered and directed to take all actions and to execute all documents as may be necessary or advisable and proper to carry on the business of the Corporation.

Carried: XXX Ayes: 1564 Noes: Absent: 54 (Covington) Abstain:

#21

**RESOLUTION NO. 06-175
(May 09, 2006)**

By Mr. Fleischman, Chairman of the Planning Committee:

MARK MERRILL APPOINTED TO THE IDA BOARD OF DIRECTORS

BE IT RESOLVED, That *Mark Merrill*, 5442 Sheppard Road, Town of Eagle, Bliss, New York is hereby appointed to *the Wyoming County Industrial Development Agency's Board of Directors* for an *existing term that expires June 13, 2006 and a new three (3) year term to expire June 13, 2009.*

Carried: XXX Ayes: 1564 Noes: Absent: 54 (Covington) Abstain:

**RESOLUTION NO. 06-176
(May 09, 2006)**

By Mr. Fleischman, Chairman of the Planning Committee:

**2007 MATCHING FUNDS PROGRAM APPROVED ON
BEHALF OF THE WYOMING COUNTY TOURISTS
PROMOTION AGENCY**

BE IT RESOLVED, That the Wyoming County Board of Supervisors does hereby approve taking part in the 2007 Matching Funds Program for tourist promotional activities; and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors hereby designates the Wyoming County Tourist Promotion Agency, Inc. as the official tourist promotion agency for the County of Wyoming and as the agency to apply for and receive matching funds on behalf of the County, under the Matching Funds Program.

Carried: XXX Ayes: 1564 Noes: Absent: 54 (Covington) Abstain:
#23

**RESOLUTION NO. 06-177
(May 09, 2006)**

By Mr. Fleischman, Chairman of the Planning Committee:

**FUNDS APPROVED FOR MATCHING FUNDS PROGRAM
FOR TOURIST PROMOTION**

BE IT RESOLVED, That the Wyoming County Board of Supervisors hereby approves taking part in the 2007 Matching Funds Program for tourists promotional activities and hereby commits the County of Wyoming to thirty thousand dollars (\$30,000.00) in matching funds, which is in addition to the operational budget amount to be included in the year 2007 County Budget; contingent upon the availability of funds from New York State.

Carried: XXX Ayes: 1564 Noes: Absent: 54 (Covington) Abstain:

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Supervisor Fleischman, T/Java was asked to approach the podium for the presentation of the William Pryor Letchworth Day Proclamation. The Supervisor invited Rich Parker, Regional Parks Manager, Roland Beck, General Park Manager from Letchworth State Park and Doris Bannister, Wyoming County Historian to accept the Proclamation. The representation from Letchworth extended their thanks for the presented proclamation.

There was a motion by Mr. Rogers, T/Pike Finance Vice-Chairman, to combine resolutions #24 through #. A voice vote was taken and all voted aye.

#24

**RESOLUTION NO. 06-178
(May 09, 2006)**

By Mr. Davis, Chairman of Finance Committee:

**ONE POSITION OF INFORMATION TECHNOLOGY
ASSISTANT (1.00 FTE) CREATED IN THE DEPARTMENT
OF INFORMATION TECHNOLOGY**

BE IT RESOLVED, That one position of Information Technology Assistant (1.00 FTE) is hereby created in the Department of Information Technology to be placed on Salary Schedule "S."

Carried: XXX Ayes: 1564 Noes: Absent: 54 (Covington) Abstain:

#25

**RESOLUTION NO. 06-179
(May 09, 2006)**

By Mr. Davis, Chairman of Finance Committee:

RESOLUTION NUMBER 03-246 AMENDED

WHEREAS, Resolution Number 03-246 provides for a contract with Lumsden and McCormick, LLP that provides for annual auditing services; now therefore

BE IT RESOLVED, That Resolution Number 03-246 be hereby amended to reflect a corrected expiration date from December 31, 2005 to the completion of the 2005 Annual Audit.

Carried: XXX Ayes: 1564 Noes: Absent: 54 (Covington) Abstain: #26

**RESOLUTION NO. 06-180
(May 09, 2006)**

By Mr. Davis, Chairman of Finance Committee:

Mr. Davis, Chairman of the Finance Committee, presented the **SEMI-ANNUAL MORTGAGE TAX REPORT** for the period of October 01, 2005 through March 31, 2006 and moved that the Clerk draw warrants on the County Treasurer for the various amounts therein.

To: Cheryl D. Mayer, County Treasurer of Wyoming County, NY

In accordance with Section 261 of the Tax Law, you are hereby authorized and directed to distribute Mortgage Tax Receipts amounting to **\$255,586.62** to the several tax districts of Wyoming County, in accordance with the report filed with the Clerk of the Board of Supervisors, as follows:

| TAX DISTRICTS | MORTGAGE TAX DISTRIBUTED | VILLAGE | TOWN |
|------------------------|--------------------------|-------------|-------------|
| Arcade | \$57,694.02 | \$14,184.38 | \$43,509.64 |
| Attica | \$20,908.71 | \$4,376.72 | \$16,531.99 |
| Bennington | \$29,301.84 | | \$29,301.84 |
| Castile | \$20,540.29 | \$1,547.21 | \$17,686.24 |
| Perry Village | | \$1,306.84 | |
| Covington | \$5,379.72 | | \$5,379.72 |
| Eagle | \$5,218.01 | | \$5,218.01 |
| Gainesville | \$8,334.89 | \$236.26 | \$6,488.09 |
| Silver Springs Village | | \$1,610.54 | |
| Genesee Falls | \$2,783.60 | | \$2,783.60 |
| Java | \$11,690.00 | | \$11,690.00 |

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| | | | |
|---------------|--------------|-------------|--------------|
| Middlebury | \$9,073.78 | \$889.56 | \$8,184.22 |
| Orangeville | \$9,127.99 | | \$9,127.99 |
| Perry | \$15,683.69 | \$4,222.26 | \$11,461.43 |
| Pike | \$6,379.95 | \$597.52 | \$5,782.43 |
| Sheldon | \$18,635.14 | | \$18,635.14 |
| Warsaw | \$29,058.69 | \$10,300.75 | \$18,757.94 |
| Wethersfield | \$5,776.30 | | \$5,776.30 |
| Total: | | \$39,272.04 | \$216,314.58 |
| Grand Totals: | \$255,586.62 | | |

Let This Be Your Warrant for Such Payment: **\$255,586.62** IN WITNESS
WHEREOF, I have hereunto set my hand and seal of the Board of Supervisors
this 9th day of May 2006.

s/Cheryl J. Ketchum, Clerk

Board of Supervisors

Carried: XXX Ayes: 1564 Noes: Absent: 54 (Covington) Abstain:
#27

RESOLUTION NO. 06-181
(May 09, 2006)

By Mr. Davis, Chairman of Finance Committee:

**ONE POSITION OF KEYBOARD
SPECIALIST/TEMPORARY (1.00 FTE) CREATED IN THE
COUNTY CLERK'S OFFICE**

BE IT RESOLVED, That one position of *Keyboard Specialist 1.00 FTE Temporary* be created in the office of the County Clerk to fill in for an employee on medical leave, not to exceed three months or through medical leave of absence, which ever comes first at \$11.93 per hour.

Carried: XXX Ayes: 1564 Noes: Absent: 54 (Covington) Abstain:

**RESOLUTION NO. 06-182
(May 09, 2006)**

By Mr. Davis, Chairman of Finance Committee:

**ONE POSITION OF LEGAL RESEARCH
INTERN/TEMPORARY (1.00 FTE) CREATED IN THE
DISTRICT ATTORNEY'S OFFICE**

BE IT RESOLVED, That one position of *Legal Research Intern (Temporary)* be created in the Office of the District Attorney at a rate of \$300.00 per week, not to exceed 10 weeks, effective June 1, 2006 through December 31, 2006, with no other benefits except those mandated by law. Salary paid out of the Aid to Prosecution grant budget.

Carried: XXX Ayes: 1564 Noes: Absent: 54 (Covington) Abstain:
#29

**RESOLUTION NO. 06-183
(May 09, 2006)**

By Mr. Davis, Chairman of Finance Committee:

**ONE POSITION OF BUILDING
INSPECTOR/TEMPORARY (.5 FTE) CREATED IN THE
FIRE AND BUILDING CODES DEPARTMENT**

BE IT RESOLVED, That one position of *Building Inspector Temp. (.5 FTE)* is hereby created in the Department of Fire and Building Codes; effective June 01, 2006 through August 31, 2006 with only those benefits mandated by law.

Carried: XXX Ayes: 1564 Noes: Absent: 54 (Covington) Abstain:

May 9, 2006

**RESOLUTION NO. 06-184
(May 09, 2006)**

By Mr. Davis, Chairman of Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN AMENDED
CONTRACT WITH WYOMING COUNTY COMMUNITY
ACTION**

WHEREAS, Resolution Number 04-87 provides for a rental agreement with Wyoming County Community Action to provide approximately 6000 ± square feet at 6470 Route 20A in the Town of Perry, NY (also known as the Wyoming County Business Center); now therefore

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign an amended contract with Wyoming County Community Action to provide for a 3 % increase in this lease agreement not to exceed forty-four thousand one hundred twelve dollars (\$44,112.00); effective March 01, 2006 through February 28, 2009; and be it

FURTHER RESOLVED, That Resolution Number 04-87 be amended to reflect the above changes.

Carried: XXX Ayes: 1564 Noes: Absent: 54 (Covington) Abstain:

#31

**RESOLUTION NO. 06-185
(May 09, 2006)**

By Mr. Davis, Chairman of Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A MEMORANDUM
OF AGREEMENT WITH CORNELL COOPERATIVE
EXTENSION**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a

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Memorandum of Agreement with Cornell Cooperative Extension of Wyoming County for the payment of County Appropriations in the amount of fifteen thousand dollars (\$15,000.00). Said “MOA” to provide support for the 4-H Department in the form of a full time Camping Program Manager at the 4-H Camp (Camp Wyomoco) located in Wyoming County; effective January 01, 2006 through December 31, 2006; contingent upon the availability of funds.

Carried: XXX Ayes: 1564 Noes: Absent: 54 (Covington) Abstain:

The Chairman asked if there were any Supervisors who objected to the presentation of unanimous consent resolution number 32. There being no objections, the title of the resolution was read and an invitation to Supervisor Meeder, T/Middlebury was extended to read the Proclamation. Supervisor Meeder will be the representative from the Board of Supervisors to present this proclamation at the Golf Tournament scheduled for June 12, 2006

**Unanimous Consent
#32**

**RESOLUTION NO. 06-186
(May 09, 2006)**

By Mr. Berwanger, Chairman of the Committee of the Whole:

**“DRIVE OUT BREAST CANCER DAY” IN WYOMING
COUNTY PROCLAIMED**

WHEREAS, More than one hundred eighty thousand (180,000) women in the United States will learn for the first time that they have breast cancer and more than forty thousand (40,000) women will lose their lives – three thousand four hundred (3,400) in New York State alone; and

WHEREAS, Early detection and prompt treatment can significantly reduce the suffering and deaths caused by this disease; and

WHEREAS, in recognition of the fact that mammography, an “x-ray” of the breast, is the single most effective method of detecting breast changes that may be cancer long before physical symptoms can be seen or felt; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors does hereby proclaim June **12, 2006** as:

May 9, 2006

Proceedings of the Board of Supervisors***“Drive Out Breast Cancer Day”***

in Wyoming County; and be it

FURTHER RESOLVED, That all citizens are urged to take advantage of early detection screenings and participate in the activities sponsored by the American Cancer Society

Carried: XXX Ayes: 1564 Noes: Absent: 54 (Covington) Abstain:

There being no further business to come before this board Supervisor Bush adjourned the meeting at 4:01 PM with a rap on his desk

Respectfully submitted,

Cheryl J. Ketchum

Clerk to the Board of Supervisors

REGULAR SESSION

(June 13, 2006)

Tuesday

3:00 PM

The regular Session of the Wyoming County Board of Supervisors was held at the Wyoming County Government Center in the Board of Supervisors' Chambers located at 143 North Main Street, Warsaw, New York with all Supervisors present. Also present were County Attorney, Eric T. Dadd; Budget Officer, Paula Parker; Clerk to the Board of Supervisors, Cheryl Ketchum and Deputy Clerk to the Board, Brenda Ferrell.

At 3:21 PM Chairman Berwanger, T/Arcade, called the meeting to order.

The Veteran leading the Pledge of Allegiance for June is:

JOHN E. LONGHINI

Mr. Longhini's service to his country comes from World War II while serving in the U. S. Army. On the day of graduation from high school, Mr. Longhini's principle notified his graduating class. "I have some good news and I have some bad news." "The good news is that all of you are going to receive your diploma." "The bad news is Uncle Sam wants you and you are going into the service." So at the age of 19, Mr. Longhini enlisted in the U.S. Army on 14 August 1945. Mr. Longhini completed Infantry Basic Training at Fort McClellan, Alabama and was assigned duty at a Prisoner of War Camp in Germany. Following a year and a half of duty at the POW Camp, Mr. Longhini was assigned to the 22nd Signal Group, where he completed training in Radio Command School. Mr. Longhini continued to serve with the 22nd Signal Group until his separation on 1 February 1947 at Fort Dix, N.J.

For his service to his country, Mr. Longhini was awarded:

**WORLD WAR II VICTORY MEDAL
ARMY OF OCCUPATION MEDAL**

After his discharge from the Army, Mr. Longhini continued in the field of electronics and went to work for Detrola in Detroit, Michigan. In 1948, Mr. Longhini returned to this area and worked in the electronics department at Lapp Insulator for the next 6 years. In 1954, Mr. Longhini went to work for Sylvania Corporation building the "Colonial Radio" which was used in automobiles. The following year he transferred to the Batavia plant and worked until his retirement in 1975.

June 13, 2006

In 1965, and while still working for Sylvania, Mr. Longhini formed a partnership with his brother and began a business in Wyoming of raising chickens for egg production. This included the feed, care, and collection of eggs of 15,000 chickens. Mr. Longhini continued this additional employment until his retirement from Sylvania in 1975.

Mr. Longhini has been a member of the Bostian-Rowe Post 1849 of the American Legion for 59 years. He lives in Wyoming and enjoys gardening and playing golf.

The pledge was said by all.

A certificate of appreciation was presented to Mr. Longhini in honor of service to his country and also to commemorate his appearance here today.

The Department of Social Services proudly recognizes outstanding employees within the department. The employees are invited and encouraged to learn more about governmental proceedings and the inter-relationship between the Department of Social Services and the Board of Supervisors.

Each month, Commissioner Schmitt, brings an employee of the month to the Human Services Committee meeting to see first hand how Departmental requests are processed by the Board.

The employee of the month for June 2006 is Marilyn Jordan. Marilyn has been with the department since 2001 and works as a Data Entry Operator. Marilyn was nominated because of her helpfulness to all the staff and always has a smile for everyone. She makes DSS a nice place to work.

We would like to thank Marilyn for her years of service to the community and to the County of Wyoming.

Please join me in recognizing Marilyn Jordan.

Special Presentation:

The Wyoming County Health Department Certified Home Health Agency (CHHA) provides home care services to clients in Wyoming County. The agency received more than 950 referrals for care during 2005 and made over 10,000 skilled nursing visits to clients in their homes. In recent years, the CHHA has operated in a fiscally responsible manner, while providing high-quality care to homebound patients in Wyoming County.

IPRO is the New York State Medicare Quality Improvement Organization, working with nearly 200 home care agencies, hospitals and other health care providers throughout the State. At the 2006 Annual Membership Meeting held on Tuesday, June 6th, the Wyoming County Health Department Certified Home Health Agency was awarded the 2006 IPRO Quality Award "In Recognition of Excellence in Care and Service" to home care clients in Wyoming County.

I would like to recognize the outstanding commitment of the staff of the Certified Home Health Agency individually:

*Cheryl Anderson
Ronalda Bliss
Cheryl Glaus
Darla Luce
Jessica Olin
Robin Prajakalo
Donna Schultz
Judy Todd*

*Donna Bartlett
Elizabeth Fusani
Kimberly Goff
Mary Anne Miannay
Avis Pelka
April Salamone
Karen Six*

I would like to ask Dr. Collins, Commissioner of Health and Lori Roche, Director of Nursing to accept this Certificate of Appreciation for the CHHA on behalf of the Wyoming County Board of Supervisors.

Supervisor Knab, T/Sheldon, and Supervisor Rogers, T/Pike were asked to join the above individuals for the presentation of the Certificate of Appreciation. These Supervisors were Chairman to the Public Health Committee during the department's restructuring.

Communications:

Pike Bicentennial Celebration, July 14, 15 and 16

#1

**RESOLUTION NO. 06-187
(June 13, 2006)**

By Mr. Davis, Chairman of Finance Committee:

FUNDS TRANSFERRED TO VARIOUS 2006 ACCOUNTS

BE IT RESOLVED, That funds are hereby transferred to the various 2006 accounts as follows:

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| Emergency Services | | | Dept. Totals: |
|---|-------------------------|---|----------------------|
| From: 01.37.3640.1.10001. S/D/I Salary To: 01.37.3640.4.40301 Professional Services Reason: To transfer funds for professional services contract with B. Streicher during search for new Director of Fire and Emergency Management | \$11,000.00 | \$11,000.00 | |
| Emergency Services Total | | | \$11,000.00 |
| Public Health | | | |
| From: 01.38.4011.4.40301 Prof Svc Contract 01.38.4011.4.40304 Temp Employmt To: 01.38.4011.1.10101 CSEA Pay (Sched G) 01.38.4011.8.80001 Workman's Comp 01.38.4011.8.81001 Retirement (11.5%) 01.38.4011.8.82001 Disability 01.38.4011.8.83001 FICA 01.38.4011.8.85001 Medicare – FICA (1.45%) 01.38.4011.8.89001 Medical / Hospital REASON: To move funds to Salary & Fringe expense for the clerical position created on Schedule G (previously contractual through Adecco) | \$1,524.91 19,219.08 | \$15,031.80 500.00 1,728.66 156.00 931.97 217.96 2,177.60 | |
| Public Health Total | | | \$20,743.99 |

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#2

**RESOLUTION NO. 06-188
(June 13, 2006)**

By Mr. Davis, Chairman of Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2006 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2006 accounts as follows:

| Highway | | | Dept. Totals: |
|--|-------------------------|-------------|----------------------|
| To: 04.53.5110.4.41904 Bituminous Products w/ 04.11.5110.3501 Consolidated Highway Aid increased by same Reason: To allocate funds for CHIPS increased funding for 2006. | \$95,681.03 | \$95,681.03 | |
| Highway Total | | | \$95,681.03 |
| Social Services | | | |
| Re-Appropriate: To: 01.39.6010.2.20201 (Computer Equipment) 01.39.6010.4.42254 (Enhanced Child Care BG) w/01.12.6010.4610 increased by Reason: Roll over unexpended funds from 05 – 06 needs to be spent by the end of June 2006. | \$19,593.00 1,995.00 | \$21,588.00 | |
| Social Services Total | | | \$21,588.00 |
| Sheriff | | | |
| To: 01.37.3110.4.40301 Professional Services w/01.12.3110.438903 Homeland Security Law Enforcement increased by same. Reason: To cover the balance of the cost for the consultant hired for the Wyoming County Communications System | \$5,000.00 | \$5,000.00 | |
| Sheriff Total | | | \$5,000.00 |

| | | | |
|---|-------------------------------|--------------|---------------------|
| Emergency Services | | | |
| To: 01.37.3020.2.20501 Law/Safety Equip 01.37.3020.4.40301 Professional Services w/01.11.3020.3089 Other State 911 Aid increased by Reason: Appropriate the necessary amounts to spend out the E-911 Deployment Grant. The 10% matching funds have already been budgeted in department 1681 for the GIS mapping project. | \$40,664.13 40,933.59 | \$81,597.72 | |
| Emergency Services Total | | | \$81,597.72 |
| Fire and Building Codes | | | |
| To: 01.37.3620.1.10202 Temp / Part time salary 01.37.3620.8.83001 FICA 01.37.3620.8.85001 Medicare (FICA) <i>From any funds available</i> Reason: Appropriate salary and related fringe benefits for a temporary code enforcement inspector position (13 weeks). | \$3,120.00 194.00 46.00 | \$3,360.00 | |
| Fire and Building Codes Total | | | \$3,360.00 |
| Planning & Development | | | |
| To: 01.42.6421.4.42477 Small Cities Grant W/01.12.6421.408916 Small Cities Federal Grant Revenues increased by same. Reason: To facilitate "pass-through" Small Cities Grant Fund to IDA for McCormick Farms Project. | \$390,000.00 | \$390,000.00 | |
| Planning and Development Total | | | \$390,000.00 |

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

Mr. Bush, T/Gainesville, Chairman of the Audit Committee, presented bills totaling **\$1,193,649.69** for the month of **May 2006**.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#3

RESOLUTION NO. 06-189 (June 13, 2006)

By Mr. Patti, Chairman of Public Works Committee:

FEE SCHEDULE AMENDED IN HIGHWAY DEPARTMENT

BE IT RESOLVED, That the current Highway Department Fee Schedule created via Resolution Number 06-135, on April 11, 2006 is hereby revised to include all fees:

- Work Permits - \$25.00 effective 6/1/02
- Divisible Load Permits - \$25.00 effective 2/24/06

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- Driveway Permits - \$25.00 effective 3/31/06

effective immediately.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#4

**RESOLUTION NO. 06-190
(June 13, 2006)**

By Mr. Rogers, Chairman of Human Services Committee:

RESCIND RESOLUTION NUMBER 05-339

WHEREAS, Resolution Number 05-339 provides for the creation of one position of Child Support Unit Supervisor (1.00 FTE) in the Department of Social Services and amends Salary Schedule “S;” now therefore

BE IT RESOLVED, That this Board of Supervisors hereby rescinds Resolution Number 05-339 effective May 09, 2006; and be

FURTHER RESOLVED, That Salary Schedule “S” is hereby amended by removing the title of Child Support Unit Supervisor effective May 09, 2006.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#5

**RESOLUTION NO. 06-191
(June 13, 2006)**

By Mr. Rogers, Chairman of Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
WITH WYOMING COUNTY COMMUNITY ACTION ON
BEHALF OF THE OFFICE FOR THE AGING**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Wyoming County Community Action for Title V services. This is a contract renewal effective July 1, 2006 until June 30, 2007. Amount not to exceed NGA and there is no cost to county.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#6

**RESOLUTION NO. 06-192
(June 13, 2006)**

By Mrs. Totline, Chairman of Public Health Committee:

RESOLUTION NUMBER 05-350 AMENDED

WHEREAS, Resolution number 05-350 provides for various 2006 Mental Health Department contracts; and

WHEREAS, Item (3) (G) provides for the Care Coordination Project in the amount of five thousand two hundred twenty – seven dollars (\$5,227.00) with ARA, Inc.; and

WHEREAS, Item (10) provides for an individual and supplies/expenses for the CCP Advisory Group with CCSI of Rochester in the amount of twelve thousand five hundred dollars (\$12,500.00); now therefore

BE IT RESOLVED, That the contract with ARA Inc. and Resolution number 05-350 be hereby amended to reflect an increase to the Care Coordination Project in the amount of four thousand seven hundred seventy – three dollars (\$4,773.00) for a total contact amount of ten thousand dollars (\$10,000.00), contingent upon the availability of funds; and be it

FURTHER RESOLVED, That the contract with CCSI of Rochester and Resolution number 05-350 be further amended to reflect a decrease in the contract amount of one thousand one hundred eighty – two dollars (\$1,182.00) for a total contract amount of eleven thousand three hundred eighteen dollars (\$11,318.00) contingent upon the availability of funds.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

June 13, 2006

**RESOLUTION NO. 06-193
(June 13, 2006)**

By Mrs. Totstline, Chairman of Public Health Committee:

RESOLUTION NUMBER 04-331 AMENDED

WHEREAS, Resolution number 04-331 provides for various 2005 Mental Health Department contracts; and

WHEREAS, Item 6 (A)(1) provides for a Consumer Run Thrift Store in the amount of thirty one thousand three hundred thirty-eight dollars (\$31,338.00), Item 6 (A) (4) provides for MICA & Social Club in the amount of ninety thousand four hundred fifty – four dollars (\$90,454.00) with Mental Health Association of Rochester/Monroe County; now therefore

BE IT RESOLVED, That Resolution number 04-331 and the contract with Mental Health Association of Rochester/Monroe County be hereby amended to increase the Consumer Run Thrift Store program by two thousand one hundred thirty – seven dollars (\$2,137.00) to a total amount of thirty-three thousand four hundred seventy-five dollars (\$33,475.00), and the MICA & Social Club program by eight hundred sixty – five dollars (\$865.00) to a total amount of ninety one thousand three hundred nineteen dollars (\$91,319.00). Said contract with Mental Health Association of Rochester/Monroe County increased by three thousand two dollars (\$3,002.00); all state aid – No county levy.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#8

**RESOLUTION NO. 06-194
(June 13, 2006)**

By Mrs. Meeder, Chairman of Human Resources Committee:

**SANDRA DOMNISSEY REAPPOINTED AS CIVIL
SERVICE COMMISSIONER**

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BE IT RESOLVED, That Sandra Domnissey, 3085 Merchant Road, Warsaw, NY 14569 is hereby reappointed to a six (6) year term as Civil Service Commissioner; effective June 01, 2006 through May 31, 2012.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#9

**RESOLUTION NO. 06-195
(June 13, 2006)**

By Mr. Kushner, Chairman of Public Safety Committee:

RESOLUTION NUMBER 06-52 AMENDED

WHEREAS, Resolution number 06-52 extends the contract with Robert Jae, 2227 Route 20A, Varysburg, NY 14167 for the provision of consulting services regarding the improvement of public safety response through more effective and efficient interoperable wireless communications in the original amount of ten thousand dollars (\$10,000.00), now therefore

BE IT RESOLVED, That Resolution number 06-52 and the contract with Robert Jae be amended to reflect an increase in the original contract of five thousand dollars (\$5,000.00) for a total contract amount not to exceed fifteen thousand dollars (\$15,000.00) and to extend the end date to the end of the grant period of March 31, 2007 or when the money is gone, which ever is first.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#10

**RESOLUTION NO. 06-196
(June 13, 2006)**

By Mr. Kushner, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
WITH THE STATE OF NEW YORK GOVERNOR'S
TRAFFIC SAFETY COMMITTEE ON BEHALF OF THE
SHERIFF'S DEPARTMENT**

BE IT RESOLVED, That the Chairman of this Board with the

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approval of the County Attorney is hereby authorized and directed to sign a contract with the State of New York; Governor's Traffic Safety Committee, 6 Empire State Plaza, Albany, NY 12228 for the provision of the Selective Traffic Enforcement Program (STEP) PT-6100131/ Traffic Law Enforcement project targeting speeding and aggressive driving behaviors in an amount no less than two thousand five hundred dollars (\$2,500.00); effective June 01, 2006 – September 30, 2006.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#11

**RESOLUTION NO. 06-197
(June 13, 2006)**

By Mr. Kushner, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
WITH EXCEL FENCE ON BEHALF OF THE SHERIFF'S
DEPARTMENT**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Excel Fence, Inc., 433 Geise Road, Darien Center, NY 14040 for the provision of fencing around the Perry Water Tank for County owned radio equipment. The purchase of this fence will permanently eliminate the \$300/yr. maintenance and utilities fee currently paid by the County of Wyoming to the Village of Perry and any future increases for the remainder of the radio equipment located at that site. The amount of the above mentioned fence is in the amount of four thousand eight hundred thirty-two dollars and thirty - four cents (\$4,832.34).

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#12

**RESOLUTION NO. 06-198
(June 13, 2006)**

By Mr. Kushner, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
WITH GEORGE A. KEENE, INC. ON BEHALF OF THE
WYOMING COUNTY JAIL**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with George A. Keene, Inc., 1101 Niagara Falls Blvd., Amherst, NY 14226 on behalf of the County Jail. Said contract is for the provision of repairs and maintenance to locks and misc. equipment in the amount of five thousand dollars (\$5,000.00); effective July 01, 2006 to June 30, 2007 and is contingent upon the availability of funds.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#13

**RESOLUTION NO. 06-199
(June 13, 2006)**

By Mr. Kushner, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A PROFESSIONAL
SERVICES CONTRACT WITH WILLIAM STREICHER ON
BEHALF OF EMERGENCY SERVICES**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a Professional Services contract with William Streicher, 486 Sanders Hill Road, Strykersville, NY 14145 to provide Director of Fire and Emergency Management services until a permanent appointment to the position of Director of Fire and Emergency Management can be made; and be it

FURTHER RESOLVED, That this contract is to be in the amount of \$25/hr. for an estimated 28 hours per week. This contract is to include mileage reimbursement when appropriate. Mr. Streicher will provide a Monthly Activity Report to the Public Safety Committee as part of this agreement.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#14

RESOLUTION NO. 06-200

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(June 13, 2006)

By Mr. Kushner, Chairman of Public Safety Committee:

**FEE SCHEDULE AMENDED IN FIRE AND BUILDING
CODES**

BE IT RESOLVED, That the current Building Permits fee schedule, effective April 1, 2002 is hereby revised and noted as Building Permits Fee Schedule, June 01, 2006; effective immediately.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

Supervisor Kushner introduced William Streicher as the interim Director of Fire and Emergency Management. Mr. Streicher has agreed to be in the office 20 hours per week.

#15

RESOLUTION NO. 06-201
(June 13, 2006)

By Mr. Gozelski, Chairman of Agriculture Committee:

JUNE 2006 PROCLAIMED DAIRY MONTH

WHEREAS, June is the month when nature bestows upon us her most nearly perfect weather, and

WHEREAS, Milk is nature's most nearly perfect food, it follows that June is the most fitting month to celebrate Dairy Month. June is the start of summer, when everyone appreciates the ease and convenience of the whole gamut of good dairy foods, and

WHEREAS, June is the time to enjoy to the fullest all the milk products whose vitamins, calcium and minerals contribute so much to health and vitality all year long, and

WHEREAS, We hereby dedicate this month of June to the idea of eating dairy foods, every day, and

WHEREAS, We also set aside the month of June to pay tribute to the nation's vast dairy industry -- one-sixth of the nation's farm economy -- whose daily work and dedication contribute so much to the nation's health and prosperity every day of the year, and

WHEREAS, We propose a salute to MILK, the beverage that has helped our children grow taller, our young adults become more vigorous and our senior citizens to enjoy the longest, most productive lives in the history of the world; now therefore

BE IT RESOLVED, That this Wyoming County Board of Supervisors, does hereby proclaim ***June 2006*** to be:

National Dairy Month in Wyoming County

and encourages all our citizens to enjoy milk and other dairy foods, urges civic and business organizations to cooperate in this observance in public and in private in order that we may enjoy improved health and increased prosperity.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

Chairman Berwanger introduce this year's Wyoming County Dairy Princess, Eileen Albro. She is a 2004 graduate of Letchworth High School where she was an active member of FFA. Eileen is the daughter of Dan and Nancy Albro from Pike. Her parents have been in the dairy business for approximately 35 years. They maintain 850 acres and milk 175 Holsteins while raising 150 young stock.

Eileen graduated from Genesee Community College in May 2006 with an Occupational Therapy Assistant degree. She is currently seeking a position in this field and has recently become a member of the Pike Fire Department.

Ms. Albro was presented with the resolution and gave a brief description of this year's activities so far. She hopes to compete for the State Dairy Princess after her Wyoming County rein is completed.

#16

**RESOLUTION NO. 06-202
(June 13, 2006)**

By Mr. Fleischman, Chairman of Planning Committee:

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SET PUBLIC HEARING – INTRODUCTORY LOCAL
LAW NO. A, YEAR 2006

NOTICE IS HEREBY GIVEN, that there has been duly introduced before this Board of Supervisors of the County of Wyoming, New York, on the 13th day of June, 2006 a proposed local law of the county, designated as Local Law Introductory No. A, for the year 2006, entitled, ***A LOCAL LAW AMENDING LOCAL LAW NO. 1 OF THE YEAR 2005 ENTITLED, “A LOCAL LAW TO AUTHORIZE THE IMPOSITION OF A WYOMING COUNTY HOTEL AND MOTEL ROOM OCCUPANCY TAX” SO AS TO REPLACE SECTION 403 OF LOCAL LAW NO. 1 OF THE YEAR 2005.***

NOTICE IS FURTHER GIVEN of a Public Hearing on the aforesaid Local Law before the said Board of supervisors at the County Government Center, in the Village of Warsaw, NY on the 11th day of July 2006, at 3:00 PM.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#17

RESOLUTION NO. 06-203
(June 13, 2006)

By Mrs. Meeder, Chairman of Human Resources Committee and Mr. Davis, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN LETTER OF
UNDERSTANDING WITH HARTFORD INSURANCE ON
BEHALF OF WYOMING COUNTY INSURANCE OFFICE**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a Letter of Understanding with Hartford Insurance Company, 200 Hopmeadow Street, Simsbury, CT 06089 on behalf of the County Insurance Office. This Letter of Understanding is for the provision of New York State Statutory Disability Insurance Benefits for the CSEA Bargaining Unit employees at a rate of fourteen dollars fifty cents (\$14.50) per employee per month; effective July 1, 2006 through December 31, 2007.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

**RESOLUTION NO. 06-204
(June 13, 2006)**

By Mr. Davis, Chairman of the Finance Committee:

SALARY SCHEDULE “D,” “F,” AND “S” AMENDED

BE IT RESOLVED, That the Wyoming County Salary Plan which became effective on January 01, 1967, as amended be amended as follows:

SALARY SCHEDULE “D”:

- Set the salary of the Superintendent of Buildings & Grounds to be increased by \$1,034.00
- Set the salary of the Director of Weights and Measures to be increased by \$765.00
- Set the salary of the Animal Control Officer to be increased \$644.00
- Set the salary of the Directory of Information Technology to be increased by \$1,090.00
- Set the salary of the Human Resource Director at zero (0); and
- Set the salary of the Probation Director 1 to be increased by \$1,020.00
- Set the salary of the Worker’s Compensation Program Administrator to be increased by \$2,500.00.

Above salaries are effective January 01, 2006 and are not subject to local law or permissive referendum.

SALARY SCHEDULE “F”:

- Set the salary of the Meal Site Manager and the Meal Site Manager – Substitute to reflect a 2% wage increase effective January 01, 2006.

SALARY SCHEDULE “S”:

- Set the salary of all titles currently on Salary Schedule “S” to reflect a 2% wage increase effective January 01, 2006, excluding the title of Deputy County Highway Superintendent (This title is subject to a local law and permissive referendum).
- Set the salary of the Information Technology Assistant to \$30,000.00 annually effective immediately.

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- Include the title Building Inspector / Temporary (06/01/06 – 08/31/06) (created as per resolution number 06-183 on May 09, 2006) and set the salary at \$ 12.00 per hour.

Carried: XXX Ayes: 1491 Noes: Absent: Abstain: 127 (Bennington)

#19

**RESOLUTION NO. 06-205
(June 13, 2006)**

By Mr. Davis, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
EXTENSION WITH GROVER & BATES ASSOCIATES ON
BEHALF OF REAL PROPERTY TAX SERVICE**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign an extension of the Tax Mapping Agreement with Grover & Bates Associates, Perry, NY through September 30, 2006 in an amount not to exceed fifteen thousand dollars (\$15,000.00). This will provide detailed documentation & identify F/M edits (geodatabase updates) during the transition to final digital Tax Map conversion being preformed by Weiler Mapping. Same rates as 2005. Period January 1, 2006 to September 30, 2006.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#20

**RESOLUTION NO. 06-206
(June 13, 2006)**

By Mr. Davis, Chairman of Finance Committee:

**SET PUBLIC HEARING – INTRODUCTORY LOCAL LAW
NO. B YEAR 2006**

WHEREAS, There has been duly presented and introduced at a meeting of this Board of Supervisors of Wyoming County on this 13th day of June, 2006, a proposed local law entitled, **“Local Law Introductory No. B Year 2006, “A LOCAL LAW PROVIDING SALARIES FOR CERTAIN COUNTY OFFICERS FOR THE YEAR 2006,”** and

WHEREAS, Subdivision 5, Section 20 of the Municipal Home Rule Law requires a public hearing to be held on such local law; now therefore

BE IT RESOLVED, That a Public Hearing should be had on the said proposed Local Law by this Wyoming County Board of Supervisors on the 11th day of July, 2006 at 3:00 PM at the Wyoming County Government Center, Warsaw, New York.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#21

**RESOLUTION NO. 06-207
(June 13, 2006)**

By Mr. Davis, Chairman of Finance Committee:

**DIXIE PERKINS APPOINTED AS THE
WORKERS' COMPENSATION PROGRAM
ADMINISTRATOR**

BE IT RESOLVED, That Dixie Perkins, 101 West Court Street, Warsaw NY 14569 is hereby appointed as the Workers' Compensation Program Administrator; effective immediately.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#22

**RESOLUTION NO. 06-208
(June 13, 2006)**

By Mr. Davis, Chairman of Finance Committee:

SEMI-ANNUAL REVENUE SHARING FOR THE TOWNS

BE IT RESOLVED, That the Chairman of the Finance Committee, presented the Semi-Annual Revenue Sharing Report for the period of October 1, 2005 through March 31, 2006 and moved that the Clerk draw warrants on the County Treasurer for the various amounts therein.

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To: Cheryl D. Mayer, County Treasurer of Wyoming County, NY

You are hereby authorized and directed to distribute the Semi-Annual Revenue Sharing amounts totaling \$34,178.05 (Thirty four thousand one hundred seventy-eight dollars and five cents) to the sixteen towns of Wyoming County, in accordance with the report filed with the Clerk of the Board of Supervisors, as follows:

| TOWNS | REVENUE SHARING DISTRIBUTED |
|----------------------|--|
| Arcade | \$7,715.07 |
| Attica | \$2,796.00 |
| Bennington | \$3,918.36 |
| Castile | \$2,746.73 |
| Covington | \$719.40 |
| Eagle | \$697.78 |
| Gainesville | \$1,114.58 |
| Genesee Falls | \$372.24 |
| Java | \$1,563.23 |
| Middlebury | \$1,213.38 |
| Orangeville | \$1,220.63 |
| Perry | \$2,097.28 |
| Pike | \$853.16 |
| Sheldon | \$2,491.97 |
| Warsaw | \$3,885.84 |
| Wethersfield | \$772.40 |
| Grand Totals: | \$34,178.05 |

Let this be your Warrant for Such Payment: **\$34,178.05** (Thirty four thousand one hundred seventy-eight dollars and five cents) IN WITNESS WHEREOF, I have hereunto set my hand and seal of the Board of Supervisors this 13th day of June, 2006.

s/ Cheryl J. Ketchum, Clerk
Board of Supervisors

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

**RESOLUTION NO. 06-209
(June 13, 2006)**

By Mr. Davis, Chairman of Finance Committee:

**ONE POSITION OF SUPPORT INVESTIGATOR
CREATED IN THE DEPARTMENT OF SOCIAL SERVICES**

BE IT RESOLVED, That one position of Support Investigator (1.00 FTE) be created in the Department of Social Services, and be placed on CSEA Schedule A, Pay grade 10 (\$25,839 - \$29,283) effective June 12, 2006.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#24

**RESOLUTION NO. 06-210
(June 13, 2006)**

By Mr. Davis, Chairman of Finance Committee:

SALARY SCHEDULE “G” AMENDED

BE IT RESOLVED, That the Wyoming County Salary Schedule “G” which became effective on January 01, 1967, as amended be amended as follows:

Set and authorize payment of stipend salaries listed on *Salary Schedule “G”* for:

- First Assistant District Attorney (\$5,000)
- Second Assistant District Attorney (\$3,000)
- Secretary to the DA/Stop DWI Program (\$2,000)

To be paid from the Aid to Prosecution Grant budget for the period April 01, 2006 through March 31, 2007 contingent upon the availability of funding and Board approval annually.

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Salary Schedule "G" to revert back to zero after payment of June 30, 2006 payroll.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#25

**RESOLUTION NO. 06-211
(June 13, 2006)**

By Mr. Davis, Chairman of Finance Committee:

**ONE POSITION OF PROBATION OFFICER TRAINEE
(1.00 FTE) - TEMPORARY CREATED IN PROBATION**

BE IT RESOLVED, That one position of Probation Officer Trainee (1.00 FTE) Temporary be created in the Probation Department to assist during the medical leave of a current employee, salary to be set at \$27,593.00/annually, effective immediately.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

Chairman Berwanger introduced Ms. Perkins as the newly appointed Worker's Compensation Program Administrator.

2/3 Majority

#26

**RESOLUTION NO. 06-212
(June 13, 2006)**

By Mr. Davis, Chairman of Finance Committee:

**BOND RESOLUTION OF THE COUNTY OF WYOMING,
NEW YORK, DATED JUNE 13, 2006, FOR THE ISSUANCE
AND SALE OF BONDS OF THE COUNTY OF WYOMING,
NEW YORK, IN THE AMOUNT OF \$300,000.00 FOR THE
ACQUISITION OF HIGHWAY DEPARTMENT
EQUIPMENT FOR COUNTY PURPOSES.**

RESOLVED BY THE BOARD OF SUPERVISORS

OF THE COUNTY OF WYOMING, NEW YORK (by the favorable vote of not less than two-thirds of the voting strength of said Board) **AS FOLLOWS:**

Section 1. The County of Wyoming, New York is hereby authorized to acquire by purchase the following equipment for the Wyoming County Highway Department.

| | | Estimated Maximum Cost |
|--|--|------------------------|
| Item | | |
| Equipment: | | |
| 70,000 lb. Range Excavator | | \$230,000.00 |
| Excavator Ditching Machine | | 70,000.00 |
| (partial payment of \$213,000.00 purchase price) | | |

The estimated maximum cost of the acquisition of such equipment is the sum of \$300,000.00 and said amount is hereby appropriated therefore. The plan of financing involves the issuance of \$300,000.00 in serial bonds of the County of Wyoming to finance the appropriation, and the levy and collection of taxes upon all the taxable real property in the County in an amount sufficient to pay the principal of and interest of said bonds.

Section 2. Serial bonds of said County of Wyoming in the principal amount of \$300,000.00 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law of the State of New York, to finance the said appropriation.

Section 3. The following additional matters are hereby determined and declared:

a. In accordance with Section 11 of the Local Finance Law, the period of probable usefulness for which said bonds are to be issued, is hereinabove set forth in Section 1 for each item or items to be acquired, such period of probable usefulness being the period of five (5) years. Also, set forth for each item is the maximum estimated cost of each item or items.

b. No current funds need be provided because the period of probable usefulness for each item does not exceed five (5) years.

Section 4. Each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of such bonds shall contain the recital of validity prescribed by Section 52.00 of said Local Finance Law, and said serial bonds and any notes issued in anticipation of said bonds shall be general obligations of the County payable as to both principal and interest by general tax upon all the taxable real property within the County

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without limitation of rate or amount. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and provision shall be made annually in the budget of the County by appropriation for (a) the amortization and redemption of the bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and pursuant to Section 30.00 of the Local Finance Law relative to the authorization of the issuance of bond anticipation notes and of Section 50.00 and Section 56.00 to Section 60.00 of said law, the powers and duties of the Board of Supervisors relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the serial bonds authorized by this resolution and of any notes authorized and issued in anticipation of the sale of said bonds, and the renewals thereof, are hereby delegated to the County Treasurer, as the Chief Fiscal Officer of the County.

Section 6. The validity of the bonds authorized by this resolution and of any notes issued in anticipation of the sale of said bonds may be contested only if: (a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or (b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. The specific object or purpose of the purchase herein authorized is to provide equipment for use at Wyoming County Highway Department.

Section 8. This resolution shall take effect immediately.

Carried: XXX Ayes: 1687 Noes: Absent: Abstain:

There being no further business to come before this board with a rap on his desk Supervisor Bush adjourned the meeting at 3:55 PM

Respectfully submitted,

Cheryl J. Ketchum

Clerk to the Board of Supervisors

SPECIAL SESSION

(June 16, 2006)

Friday

2:15 PM

The Special Session of the Wyoming County Board of Supervisors was held at the Wyoming County Government Center in the Board of Supervisors' Chambers located at 143 North Main Street, Warsaw, New York with all Supervisors present excluding Supervisor Gozelski T/Castile, Supervisor Brick T/Perry, Supervisor Rogers T/Pike, and Supervisor Copeland, T/Wethersfield. Also present were Clerk to the Board of Supervisors, Cheryl Ketchum and Assemblyman Burling's District Representative Scott Gardner.

At 2:15 PM Chairman Berwanger, T/Arcade, called the meeting to order.

Mr. Gardner lead the Board in the Pledge of Allegiance

Clerk Ketchum as well as Mr. Gardner offered a brief explanation of this legislation.

County Clerk, Janet Coveny asked if this in anyway would inhibit her ability to continue to collect this tax to which she was told that it would not.

There being no further discussion the Clerk read the resolution in its entirety.

#1

RESOLUTION NO. 06-213

(June 16, 2006)

By Mr. Berwanger, Chairman of Board of Supervisors:

**HOME RULE REQUEST PURSUANT TO ARTICLE IX OF
THE NEW YORK STATE CONSTITUTION RELATING TO
THE WYOMING COUNTY RECORDING TAX ON
OBLIGATIONS SECURED BY MORTGAGES ON REAL
PROPERTY.**

WHEREAS, the Wyoming County Board of Supervisors are convened in Special Session properly noticed to each member of the Board of Supervisors and to the general public to consider a Home Rule Request pursuant to Article

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IX of the Constitution of the State of New York as set forth in this resolution; and

WHEREAS, pursuant to Article IX of the Constitution of the State of New York, it is necessary for this legislature to enact a Home Rule Request for the passage of said certain legislation; and

WHEREAS, on November 8, 2005, Wyoming County adopted Local Law #5, of the year 2005, entitled, **“A LOCAL LAW IMPOSING A COUNTY RECORDING TAX ON OBLIGATIONS SECURED BY A MORTGAGE ON REAL PROPERTY;”** and

WHEREAS, Assembly Bill A9289B and Senate Bill S6334B have been introduced into the New York State Assembly and Senate, respectively to amend the tax law in relation to authorizing the County of Wyoming to impose an additional mortgage tax, now, therefore

BE IT RESOLVED, that the Wyoming County Board of Supervisors hereby approves Assembly Bill A9289B and Senate Bill S6334B and requests the adoption and passage of Assembly Bill A9289B and Senate Bill S6334B entitled:

***“AN ACT TO AMEND THE TAX LAW, IN
RELATION TO MAKING TECHNICAL
CORRECTIONS THERETO; AND TO
AMEND CHAPTER 185 OF THE LAWS OF
2005, AMENDING THE TAX LAW
RELATING TO AUTHORIZING THE
COUNTY OF WYOMING TO IMPOSE A
COUNTY RECORDING TAX ON
OBLIGATIONS SECURED BY A
MORTGAGE ON REAL PROPERTY, IN
RELATION TO PROVIDING AN
EXPIRATION THEREOF; AND TO
REPEAL CERTAIN PROVISIONS OF THE
TAX LAW RELATING THERETO,”***

and hereby declares that a necessity exists for the passage of such bills in that the local legislative body of the County of Wyoming does not have the power to enact such legislation by local law, and

BE IT FURTHER RESOLVED, that this Home Rule Request be submitted to the Assembly and Senate of the New York State Legislature as

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evidence that the Wyoming County Board of Supervisors has found the legislation necessary and has requested its enactment.

**Carried: XXX Ayes: 1196 Noes: Absent:127 Castile Abstain:214 Perry
46 Pike
35 Wethersfield**

There being no further business to come before this board with a rap on his desk
Supervisor Bush adjourned the meeting at 2:30 PM

Respectfully submitted,

Cheryl J. Ketchum

Clerk to the Board of Supervisors

June 16, 2006

REGULAR SESSION (July 11, 2006)

Tuesday**3:00 PM**

The regular Session of the Wyoming County Board of Supervisors was held at the Wyoming County Government Center in the Board of Supervisors' Chambers located at 143 North Main Street, Warsaw, New York with all Supervisors present. Also present were County Attorney, Eric T. Dadd; Budget Officer, Paula Parker; Clerk to the Board of Supervisors, Cheryl Ketchum and Deputy Clerk to the Board, Brenda Ferrell.

At 3:33 PM Chairman Berwanger, T/Arcade, called the meeting to order.

The Veteran leading the Pledge of Allegiance for July is:

The Veteran leading the Pledge of Allegiance on July 11th is:

Mr. Calvin Scott DeGolyer Jr.

Mr. DeGolyer's service to his country comes while serving in the United States Navy. Mr. DeGolyer was attending Cornell University when he felt the call to serve his country. Mr. DeGolyer joined the United States Navy in July of 1943 and went to Mid-Shipman's School at Columbia. While attending this Officers' Candidate School, Mr. DeGolyer completed his Bachelor's Degree in Agriculture. Mr. DeGolyer was commissioned as a 1st Lt. and helped commission the newly built LST 708 (Tank Landing Ship). This vessel was used to carry and deliver tanks and other large equipment overseas to various battles and conflicts. Mr. DeGolyer served two years as the 3rd Officer on the LST 708 and logged over 70 thousand miles at sea and participated in the Philippine Liberation and occupation at Okinawa. Mr. DeGolyer was honorably discharged from the United States Navy on May 15, 1946.

For his service to his country, Mr. DeGolyer was award:

**THE WORLD WAR II VICTORY RIBBON
THE AMERICAN THEATER RIBBON
THE ASSIATIC PACIFIC THEATER MEDAL WITH 1
STAR
THE PHILIPPINE LIBERATION MEDAL**

Mr. DeGolyer returned to this area following the war, worked on, and help run the family farm with his brother and father. The DeGolyer farm started with 115 acres of farmland, 25 cows, and 17 acres of apples. This farm now called

July 11, 2006

“Table Rock Farm” is one of the largest and prominent farms of New York State, milking over 1,000 cows, and working over 1,000 acres of land.

Mr. DeGolyer retired from farming in the mid 1990’s and has enjoyed: hiking, fishing, downhill skiing, and writing about local history, some of which have been published in the “**HISTORICAL WYOMING**”. Mr. DeGolyer’s service to his community includes:

Active member of the Castile Historical Society

Active member of the Castile Baptist Church

A 60 year member Wallace-Jeffers Post 753 of the American Legion

Past member of Wyoming County Farm Bureau

Mr. DeGolyer has been married to his wife of 59 years, Edith, and they live in the Town of Castile.

The pledge was said by all.

A certificate of appreciation was presented to Mr. DeGolyer in honor of service to his country and also to commemorate his appearance here today.

Mr. DeGolyer thanked that Board for the certificate.

The Department of Social Services proudly recognizes outstanding employees within the department. The employees are invited and encouraged to learn more about governmental proceedings and the inter-relationship between the Department of Social Services and the Board of Supervisors.

Each month, Commissioner Schmitt, brings an employee of the month to the Human Services Committee meeting to see first hand how Departmental requests are processed by the Board.

The employee of the month for July 2006 is Amanda Gorny. Amanda is an Account Clerk and has been with the department since 2003. Amanda was nominated because of her professional and cheerful presence. Even during times of additional duties and stress, Amanda maintains a strong and positive customer service attitude.

We would like to thank Amanda for her years of service to the community and to the County of Wyoming.

Please join me in recognizing Amanda Gorny.

Communications:

Regular Session

Proceedings of the Board of Supervisors**C1:** Letter from Wyoming County Magistrates Assoc.**Open Public Hearings:**

1. Local Law A (1) of 2006, entitled, “A Local Law Amending Local Law No. 1 of the Year 2005, Entitled, “A Local Law to Authorize the Imposition of a Wyoming County Hotel and Motel Room Occupancy Tax” so as to Replace Section 403 of Local Law No. 1 of the Year 2005.”

2. Local Law B of 2006, entitled, “A Local Law of the County of Wyoming, Establishing the Salaries of Certain County Officers.”

Finance Chairman Davis withdrew Local Law B of the Year 2006 due to an amendment and will represent the local Law at the August 15th Board meeting after proper notice has been given to the public.

#1

RESOLUTION NO. 06-214
(July 11, 2006)

By Mr. Davis, Chairman of Finance Committee:

FUNDS TRANSFERRED TO VARIOUS 2006 ACCOUNTS

BE IT RESOLVED, That funds are hereby transferred to the various 2006 accounts as follows:

| Wyoming County General Fund | | | Dept. Totals: |
|---|---|---|----------------------|
| From: 01.52.9950.9.99008 Transfer – WCCH To: 01.40.6102.4.42250 MMIS/IGT – DSH Pmt Reason: To correct and move expense for IGT/DSH local share as per new NYS legislation. | \$30.00 | \$30.00 | |
| Wyoming County General Fund Total | | | \$30.00 |
| Public Health | | | |
| From: 01.38.4013.1.10101 FT CSEA Salaries 01.38.4013.4.40406 Employee Mileage To: 01.38.4013.2.20201 Computer Equipment Reason: To transfer money to purchase two (2) laptop computers. | \$2,500.00 1,056.00 | \$3,556.00 | |
| From: 01.38.4035.1.10201 PT CSEA Salaries 01.38.4035.4.41706 Medical Supplies To: 01.38.4035.2.20001 Furniture 01.38.4035.2.20401 Misc Office Equipmt Reason: To transfer money to purchase a projector with FP NYSDOH TANF funds and purchase a replacement reception desk for FP. | \$714.00 <u>1,454.03</u> \$2,168.03 | \$714.00 <u>1,454.03</u> \$2,168.03 | |
| Public Health Total | | | \$5,724.03 |
| Human Resource | | | |
| From: 01.34.1430.1.10001 Salaries To: 01.34.1430.4.40301 Professional Services same amount Reason: To cover cost of contract for professional service (A. Humphrey) | \$2,471.00 | \$2,471.00 | |
| Human Resource Total | | | \$2,471.00 |

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Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#2

**RESOLUTION NO. 06-215
(July 11, 2006)**

By Mr. Davis, Chairman of Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2006 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2006 accounts as follows:

| Buildings and Grounds | | | Dept. Totals: |
|---|-------------|-------------|----------------------|
| To: 01.34.1620.4.40301 Professional Services <i>from any funds available</i> Reason: for the soil samples for proposed records storage building on NYS Rt 19 and Buffalo Road. Testing to be done by Earth Dimensions, Inc. in an amount not to exceed \$4052.00. | \$4,052.00 | \$4,052.00 | |
| Buildings & Grounds Total | | | \$4,052.00 |
| District Attorney (DA Seized Assets) | | | |
| To: 01.32.1163.4.42306 Other w/01.07.1163.2626 increased by same REASON: appropriate seized assets to be used for additional activities. | \$270.00 | \$270.00 | |
| District Attorney Total | | | \$270.00 |
| Highway/Machinery Fund | | | |
| To: 03.54.5130.2.23001 Motor Vehicles w/ 03.08.5130.2665 Sale of Equipment increased by same Reason: To allocate funds for sales of equipment not budgeted in 2006. | \$68,838.00 | \$68,838.00 | |
| Highway/Machinery Fund Total | | | \$68,838.00 |
| Early Intervention/Youth Bureau | | | |
| To: 01.38.4059.4.40406 Employee Mileage W/01.08.4059.2665 Sales of Equipment increased by same Reason: Funds needed to cover employee mileage until year end. | \$1,050.00 | \$1,050.00 | |
| Early Intervention/Youth Bureau Total | | | \$1,050.00 |
| Public Health | | | |
| To: 01.38.4010.4.42429 Rabies Treatment <i>from any funds available</i> Reason: To appropriate for Rabies Vaccine & Immune Globulin for rabies treatment for human exposure | \$10,000.00 | \$10,000.00 | |
| To: 01.38.4050.4.40928 Occupational Therapy w/01.04.4050.161003 Private Insurance increased by same Reason: To appropriate for Increased Expenses in the current year . | \$40,000.00 | \$40,000.00 | |
| Public Health Total | | | \$50,000.00 |
| Mental Health | | | |
| To: 01.38.4220.4.42306 Misc. Other Expenses w/01.12.4220.4490 Fed. Rev. Sharing increased by same Reason: OASAS Federal Salary Sharing 2006 allocation | \$1,803.00 | \$1,803.00 | |
| To: 01.38.4324.42306 Misc. Other Expenses \$1,180.00 w/01.03.4324.1289 Other Dept. revenue increased by same Reason: MH Month Donations | \$1,180.00 | \$1,180.00 | |
| Mental Health Total | | | \$2,983.00 |

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| | | | |
|---|-------------|-------------|--------------------|
| CIP/Radio Project | | | |
| To: 15.64.3020.2.20101 Radio Commun. Project w/15.13.3020.5031 Interfund Revenues increased by same Reason: To appropriate funds for the agreed upon fencing for the equipment placed in the Village of Perry per the authorized agreement Resolution #06-197. | \$4,833.00 | \$4,833.00 | |
| CIP/Radio Project Total | | | \$4,833.00 |
| Public Defender | | | |
| To: 01.32.1171.4.40902 Legal Services (paid to Attica Legal Aid) w/01.11.1171.3089 Other State Aid – IPP Program increased by same Reason: To appropriate balance of the Indigent Parolee Program funding for 2006 fiscal year / State program years 06/2005 – 09/2006 (\$379.01) and State Program year 06/2006 – 09/2007 (\$95,000). Revenues in the same amount are also appropriated. Each program will terminate with funds run out. | \$95,379.01 | \$95,379.01 | |
| Public Defender Total | | | \$95,379.01 |

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

Mr. Bush, T/Gainesville, Chairman of the Audit Committee, presented bills totaling **\$2,504,556.78** for the month of **June 2006**.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#3

**RESOLUTION NO. 06-216
(July 11, 2006)**

By Mr. Patti, Chairman of Public Works Committee:

**APPROVAL OF NEW YORK STATE DEPARTMENT OF
TRANSPORTATION DETOUR FOR THE TOWNS OF
WARSAW AND MIDDLEBURY**

WHEREAS, The New York State Department of Transportation proposes to replace highway culvert, C470014, on S. H. 5134/5410 (Warsaw – Pavilion, Parts 3 and 4), near the intersection of Fox Road and Route 19, in the Town of Middlebury, Wyoming County, under P. I. N. 4T38.04; and

WHEREAS, In conformance with Section 42 of the New York State Highway Law, the New York State Department of Transportation proposes to utilize the following roads and streets as detours during the period of construction.

County Road 7 from the intersection of County Road 7 and Route 19 north through the Towns of Warsaw and Middlebury and ending at the

July 11, 2006

intersection of County Road 7 and Route 19 in the Village of Wyoming.

WHEREAS, The New York State Department of Transportation will provide traffic control devices and make improvements or repairs when necessary to the above mentioned road to make them adequate to handle additional detour traffic; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors does hereby authorize the New York State Department of Transportation to utilize the above mentioned roads and streets as detours and maintain traffic on them in accordance with the subsection 619 of its Standard Specifications during the period of necessity; and be it

FURTHER RESOLVED, That Wyoming County will continue to provide routine maintenance on the above mentioned roads and streets, including snow and ice control; and be it

FURTHER RESOLVED, That the Clerk to the Board of Supervisors of this County is hereby directed to transmit four (4) certified copies of this resolution to the New York State Department of Transportation.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

There was a motion by Mr. Rogers, T/Pike, to combine resolutions #4 through #10. A voice vote was taken and all voted aye.

#4

**RESOLUTION NO. 06-217
(July 11, 2006)**

By Mr. Rogers, Chairman of Human Services Committee:

LORETTA BACON APPOINTED TO THE YOUTH BOARD

BE IT RESOLVED, That *Loretta Bacon*, PO Box 264, Pike NY 14130 is hereby appointed to the *Youth Board* to fill the *unexpired three year term* created by the resignation of Lori Duschen; *effective July 11, 2006 to December 31, 2006.*

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

**RESOLUTION NO. 06-218
(July 11, 2006)**

By Mr. Rogers, Chairman of Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN CONTRACT WITH
ADECCO ON BEHALF OF OFFICE FOR THE AGING**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Adecco USA, Inc., located at 230 East Main Street, Arcade, New York, 14009 for the provision of clerical help on behalf of the Office for the Aging; effective through December 31, 2006. Contingent upon the availability of funds.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#6

**RESOLUTION NO. 06-219
(July 11, 2006)**

By Mr. Rogers, Chairman of Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN GRANT
ACCEPTANCE AWARD FOR LONG TERM CARE
INSURANCE EDUCATION AND OUTREACH PROGRAM
ON BEHALF OF OFFICE FOR THE AGING**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a Grant acceptance award in the minimum amount of fifty thousand dollars (\$50,000) 100% State money, no county levy. Said Grant is effective from April 01, 2006 through March 31, 2007 for Long Term Care Insurance Education and Outreach Program (LTCIEOP). This is to provide long term care insurance information and education to the residents of Wyoming County.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

July 11, 2006

**RESOLUTION NO. 06-220
(July 11, 2006)**

By Mr. Rogers, Chairman of Human Services Committee:

**CHAIRMAN / COMMISSIONER AUTHORIZED TO SIGN
CONTRACT EXTENSION WITH RENEE WILMOTH ON
BEHALF OF THE DEPARTMENT OF SOCIAL SERVICES**

BE IT RESOLVED, That the Chairman of this Board and the Commissioner of Social Services with the approval of the County Attorney are hereby authorized and directed to sign a contract extension for one month (effective through July 31, 2006) with Renee Wilmoth, 21 Church St., Leroy NY 14482 on behalf of the Department of Social Services. Said contract is for the provision of Family Resolutions Case Manager and a Family Advocate for Domestic Violence for an additional amount not to exceed a daily rate of one hundred forty - three dollars and thirty - eight cents (\$143.38), not to exceed one thousand four hundred thirty - three dollars and eighty - five cents (\$1,433.85) bi-weekly plus mileage.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#8

**RESOLUTION NO. 06-221
(July 11, 2006)**

By Mr. Rogers, Chairman of Human Services Committee:

**CHAIRMAN / COMMISSIONER AUTHORIZED TO SIGN
MEMORANDUM OF AGREEMENT WITH WYOMING
COUNTY PROBATION FOR PINS DIVERSION PROGRAM
ON BEHALF OF THE DEPARTMENT OF SOCIAL
SERVICES**

BE IT RESOLVED, That the Chairman of this Board and the Commissioner of Social Services with the approval of the County Attorney are
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hereby authorized and directed to sign a Memorandum of Agreement with Wyoming County Probation for the PINS Diversion for the period August 01, 2006 through July 31, 2007 on behalf of the Department of Social Services.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#9

**RESOLUTION NO. 06-222
(July 11, 2006)**

By Mr. Rogers, Chairman of Human Services Committee:

**CHAIRMAN / COMMISSIONER AUTHORIZED TO SIGN
CONTRACT WITH THE LABORATORY CORPORATION
OF AMERICA HOLDINGS ON BEHALF OF THE
DEPARTMENT OF SOCIAL SERVICES**

BE IT RESOLVED, That the Chairman of this Board and the Commissioner of Social Services with the approval of the County Attorney are hereby authorized and directed to sign a Contract with Laboratory Corporation of America Holdings, 1440 York Court Extension, Burlington, NC 27215 on behalf of the Department of Social Services. Said contract is for the provision of DNA Testing not to exceed three thousand five hundred dollars (\$3,500.00) per calendar year; effective July 01, 2006 through June 30, 2009. Contingent upon the availability of funds.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#10

**RESOLUTION NO. 06-223
(July 11, 2006)**

By Mr. Rogers, Chairman of Human Services Committee:

**CHAIRMAN / COMMISSIONER AUTHORIZED TO SIGN
MEMORANDUM OF AGREEMENT WITH CORNELL
COOPERATIVE EXTENSION ON BEHALF OF THE
DEPARTMENT OF SOCIAL SERVICES**

July 11, 2006

BE IT RESOLVED, That the Chairman of this Board and the Commissioner of Social Services with the approval of the County Attorney are hereby authorized and directed to sign a Memorandum of Agreement with Cornell Cooperative Extension on behalf of the Department of Social Services. Said Agreement for the provision of the NYS Food Stamp Nutrition Education Plan for the period of October 01, 2006 through September 30, 2007 in an amount not to exceed one hundred ninety - five thousand dollars (\$195,000). Fifty percent (50%) of which is Federal dollars, Cornell Cooperative Extension responsible for local match. Contingent on the availability of funds.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

**Non-Consent
#11**

**RESOLUTION NO. 06-224
(July 11, 2006)**

By Mr. Rogers, Chairman of Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
WITH BOCES GENESEO MIGRANT CENTER ON
BEHALF OF EARLY INTERVENTION AND THE YOUTH
BUREAU**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with BOCES Geneseo Migrant Center, 27 Lackawanna Avenue, Mt. Morris, NY 14510 on behalf of Early Intervention and the Youth Bureau. Said contract to provide for a Spanish speaking interpreter at the rate of \$27.00/hr.; effective July 01, 2006 through June 30, 2008. Contingent upon the availability of funds.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

There was a motion by Mr. Kushner, T/Eagle, to combine resolutions #12 through #16. A voice vote was taken and all voted aye.

#12

**RESOLUTION NO. 06-225
(July 11, 2006)**

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By Mr. Kushner, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN NARCOTICS
CONTROL GRANT ACCEPTANCE AWARD ON BEHALF
OF THE SHERIFF'S DEPARTMENT**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a Narcotics Control Grant (NC04894530) Acceptance Award with the Division of Criminal Justice Services on behalf of the Sheriff's Department. Said Grant to provide for funding for a deputy on a half time basis for youth and juvenile related crimes. Total amount of contract is twenty thousand dollars (\$20,000) with matching funds of five thousand dollars (\$5,000) fifteen thousand (\$15,000) reimbursed.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#13

**RESOLUTION NO. 06-226
(July 11, 2006)**

By Mr. Kushner, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN CONTRACT WITH
NYS DEPARTMENT OF STATE ON BEHALF OF
EMERGENCY SERVICES**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with NYS Department of State for the Local Enhanced Wireless 911 Program for reimbursement of costs associated with the provision of Wireless 911 services. Allocation from 2005-2006 budget is twenty - five thousand seven hundred forty – four dollars (\$25,744.00.)

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#14

**RESOLUTION NO. 06-227
(July 11, 2006)**

July 11, 2006

By Mr. Kushner, Chairman of Public Safety Committee:

**MEMBERS APPOINTED/REAPPOINTED TO THE FIRE
ADVISORY BOARD**

BE IT RESOLVED, That the following named persons are hereby reappointed to the Wyoming County Fire Advisory Board on the recommendation of the Wyoming County Bureau of Fire Coordinator, and in accordance with Section 225-a of the County Law for a term of one year:

| <u>DEPARTMENT</u> | <u>MEMBER</u> | <u>ADDRESS</u> |
|--------------------------|----------------------|---|
| Arcade | Greg Landis | 782 Geer Rd. Arcade, NY 14009 |
| Attica | Terry Snyder | 37 Buffalo St Attica, NY 14011 |
| Bennington | Joseph Heller, Jr | 1290 Maxon Rd. Attica, NY 14011 |
| Bliss | Richard Maher | 3429 Rt. 39 Bliss, NY 14024 |
| Castile | William Dake | 73 W. Park Rd. Castile, NY 14427 |
| Cowlesville | Bill Popielinski | 283 Shad Rd. Alden, NY 14004 |
| Gainesville | Albert Keller | PO Box 23 Gainesville, NY 14066 |
| Genesee Falls | Daniel Farnsworth | 6642 Church St. Portageville, NY 14536 |
| Harris Corners | Mark Keem | 2563 Rt. 77 Strykersville, NY 14145 |
| North Java | Joseph Siler | 2520 Pee Dee Rd. North Java, NY 14113 |
| Perry | Dennis Hewitt | 7 St. Helena St. Perry, NY 14530 |
| Perry Center | James Brick | 7618 Rt. 20A Perry, NY 14530 |
| Pike | Doug Flint | 67 Main St. Pike, NY 14130 |

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| | | |
|----------------|----------------|---|
| Sheldon | Terry Griffen | 1629 Rt. 20A, Lot 25 Varysburg, NY 14167 |
| Silver Springs | Deanna Wilcox | 30 Orchard St. Silver Springs, NY 14550 |
| Strykersville | Donald Simons | 425 Factory Rd. Strykersville, NY 14145 |
| Varysburg | Carl Parmerter | 2151 Rt. 98 Attica, NY 14011 |
| Warsaw | Ralph Millen | 42 Maple St. Warsaw, NY 14569 |
| Wyoming | Mike Knitter | 1192 Silver Lake Rd. Pavilion, NY 14525 |

Members At-Large for towns without Departments:

| | | |
|-------------|-----------------|---------------------|
| Orangeville | Town Supervisor | Town of Orangeville |
| Covington | Town Supervisor | Town of Covington |

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#15

**RESOLUTION NO. 06-228
(July 11, 2006)**

By Mr. Kushner, Chairman of Public Safety Committee:

**PAGER PURCHASE APPROVED ON BEHALF OF
EMERGENCY SERVICES**

BE IT RESOLVED, That this Board of Supervisors does hereby approve the purchase of five (5) pagers with upgraded amplified charger and spare battery packs on behalf of Emergency Services due to weak reception throughout the county with current system. Contingent upon the availability of funds.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

July 11, 2006

**RESOLUTION NO. 06-229
(July 11, 2006)**

By Mr. Kushner, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN ENTRY AND
TESTING AGREEMENT EXTENSION AND LICENSE
AGREEMENT WITH RESPECT TO STATEWIDE
WIRELESS NETWORK ON BEHALF OF EMERGENCY
SERVICES**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign an Entry and Testing Agreement extension with respect to the Statewide Wireless Network Arcade Tower; effective through September 01, 2006; and be it

FURTHER RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a License Agreement as a result of the above mentioned Entry and Testing Agreement with New York State Office for Technology, Statewide Wireless System, 74 North Pearl Street, Albany, NY 12207-2721 for the provision of maintaining the county repeater and related equipment on and adjacent to the tower and the non-exclusive right to use Lessor's facilities at the tower site in Arcade.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

There was a motion by Mr. Fleischman, T/Java, to combine resolutions #17 and #18. A voice vote was taken and all voted aye.

#17

**RESOLUTION NO. 06-230
(July 11, 2006)**

By Mr. Fleischman, Chairman of Planning Committee:

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**JERRY DAVIS APPOINTED TO THE
GENESEE/FINGER LAKES REGIONAL PLANNING
COUNCIL EXECUTIVE COMMITTEE**

BE IT RESOLVED, That Jerry Davis, P. O. Box 445, 7414 Court Road, Pavilion, NY 14525, Supervisor T/Covington is hereby appointed to the Executive Committee of the Genesee/Finger Lakes Regional Planning Council; effective through December 31, 2006.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#18

**RESOLUTION NO. 06-231
(July 11, 2006)**

By Mr. Fleischman, Chairman of Planning Committee:

**CHAIRMAN AUTHORIZED TO SIGN GLOW CEO WIB
AGREEMENT ON BEHALF OF WYOMING COUNTY**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign the GLOW CEO WIB Agreement; effective July 01, 2006 through June 30, 2007. The purpose of the Agreement is to define and delineate the functions, powers, duties, relationships, and operating procedures of the consortium*. Grant Recipient, the Workforce Investment Board (hereinafter known as the "WIB"), and the Chief Elected Officials, (hereinafter known as the CEO's) in order to facilitate the provision of policy guidance for, and the exercise of oversight of, the WIA. (*The Consortium is the term used to describe the legal union of the four local governments who are parties to this Agreement, and who comprise the GLOW Workforce Investment Area designated by the Governor of the State of New York pursuant to Section 112 (3) (A) (i & ii) of the WIA Act.).

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

There was a motion by Mr. Davis, T/Covington, to combine resolutions #19 through #23. A voice vote was taken and all voted aye.

#19

RESOLUTION NO. 06-232

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199

By Mr. Davis, Chairman of Finance Committee:

**DATE AND LOCATION OF AUGUST 2006 REGULAR
SESSION CHANGED**

WHEREAS, The Rules of Procedure of the Board of Supervisors has been suspended by unanimous consent for the purpose recited in this resolution; now therefore

BE IT RESOLVED, That the Regular Session of the Wyoming County Board of Supervisors will be held on *Tuesday, August 15th, 2006 at 2:00 PM at the Wyoming County Fairgrounds in Pike, New York.*

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#20

RESOLUTION NO. 06-233
(July 11, 2006)

By Mr. Davis, Chairman of Finance Committee:

**VERIZON WIRELESS GOVERNMENT SERVICE PLAN
APPROVED**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to approve the Government Services plan with Verizon Wireless for county employee cell phone service. Rates reflect state contract price with no minimum cellular phone lines and no formal contract. Equipment is to be billed separately at contracted government rates. Service is cancelable without penalty to the county at anytime as directed by department head and / or committee. The account will continue to be billed monthly and is contingent upon the availability of funds.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#21

RESOLUTION NO. 06-234

Regular Session

Proceedings of the Board of Supervisors
(July 11, 2006)

By Mr. Davis, Chairman of Finance Committee:

**NANCY CLARK APPOINTED TO THE WYOMING
COUNTY COMMUNITY HOSPITAL BOARD OF
MANAGERS**

BE IT RESOLVED, That *Nancy Clark*, 703 McGrath Rd., Attica NY 14011 is hereby appointed to the *Wyoming County Community Hospital Board of Managers* to fill a vacant unexpired corrected 5 year term; effective July 11, 2006 through December 31, 2007.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#22

RESOLUTION NO. 06-235
(July 11, 2006)

By Mr. Davis, Chairman of Finance Committee:

**THREE (3) POSITIONS OF LABORER (SEASONAL)
CREATED IN THE HIGHWAY DEPARTMENT**

BE IT RESOLVED, That three (3) positions of Laborer (Seasonal) be created in the Highway Department effective June 05, 2006.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#23

RESOLUTION NO. 06-236
(July 11, 2006)

By Mr. Davis, Chairman of Finance Committee:

**ONE POSITION OF STUDENT AID (SEASONAL)
CREATED IN THE COUNTY CLERK'S OFFICE**

July 11, 2006

BE IT RESOLVED, That one position of Student Aide (Seasonal) be created in the County Clerk's Office effective immediately through January 10, 2007.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

Public Comment:

#24

**RESOLUTION NO. 06-237
(July 11, 2006)**

By Mr. Davis, Chairman of Finance Committee:

LOCAL LAW NO. 1 (A) OF 2006, ADOPTED

COUNTY OF WYOMING

**ENTITLED A LOCAL LAW AMENDING LOCAL LAW NO. 1 OF THE
YEAR 2005 ENTITLED, "A LOCAL LAW TO AUTHORIZE THE
IMPOSITION OF A WYOMING COUNTY HOTEL AND MOTEL
ROOM OCCUPANCY TAX" SO AS TO REPLACE SECTION 403 OF
LOCAL LAW NO. 1 OF THE YEAR 2005**

Section 1. Section 403 of Local Law No. 1 of 2005 is hereby deleted and replaced with:

403. Returns:

- a. Every operator shall file with the Treasurer a return of occupancy and of rents, and of the taxes payable thereon for the quarterly periods ending February 28 or 29, if applicable, May 31, August 31 and November 30 of each year. Such returns shall be filed within twenty days from the expiration of the period covered thereby. The Treasurer may permit or require returns to be made by other periods and upon such dates as he/she may specify. If the Treasurer deems it necessary in order to insure the payment of the tax imposed by this Local Law, he may require returns to be made for shorter periods than those prescribed pursuant to the foregoing provisions of this section and upon such dates as he/she may specify.
- b. The forms of returns shall be prescribed by the Treasurer and
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shall contain such information as he/she may deem for the proper administration of this Local Law. The Treasurer may require amended returns to be filed within twenty (20) days after notice and to contain the information specified in the notice.

- c. If a return required by this Local Law is not filed, or a return filed is incorrect or insufficient on its fact, the Treasurer shall take the necessary steps to enforce the filing of such a return or of a corrected return.

Section 2. Effective Date: This Local Law shall take effect immediately upon filing with the Secretary of State, except that the provisions of this Local Law relating to registration and the authority of the Treasurer to adopt regulations and take all necessary action to prepare for the implementation and enforcement of this Local Law shall take effect immediately.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

**Withdrawn
#25**

**RESOLUTION NO. 06-
(July 11, 2006)**

By Mr. Davis, Chairman of Finance Committee:

**LOCAL LAW NO. 2 (B) FOR THE YEAR 2006, ENTITLED,
“A LOCAL LAW OF THE COUNTY OF WYOMING,
ESTABLISHING THE SALARIES OF CERTAIN COUNTY
OFFICERS,” ADOPTED**

WHEREAS, there was duly presented and introduced at a meeting of this Board, held on the 13th day of June, a proposed local law of the County, designated as Local Law Introductory No. B, for the year 2006, entitled, “A Local Law of the County of Wyoming, establishing the salaries of the certain County Officers;” and

WHEREAS, in accordance with the provisions of Resolution No. 06-206, there was a public hearing held by this Board of Supervisors on this 11th day of July, 2006 at 3:00 PM, after due notices of said hearing having been posted and published according to the law and said resolution; and

WHEREAS, after holding said public hearing, and the said local law having laid on the desks of the members of this Board of Supervisors at least seven days prior to the final adoption, a majority of this Committee agreed to

July 11, 2006

recommend the enactment and passage of the above mentioned local law, designated as herein above set forth; now therefore

BE IT RESOLVED, That Local Law Introductory No. B, Year 2006, County of Wyoming, New York, as presented to this Board on the 13th day of June, 2006, is hereby adopted, enacted, and passed by this Board in its original form as follows:

Section 1. Effective as hereafter provided, the annual salary of the County Clerk shall be increased by \$957.00.

Section 2. Effective as hereafter provided, the annual salary of the County Sheriff shall be increased by \$1,224.00.

Section 3. Effective as hereafter provided, the annual salary of each of the two positions of Commissioner of Elections shall be increased by \$254.00.

Section 4. Effective as hereafter provided, the annual salary of the County Attorney, PT, shall be increased by \$1,072.00.

Section 5. Effective as hereafter provided, the annual salary of the Highway Superintendent shall be increased by \$1,248.00.

Section 6. Effective as hereafter provided, the annual salary of the Deputy Highway Superintendent shall be increased by \$919.00.

Section 7. Effective as hereafter provided, the annual salary of Community Services Director shall be increased by \$1,102.00.

Section 8. Effective as hereafter provided, the annual salary of the Planning and Development Director shall be increased by \$1,150.00.

Section 9. Effective as hereafter provided, the annual salary of the Public Defender shall be increased by \$916.00.

Section 10. Effective as hereafter provided, the annual salary of the Public Health Commissioner shall be increased by \$1,224.00.

Section 11. Effective as hereafter provided, the annual salary of the Real Property Tax Director shall be increased by \$1,049.00.

Section 12. All salaries set forth herein shall be effective as of January 1, 2006.

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Section 13. This Local Law shall take effect 45 days from the date of adoption by the Board of Supervisors unless a petition is filed in accordance with Municipal Home Rule Law Section 24.

Section 14. This Local Law is subject to permissive referendum.

Carried: Ayes: Noes: Absent: Abstain:

Chairman Berwanger asked for a moment of silence to remember employees that passed away during the previous month, Mr. Bob Batt and Mr. Doug Brown.

There being no further business to come before this board the meeting was adjourned by Supervisor Bush at 4:00 PM

Respectfully submitted,

Cheryl J. Ketchum

Clerk to the Board of Supervisors

SPECIAL SESSION

(July 26, 2006)

Wednesday

6:00 PM

The Special Session of the Wyoming County Board of Supervisors was held at the Wyoming County Government Center in the Board of Supervisors' Chambers located at 143 North Main Street, Warsaw, New York with all Supervisors present excluding Supervisor Patti, T/Attica, Supervisor Grant T/Bennington, and Supervisor May T/Orangeville. Also present was Clerk to the Board of Supervisors, Cheryl Ketchum.

At 6:00 PM Chairman Berwanger, T/Arcade, called the meeting to order.

Supervisor Smith lead the Board in the Pledge of Allegiance

Chairman Berwanger distributed a press release regarding the announcement of 6 new Empire Zones (Wyoming County being one of them) in New York State.

Clerk Ketchum was asked to read resolution number 1 in its entirety.

Richard Tindell, Director of Planning and Development and Anne Humphrey, Consultant to the County explained that there were some modifications to the designated areas (maps) in relation to contiguous areas.

#1

RESOLUTION NO 06-238

(July 26, 2006)

By Mr. Berwanger, Chairman of the Committee of the Whole:

**A RESOLUTION RELATING TO THE AMENDMENT OF
LOCAL LAW 3 OF THE YEAR 2005, ENTITLED "A
LOCAL LAW AUTHORIZING THE WYOMING COUNTY
INDUSTRIAL DEVELOPMENT AGENCY TO MAKE
APPLICATION FOR DESIGNATION OF CERTAIN AREAS
WITHIN THE COUNTY OF WYOMING AS AN EMPIRE
ZONE," IN RELATION TO MAKING SUBSTITUTIONS
THERE TO**

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WHEREAS, the Wyoming County Board of Supervisors are convened in Special Session properly noticed to each member of the Board of Supervisors and to the general public to consider Amending Local Law 3 of the year 2005, pursuant to Article IX of the Constitution of the State of New York as set forth in this resolution; and

WHEREAS, Section 961 of Article 18-B of the General Municipal Law the County of Wyoming authorized the Wyoming County Industrial Development Agency to prepare and submit Wyoming County's application for designation as an Empire Zone, including the proposed boundaries thereto, to the New York State Commissioner of Economic Development; and

WHEREAS, Such designation could greatly benefit the County in that new businesses would be encouraged to locate in the zone area, existing businesses would be encouraged to expand in the zone area, and new and expanded businesses would generate new jobs for Wyoming County residents; now therefore

BE IT RESOLVED, That the annexed Schedule A of Local Law 3 of the year 2005 shall be replaced with attached Schedule B designating specific boundaries as Empire Zones and further that the Wyoming County Board of Supervisors intends to formally amend Local Law No. 3 for the year 2005 on August 15, 2006.

Carried: XXX Ayes: 1279 Noes: Absent: 164 Attica Abstain:
127 Bennington
48 Orangeville
339

Clerk Ketchum was asked to read resolution number 2 in its entirety.

#2

RESOLUTION NO 06-239
(July 26, 2006)

By Mr. Berwanger, Chairman of the Committee of the Whole:

SET PUBLIC HEARING FOR AMENDING LOCAL LAW
NO. 3, YEAR 2005

WHEREAS, the Wyoming County Board of Supervisors are convened in Special Session properly noticed to each member of the Board of Supervisors and to the general public to consider amending Local Law 3 of the July 26, 2006

year 2005, pursuant to Article IX of the Constitution of the State of New York as set forth in this resolution; and

WHEREAS, There has been duly presented and introduced at a meeting of this Board of Supervisors of Wyoming County on the 26th day of July, 2006, a proposed amendment to “**Local Law No. 3, Year 2005**, entitled “**A LOCAL LAW AUTHORIZING THE WYOMING COUNTY INDUSTRIAL DEVELOPMENT AGENCY TO MAKE APPLICATION FOR DESIGNATION OF CERTAIN AREAS WITHIN THE COUNTY OF WYOMING AS AN EMPIRE ZONE**,” and

WHEREAS, Subdivision 5, Section 20 of the Municipal Home Rule Law requires a public hearing to be held on such local law; now therefore

BE IT RESOLVED, That a Public Hearing will be held by the Wyoming County Board of Supervisors at the Wyoming County Fairgrounds in the Village of Pike, New York, on the 15th day of August, 2006 at 2:00 PM to consider amending Local Law No. 3, Year 2005 and be it

FURTHER RESOLVED, That the Clerk of this Board is authorized and directed to publish the hearing notice with at least five days notice in the official newspapers of the County designated for such publications.

Carried: XXX Ayes: 1279 Noes: Absent: 164 Attica Abstain:
127 Bennington
48 Orangeville
339

At 6:20 PM there was a motion by Supervisor Kushner to enter an executive session to discuss CSEA Union negotiations. This was seconded by Supervisor Meeder and all voted aye.

At 6:30 PM there was a motion by Supervisor Knab to end the executive session and continue the regular meeting. This was seconded by Supervisor Fleischman and all voted aye.

There being no further business to come before this board with a rap on his desk Supervisor Bush adjourned the meeting at 6:30 PM

Respectfully submitted,

Cheryl J. Ketchum

Clerk to the Board of Supervisors

Special Session

**REGULAR SESSION
(August 15, 2006)****Tuesday****2:00 PM**

The regular Session of the Wyoming County Board of Supervisors was held at the Wyoming County Fair Grounds, Pike, and New York with all Supervisors present. Also present were Assistant County Attorney, Jane Monaghan; Budget Officer, Paula Parker; Clerk to the Board of Supervisors, Cheryl Ketchum and Deputy Clerk to the Board, Brenda Ferrell.

At 2:00 PM Chairman Berwanger, T/Arcade, called the meeting to order.

It has been the custom of the Board of Supervisors since 9/11 to have a veteran lead in the pledge of allegiance.

The Veteran leading the Pledge of Allegiance for August is:

ROBERT H. STUBLEY

Mr. Stubley's service to his country comes while serving during the Korean War. Mr. Stubley enlisted in the United States Air Force on February 15, 1952 at the age of 19. He completed Air Force Basic Training at Sampson Air Force Base in Geneva, N.Y. He was then assigned to F. E. Warren Air Force Base at Cheyenne, Wyoming for twelve weeks of Advanced Individual Training as a radio teletype operator. Mr. Stubley spent the next two years as a teletype operator at Johnson Air Force Base in Korea. This station in Korea was one of the Largest "Como" units in the world. After completing his overseas tour, Mr. Stubley returned to the states and was assigned to the 1912th A.A.C.S. Squadron at Olmstead Air Force Base, Middletown, Pennsylvania. He worked in the "Como" Section until his discharge on February 14, 1956.

For his service to his country, Mr. Stubley was awarded:

**THE KOREAN SERVICE MEDAL
THE UNITED NATIONS SERVICE MEDAL
THE NATIONAL DEFENSE SERVICE RIBBON
THE GOOD CONDUCT MEDAL**

Mr. Stubley returned to the area and went to work for the Department of Public Works in the Village of Warsaw. He became the Chief Operator of the water treatment plant and held this position for 32 years until his promotion to Superintendent of Public Works in 1988. Mr. Stubley held this position until his retirement in 1993.

August 15, 2006

Mr. Stublely enjoys hunting, fishing, and playing golf. He lives in Warsaw with his wife Lorraine and they will be celebrating their 50th Wedding Anniversary in November.

The pledge was said by all.

A certificate of appreciation was presented to Mr. Stublely in honor of service to his country and also to commemorate his appearance here today.

Mr. Stublely thanked the Board for the certificate.

The Department of Social Services proudly recognizes outstanding employees within the department. The employees are invited and encouraged to learn more about governmental proceedings and the inter-relationship between the Department of Social Services and the Board of Supervisors.

Each month, Commissioner Schmitt, brings an employee of the month to the Human Services Committee meeting to see first hand how Departmental requests are processed by the Board.

The employee of the month for August 2006 is Vivian Wetmore. Vivian has been with the Department since 1999 as a Community Services Aide. She has been nominated by her peers for her hard work and dedication to the families she works with. In her position she helps them to improve and better their living situation. Vivian not only works with the clients, she also is very helpful to her co-workers.

We would like to thank Vivian for her years of service to the community and to the County of Wyoming and wish her the very best as she retires this September.

Please join me in recognizing and congratulating Vivian Wetmore.

Ms. Wetmore thanked the Board of Supervisors for the opportunity to serve Wyoming County.

Communications:

C1: Thank you letter from Joan Harrison on behalf of the American Cancer Society and the 10th Anniversary “Drive Out Breast Cancer,” Women’s Golf Challenge held on June 12, 2006 at the Silver Lake Golf Club in Perry, NY.

Open Public Hearings:

1. *Local Law B (3) of the year 2006, entitled, “A Local Law of the County of Wyoming, Establishing the Salaries of Certain County Officers.”*
2. *Local Law C (2) of the year 2006, entitled, “A Local Law Amending Local Law No. 3 of the Year 2005 Entitled, “Authorizing the Wyoming County Industrial Development Agency to Make Application for Designation of Certain Areas Within the County of Wyoming as an Empire Zone” so as to Redefine Empire Zone Boundaries and Provide for Appointment of Empire Zone Board Members”*

Assistant County Attorney Jane Monaghan was introduced as standing in for County Attorney Dadd.

#19

**RESOLUTION NO. 06-258
(August 15, 2006)**

By Mr. Gozelski, Chairman of Agriculture Committee:

WYOMING COUNTY FAIR WEEK PROCLAIMED

WHEREAS, The Wyoming County Fair will be held from August 12th through the 19th in the Town of Pike, New York; and

WHEREAS, The Wyoming County Fair is a tremendous opportunity for residents of Wyoming County to learn and experience exhibits and demonstrations; and

WHEREAS, The Wyoming County Fair focuses on all families, particularly the farm family; and

WHEREAS, The Wyoming County Fair is truly the showcase for our farmers, artisans of all types, and the youth of the entire county; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors proclaims the week of August 12th through August 19th in the year 2006 as:

“WYOMING COUNTY FAIR WEEK”

and be it

August 15, 2006

FURTHER RESOLVED, That this Board of Supervisors does hereby applaud the annual efforts produced by the Wyoming County Fair Association.
Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

Chairman Berwanger presented the proclamation to President of the Wyoming County Fair Association President, Russell Cox. Mr. Cox made a point of recognizing the many volunteers who make the fair possible.

Congressman Reynolds was welcomed to the Board meeting. The Congressman presented some federal investments from 2003 to 2007 that were dedicated to Wyoming County. Since 2003's budget hearing Wyoming County received \$18,228,363.00. Contributing to such projects as the Wyoming County Community Hospital, the Emergency Services Communications Tower, and the completion of the Silver Springs rail relocation project as well as the various Highway renovation projects that are completed on a yearly basis.

Assemblyman Burling was welcomed next to the meeting. The Assemblyman commended the Board on having their meeting at the fair, "bringing government to the people." Assemblyman Burling spoke of the recently designated Empire Zone and the partnership between the county and state officials.

#1

RESOLUTION NO. 06-240
(August 15, 2006)

By Mr. Davis, Chairman of Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2006 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2006 accounts as follows:

| District Attorney | | | <u>Dept. Totals:</u> |
|---|------------|------------|-----------------------------|
| DA Seized Asset To: 01.32.1163.4.42306 DA Seized Assets - Other w/01.07.1163.2626 DA Seized Assets increased by same Reason: to appropriate seized assets to be used for additional activities. | \$81.00 | \$81.00 | |
| District Attorney Total | | | \$81.00 |
| County Attorney | | | |
| To: 01.34.1420.4.42306 Other Expense <i>From any funds available</i> Reason: To appropriate for the CSEA negotiation meeting on 07/17/06 at Beaver Hollow. | \$2,020.30 | \$2,020.30 | |
| County Attorney Total | | | \$2,020.30 |

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

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Mr. Bush, T/Gainesville, Chairman of the Audit Committee, presented bills totaling **\$927,070.78** for the month of **July 2006**.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

There was a motion by Mr. Rogers, T/Pike, to combine resolutions #2 through #4. A voice vote was taken and all voted aye.

#2

**RESOLUTION NO. 06-241
(August 15, 2006)**

By Mr. Rogers, Chairman of Human Services Committee:

**CHAIRMAN/COMMISSIONER AUTHORIZED TO SIGN
CONTRACT EXTENSION WITH RENEE WILMOTH ON
BEHALF OF THE DEPARTMENT OF SOCIAL SERVICES**

BE IT RESOLVED, That the Chairman of this Board and the Commissioner of Social Services with the approval of the County Attorney are hereby authorized and directed to sign an extended contract with Renee Wilmoth, 21 Church Street, Leroy, NY 14482 for an additional five months in addition to the current one month extension; effective through December 31, 2006, for the provision of a Family Resolutions Case Manager and Domestic Violence services advocate in an amount not to exceed the bi-weekly rate of one thousand four hundred thirty-three dollars and eighty-five cents (\$1,433.85); contingent upon the availability of funds.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#3

**RESOLUTION NO. 06-242
(August 15, 2006)**

By Mr. Rogers, Chairman of Human Services Committee:

**CHAIRMAN/COMMISSIONER AUTHORIZED TO SIGN A
CONTRACT WITH RENEE WILMOTH ON BEHALF OF
THE DEPARTMENT OF SOCIAL SERVICES**

August 15, 2006

BE IT RESOLVED, That the Chairman of this Board and the Commissioner of Social Services with the approval of the County Attorney are hereby authorized and directed to sign a contract with Renee Wilmoth, 21 Church Street, Leroy, NY 14482 for the provision of an Employment Coordinator for the period August 08, 2006 through July 07, 2007 in an amount not to exceed thirty five thousand dollars (\$35,000.00) annually; contingent upon the availability of funds.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#4

**RESOLUTION NO. 06-243
(August 15, 2006)**

By Mr. Rogers, Chairman of Human Services Committee:

**CHAIRMAN / COMMISSIONER AUTHORIZED TO SIGN
A CONTRACT WITH ADECCO ON BEHALF OF THE
DEPARTMENT OF SOCIAL SERVICES**

BE IT RESOLVED, That the Chairman of this Board and the Commissioner of Social Services with the approval of the County Attorney are hereby authorized and directed to sign a contract with Adecco USA, Inc., 230 East Main Street, Arcade, New York, 14009 for (2) temporary HEAP workers in an amount not to exceed thirty thousand nine hundred dollars (\$30,900.00); contingent upon the availability of funds.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#5

**RESOLUTION NO. 06-244
(August 15, 2006)**

By Mrs. Totstline, Chairman of Public Health Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
WITH APRIL AGING, INC. ON BEHALF OF MENTAL
HEALTH**

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BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Aprilage Development, 488 Wellington St., West, Suite 600, Toronto, Ontario, Canada M5V1E3 on behalf of Mental Health for the provision of APRIL Age Progression Software not to exceed two thousand nine hundred ninety-nine US dollars (\$2,999.00); plus maintenance not to exceed five hundred ninety-nine US dollars (\$599.00) yearly; contingent upon the availability of funds.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

There was a motion by Mrs. Meeder, T/Middlebury, to combine resolutions #6 and #7. A voice vote was taken and all voted aye.

#6

**RESOLUTION NO. 06-245
(August 15, 2006)**

By Mrs. Meeder, Chairman of Human Resource Committee:

**CHAIRMAN AUTHORIZED TO SIGN A MEMORANDUM
OF UNDERSTANDING WITH WYOMING COUNTY
COMMUNITY HOSPITAL ON BEHALF OF THE HUMAN
RESOURCE DEPARTMENT**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a Memorandum of Understanding with Wyoming County Community Hospital for the provision of Human Resource services in an amount not to exceed twenty-seven thousand dollars (\$27,000.00):

\$12,000/Salaries
10,000/Contractual Expenses
5,000/Training
\$27,000

effective through December 31, 2006; and be it

FURTHER RESOLVED, That the position of Human Resource Director be reassigned to the Wyoming County Community Hospital effective July 25, 2006; and be it

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FURTHER RESOLVED, That Salary Schedule “D” be amended to remove the title of Human Resource Director effective immediately.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#7

**RESOLUTION NO. 06-246
(August 15, 2006)**

By Mrs. Meeder, Chairman of Human Resource Committee:

**ONE POSITION OF SECRETARY TO THE HUMAN
RESOURCE DIRECTOR FT (1.00 FTE) CREATED IN THE
HUMAN RESOURCE DEPARTMENT**

BE IT RESOLVED, That one position of Secretary to the Human Resource Director FT (1.00 FTE) is hereby created in the Human Resource Department effective August 14, 2006.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

There was a motion by Mr. Kushner, T/Eagle, to combine resolutions #8 through #11. A voice vote was taken and all voted aye.

#8

**RESOLUTION NO. 06-247
(August 15, 2006)**

By Mr. Kushner, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A GRANT
ACCEPTANCE AWARD ON BEHALF OF THE DISTRICT
ATTORNEY’S OFFICE**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a grant acceptance with the New York State Crime Victims Board (CVB) on behalf of the District Attorney’s Office. The Crime Victims Grant is in a minimum amount of two hundred forty-two thousand seven hundred twenty dollars (\$242,720.00), with a local match of forty-eight thousand six hundred

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twenty-four dollars (\$48,624.00); effective October 01, 2006 through September 30, 2009.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#9

**RESOLUTION NO. 06-248
(August 15, 2006)**

By Mr. Kushner, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A GRANT
ACCEPTANCE AWARD ON BEHALF OF THE SHERIFF'S
DEPARTMENT**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a Grant Acceptance with the State of New York Governor's Traffic Safety Committee on behalf of the Sheriff's Department. Said grant is for the TraCs-Electronic Ticket and Accident Report Project in a minimum amount of sixty thousand sixty-seven dollars (\$60,067.00) for in-car computers and other related equipment; effective October 01, 2005 through September 30, 2006.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#10

**RESOLUTION NO. 06-249
(August 15, 2006)**

By Mr. Kushner, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A RENEWAL
CONTRACT WITH THE STATE OF NEW YORK UNIFIED
COURT SYSTEM 8TH JUDICIAL DISTRICT ON BEHALF
OF THE SHERIFF'S DEPARTMENT**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a Court Security Agreement Renewal with the State of New York; Unified Court System; 8th Judicial District, 92 Franklin St., 3rd Floor, Buffalo, NY 14202 on

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behalf of the Sheriff's Department. Said renewal is to provide court security with the State of New York in the minimum amount of one hundred ninety – nine thousand five hundred seven dollars (\$199,507.00); effective April 01, 2006 through March 31, 2007.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#11

**RESOLUTION NO. 06-250
(August 15, 2006)**

By Mr. Kushner, Chairman of Public Safety Committee:

**ANTHONY R. MARTINO APPOINTED DIRECTOR
OF FIRE AND EMERGENCY MANAGEMENT**

BE IT RESOLVED, That Anthony R. Martino, of 521 Erie St.,

Lancaster, NY 14086 is hereby appointed to the position of Director of Fire and Emergency Management for a term of 2 years; effective September 01, 2006 to August 31, 2008.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

Chairman Berwanger asked Supervisor Kushner to come forward to present two items.

Supervisor Kushner asked that Sheriff Heimann to join him regarding the first presentation. Sheriff Heimann explained that his department submitted the new patrol car design to a National publication entitled *Law and Order* and won first prize for sheriff cars. Along with that honor there was a small cash donation of \$200 that the department could give to a charity of their choice. The department decided to make that donation the Wyoming County Community Hospital. Wyoming County Community Hospital CEO, Ron Krawiec, was available to accept the donation.

Secondly, Supervisor Kushner introduced the newly appointed Director of Fire and Emergency Management, Anthony Martino. Mr. Martino expressed his gratitude to the Board for their support in his appointment and stated that he looks forward to serving the community.

Chairman Berwanger recognized the hard work and dedication of Acting Director of Fire and Emergency Management Bill Streicher.

There was a motion by Mr. Patti, T/Attica, to combine resolutions #12 through #15. A voice vote was taken and all voted aye.

#12

**RESOLUTION NO. 06-251
(August 15, 2006)**

By Mr. Patti, Chairman of Public Works Committee:

**AUTHORIZING THE IMPLEMENTATION, AND
FUNDING IN THE FIRST INSTANCE 100% OF THE
FEDERAL-AID AND STATE “MARCHISELLI”
PROGRAM-AID ELIGIBLE COSTS, OF A
TRANSPORTATION FEDERAL-AID PROJECT, AND
APPROPRIATING FUNDS THEREFORE**

WHEREAS, A Project for the **Replacement of Hillside Road Bridge over Trout Brook, Town of Pike, Wyoming County, P.I.N. 4754.05; BIN 3320150** (the “Project”) is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

WHEREAS, The County of Wyoming desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of Preliminary Engineering and ROW Incidentals.

NOW, THEREFORE, The Board of Supervisors, duly convened does hereby

RESOLVE, That the Board of Supervisors hereby approves the above-subject project; and it is hereby further

RESOLVED, That the Board of Supervisors hereby authorizes the Chairman to pay in the first instance 100% of the federal and non-federal share of the cost of Preliminary Engineering and ROW Incidentals work for the Project or portions thereof; and it is further

RESOLVED, That the sum of **\$72,000** is hereby appropriated from the
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Board of Supervisors and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, That in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Board of Supervisors shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof, and it is further

RESOLVED, That the Chairman of the Board of Supervisors be and is hereby authorized to execute all necessary Agreements, certifications, or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the Board of Supervisors with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED, That a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and it is further

RESOLVED, this Resolution shall take effect immediately.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#13

**RESOLUTION NO. 06-252
(August 15, 2006)**

By Mr. Patti, Chairman of Public Works Committee:

**AUTHORIZING THE IMPLEMENTATION, AND
FUNDING IN THE FIRST INSTANCE 100% OF THE
FEDERAL-AID AND STATE “MARCHISELLI”
PROGRAM-AID ELIGIBLE COSTS, OF A
TRANSPORTATION FEDERAL-AID PROJECT, AND
APPROPRIATING FUNDS THEREFORE**

Proceedings of the Board of Supervisors

WHEREAS, A Project for the **Middle Reservation Road (County Road 6) Improvements. Town of Castile, Wyoming County, P.I.N. 4754.32** (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 100% Federal funds and 0% non-federal funds; and

WHEREAS, The County of Wyoming desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of **Preliminary Engineering and ROW Incidentals.**

NOW, THEREFORE, The Board of Supervisors, duly convened does hereby

RESOLVE, That the Board of Supervisors hereby approves the above-subject project; and it is hereby further

RESOLVED, That the Board of Supervisors hereby authorizes the Chairman to pay in the first instance 100% of the federal and non-federal share of the cost of Preliminary Engineering and ROW Incidentals work for the Project or portions thereof; and it is further

RESOLVED, That the sum of **one hundred twenty thousand dollars (\$120,000.00)** is hereby appropriated from Board of Supervisors and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, That in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Board of Supervisors shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof, and it is further

RESOLVED, That the Chairman of the Board of Supervisors be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the Board of Supervisors with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED, That a certified copy of this resolution be filed

August 15, 2006

Proceedings of the Board of Supervisors

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with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and it is further

RESOLVED, This Resolution shall take effect immediately

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#14

**RESOLUTION NO. 06-253
(August 15, 2006)**

By Mr. Patti, Chairman of Public Works Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
WITH LABELLA ASSOCIATES ON BEHALF OF THE
HIGHWAY DEPARTMENT**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with LaBella Associates, 300 State Street, Suite 201, Rochester, NY 14614 on behalf of the Highway Department. Said contract is for the provision of Architectural/Engineering consultation and construction inspection services for Town of Pike Bridge No. 11, located on Hillside Road, in an approximate amount of eighty-five thousand dollars (\$85,000.00); effective once contract is signed by the State of New York through June 21, 2016.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#15

**RESOLUTION NO. 06-254
(August 15, 2006)**

By Mr. Patti, Chairman of Public Works Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
WITH CLARK PATTERSON ASSOCIATES ON BEHALF
OF THE HIGHWAY DEPARTMENT**

Proceedings of the Board of Supervisors

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Clark Patterson Associates, 186 North Water Street, Rochester, NY 14604 on behalf of the Highway Department. Said contract is to provide for the provision of Scope of Service for the Town of Castile, Middle Reservation Road Project in an approximate amount two hundred twenty thousand dollars (\$220,000.00) effective once contract is signed by the State of New York through June 30, 2016.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

There was a motion by Mr. Fleischman, T/Java, to combine resolutions #16 through #18. A voice vote was taken and all voted aye.

#16

**RESOLUTION NO. 06-255
(August 15, 2006)**

By Mr. Fleischman, Chairman of Planning Committee:

**AMANDA PARKER REAPPOINTED TO THE
INDUSTRIAL DEVELOPMENT AGENCY**

BE IT RESOLVED, That Amanda Parker, (Town of Castile), 3815 St. Helena Street, Perry, NY 14530 is hereby reappointed to the Wyoming County Industrial Development Agency's Board of Directors for a term of two (2) years effective August 15, 2006 to August 14, 2008.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#17

**RESOLUTION NO. 06-256
(August 15, 2006)**

By Mr. Fleischman, Chairman of Planning Committee:

**LOCAL EMPIRE ZONE ADMINISTRATION BOARD
MEMBERS APPOINTED**

August 15, 2006

BE IT RESOLVED, That the following members are hereby appointed to the Local Empire Zone Administration Board for a term of one year effective immediately through August 14, 2007:

- **Jim Pierce** (Wyoming County Chamber of Commerce / ***Business and Community***), 6470 Route 20A, Suite #2, Perry NY 14530-9798
- **Michael Heftka**, (Wyoming County Industrial Development Agency / ***Local Businesses***) 6470 Route 20A, Suite 4, Perry, NY 14530-9796
- **Larry Slanovich** (***Local Education***) 21 Glenwood Drive, Arcade, NY 14009
- **Sam Gullo** (American Classic Outfitters / ***Local Residents***) 200 North Main Street, Perry, NY 14530
- **Ron Smith** (Supervisor, Town of Warsaw / ***Local Residents***) 4553 Route 20A, Warsaw, NY 14569
- **Howard Payne** (***Local Resident***) 11 Glenwood Drive, Arcade, NY 14009
- **Daniel Kirsch** (Hillcrest Industries / ***Local Business – Local Resident***) 1176 Minkel Rd., Strykersville, NY 14145
- **David De La Vergne** (Bank of Castile / ***Local Financial Institutions***) 133 Center Street, Perry NY 14530
- **David Caster** (Five Star Bank / ***Local Financial Institution***) 55 N. Main Street, Warsaw NY 14569
- **Cindy Feroletto** (Teachers' Union / ***Local Organized Labor***) 5780 Portageville Rd. Castile, NY 14427

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#18

**RESOLUTION NO. 06-257
(August 15, 2006)**

By Mr. Fleischman, Chairman of Planning Committee:

**A. D. BERWANGER APPOINTED AS
LOCAL EMPIRE ZONE ADMINISTRATION BOARD
CHAIRMAN**

BE IT RESOLVED, That **A. D. Berwanger**, (Wyoming County Board of Supervisors / ***Local Resident***) 6608 East Arcade Rd., Arcade, NY 14009 is hereby appointed as the Local Empire Zone Administration Board Chairman for a term of one year effective immediately through August 14, 2007.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

**RESOLUTION NO. 06-259
(August 15, 2006)**

By Mr. Davis, Chairman of Finance Committee:

SALARY SCHEDULE “D,” “I,” AND “S” AMENDED

BE IT RESOLVED, That the Wyoming County Salary Plan which became effective January 1, 1967, as amended, is hereby amended as follows:

Schedules “D,” “I” and “S” annexed hereto shall be substituted for the existing Schedules “D,” “I,” and “S” as adopted on September 13, 2005, as amended. Commencing January 1, 2006, employees in the job titles covered thereby shall be paid the basic salary in accordance with these wages and salary schedules; and be it

FURTHER RESOLVED, That the salary of any position vacated shall be open for review by the necessary committee.

Carried: XXX Ayes: 1491 Noes: Absent: Abstain: 127 (Bennington)

Public Comment:

Gerry Sahrle, Perry, NY – Questioned the Board of Supervisors on returning the Treasurer’s duties and salary to its former level.

Finance Chair Davis stated that at present this Board of Supervisors intends to leave the Treasurer’s duties and salary where they are.

Cheryl Mayer, County Treasurer – Addressed the audience regarding Local Law #21.

Motion to close Public Hearings by Supervisor Patti, seconded by Supervisor Rogers.

Proceedings of the Board of Supervisors
RESOLUTION NO. 06-260
(August 15, 2006)

225

By Mr. Davis, Chairman of the Finance Committee:

**LOCAL LAW INTRODUCTORY NO. 3 (B) FOR THE YEAR
2006, ADOPTED**

WHEREAS, there was duly presented and introduced at a meeting of this Board, held on the 13th day of June, a proposed local law of the County, designated as Local Law Introductory No. B, for the year 2006, entitled, “*A Local Law of the County of Wyoming, establishing the salaries of certain County Officers;*” and

WHEREAS, in accordance with the provisions of Resolution No. 06-206, there was a public hearing held by this Board of Supervisors on this 15th day of August, 2006 at 2:00 PM, after due notices of said hearing having been posted and published according to the law and said resolution; and

WHEREAS, after holding said public hearing, and the said local law having laid on the desks of the members of this Board of Supervisors at least seven days prior to the final adoption, a majority of this Committee agreed to recommend the enactment and passage of the above mentioned local law, designated as herein above set forth; now therefore

BE IT RESOLVED, That Local Law Introductory No. B, Year 2006, County of Wyoming, New York, as presented to this Board on the 15th day of August, 2006, is hereby adopted, enacted, and passed by this Board in its original form as follows:

Section 1. Effective as hereafter provided, the annual salary of the County Clerk shall be increased by \$957.00.

Section 2. Effective as hereafter provided, the annual salary of the County Sheriff shall be increased by \$2,448.00.

Section 3. Effective as hereafter provided, the annual salary of each of the two positions of Commissioner of Elections shall be increased by \$254.00.

Section 4. Effective as hereafter provided, the annual salary of the County Attorney, PT, shall be increased by \$1,072.00.

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Section 5. Effective as hereafter provided, the annual salary of the Highway Superintendent shall be increased by \$1,248.00.

Section 6. Effective as hereafter provided, the annual salary of the Deputy Highway Superintendent shall be increased by \$919.00.

Section 7. Effective as hereafter provided, the annual salary of Community Services Director shall be increased by \$1,102.00.

Section 8. Effective as hereafter provided, the annual salary of the Planning and Development Director shall be increased by \$1,150.00.

Section 9. Effective as hereafter provided, the annual salary of the Public Defender shall be increased by \$916.00.

Section 10. Effective as hereafter provided, the annual salary of the Public Health Commissioner shall be increased by \$1,224.00.

Section 11. Effective as hereafter provided, the annual salary of the Real Property Tax Director shall be increased by \$1,049.00.

Section 12. All salaries set forth herein shall be effective as of January 1, 2006.

Section 13. This Local Law shall take effect 45 days from the date of adoption by the Board of Supervisors unless a petition is filed in accordance with Municipal Home Rule Law Section 24.

Section 14. This Local Law is subject to permissive referendum.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#22

**RESOLUTION NO. 06-261
(August 15, 2006)**

By Mr. Davis, Chairman of the Finance Committee:

**LOCAL LAW INTRODUCTORY NO. 2 (C) FOR THE YEAR
2006, ADOPTED**

WHEREAS, there was duly presented and introduced at a meeting of this Board, held on the 26th day of July, a proposed local law of the County,
August 15, 2006

designated as Local Law Introductory No. C, for the year 2006, entitled, “**A Local Law Amending Local Law No. 3 of the Year 2005 Entitled, “Authorizing the Wyoming County Industrial Development Agency to Make Application for Designation of Certain Areas Within the County of Wyoming as an Empire Zone” so as to Redefine Empire Zone Boundaries and Provide for Appointment of Empire Zone Board Members;**” and

WHEREAS, in accordance with the provisions of Resolution No. 06-239, there was a public hearing held by this Board of Supervisors on this 15th day of August, 2006 at 2:00 PM, after due notices of said hearing having been posted and published according to the law and said resolution; and

WHEREAS, after holding said public hearing, and the said local law having laid on the desks of the members of this Board of Supervisors at least seven days prior to the final adoption, a majority of this Committee agreed to recommend the enactment and passage of the above mentioned local law, designated as herein above set forth; now therefore

BE IT RESOLVED, That Local Law Introductory No. C, Year 2006, County of Wyoming, New York, as presented to this Board on the 15th day of August, 2006, is hereby adopted, enacted, and passed by this Board in its original form as follows:

WHEREAS, Section 961 of Article 18-B of the General Municipal Law the County of Wyoming hereby authorizes the Wyoming County Industrial Development Agency to prepare and submit Wyoming County’s application for designation as an Empire Zone, including the proposed boundaries thereto, to the New York State Commissioner of Economic Development; and

WHEREAS, such designation could greatly benefit the County in that new businesses would be encouraged to locate in the zone area, existing businesses would be encouraged to expand in the zone area, and new and expanded businesses would generate new jobs for Wyoming County residents. Wyoming as an Empire Zone; provided, however, that such authorization and empowerment shall be conditioned upon the prior concurrence, through properly adopted resolution(s) with respect to such application of the governing bodies of any and all cities, towns, and villages in which such zone is located.

Section 2. The boundaries of said areas to be included in said Empire Zone shall be as set forth in Schedule A, which is attached hereto and made a part hereof.

Section 3. Pursuant to requirements of Section 963 of the General Municipal Law, the County Director of Planning & Development shall serve as the Local

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Empire Zone Certification Officer for Wyoming County's Empire Zone, and shall, pursuant to the regulations promulgated pursuant to Article 18-B of the General Municipal Law, perform the following duty, to wit: certify, jointly with the New York State Commissioner of Economic Development and the New York State Commissioner of Labor, those businesses enterprises that are eligible to receive those benefits referred to in Section 966 of the General Municipal Law, and any other applicable statutes.

Section 4. Pursuant to Article 18-B of the General Municipal Law, a Local Empire Zone Administrative Board is hereby established to consist of not less than six (6) members. All appointments to the Board shall be made by the Wyoming County Board of Supervisors. The members of said board shall not include the Local Empire Zone Certification Officer, and shall include a representative of local business, organized labor, financial institutions, local educational institutions, community organizations, and at least one resident of the Empire Zone. The Wyoming County Board of Supervisors shall appoint the Chairperson of the Board within thirty days of an Empire Zone designation within the county. The Local Empire Zone Administrative Board shall perform all duties required of it pursuant to Section 963(b) of the General Municipal Law.

Section 5. This local law shall take effect upon filing in the Office of the Secretary of State as provided by Section 27 of the Municipal Home Rule Law.

SCHEDULE A

The following areas shall be designated as Empire Zones in connection with the Empire Zone established for Wyoming County.

Village & Town of Castile, Dev. Zone #5

| | Liber | Page |
|--|--------------|-------------|
| 147.10-3-10, that part of this deed that lies in the Village of Castile | 630 | 728 |
| 147.10-3-11, portion of deed, | 249 | 524 |
| 147.10-3-12, as shown in deed, | 647 | 918 |
| 147.10-2-13.1 | 427 | 178 |
| 147.10-2-12, as shown in deed, | 661 | 561 |
| 147.10-2-16.1, as shown in deed, | 351 | 289 |
| 147-2-24, as shown in deed, | 647 | 918 |
| 147-2-25, portion of deed, | 249 | 524 |
| 147-2-26, that potion of this deed that lies in the Town of Castile | 683 | 654 |
| A portion of Conrail rail line adjacent to parcel 147.10-3-11 | | |
| A portion of Railroad Street adjacent to parcel 147.10-3-16.1 | | |

Village of Attica, Dev. Zone #2

August 15, 2006

| | Liber | Page |
|--|--------------|-------------|
| 6.10-1-33.1, portion of deed, | 702 | 95 |
| 6.10-1-44, as shown in deed, | 642 | 933 |
| 6.10-1-43, as shown in deed, | 487 | 272 |
| 6.10-1-42, as shown in deed, | 680 | 574 |
| 6.10-1-41, as shown in deed, | 686 | 484 |
| 6.10-1-40, as shown in deed, | 686 | 484 |
| 6.10-1-50.1, as shown in deed, | 589 | 174 |
| 6.10-1-50.2, as shown in deed, | 629 | 306 |
| 6.10-1-53, as shown in deed, | 686 | 484 |
| 6.10-1-51 | | |
| 6.10-1-52.1, portion of deed, | 370 | 141 |
| 6.10-1-59.2, as shown in deed, | 672 | 363 |
| 6.10-1-59.1, portion of deed, | 596 | 293 |
| 6.10-1-60.2, as shown in deed, | 672 | 363 |
| 6.10-1-60.1, portion of deed, | 596 | 293 |
| 6.10-1-61, as shown in deed, | 642 | 155 |
| 6.10-1-62, as shown in deed, | 587 | 152 |
| 6.14-1-15, as shown in deed, | 360 | 180 |
| 6.14-1-16, as shown in deed, | 687 | 229 |
| 6.14-1-17, as shown in deed, | 670 | 191 |
| 6.14-1-18, as shown in deed, | 700 | 436 |
| 6.14-1-19, as shown in deed, | 599 | 864 |
| 6.14-1-20.11 | 491 | 140 |
| 6.14-2-47, as shown in deed, | 593 | 36 |
| 6.14-2-46, as shown in deed, | 706 | 847 |
| 6.14-2-45, as shown in deed, | 643 | 349 |
| 6.14-2-44, portion of deed, | 693 | 937 |
| 6.14-2-43, as shown in deed, | 601 | 749 |
| 6.14-2-42, as shown in deed, | 601 | 749 |
| 6.14-2-41, as shown in deed, | 670 | 13 |
| 6.14-2-40, as shown in deed, | 674 | 980 |
| 6.14-2-36.1, as shown in deed, | 674 | 976 |
| 6.14-2-36.2, as shown in deed, | 670 | 13 |
| 6.14-2-35, as shown in deed, | 601 | 90 |
| 6.14-2-34, as shown in deed, | 650 | 383 |
| 6.14-2-33, as shown in deed, | 695 | 482 |
| 6.14-2-32, as shown in deed, | 601 | 88 |
| 6.14-2-31, as shown in deed, | 624 | 287 |
| 6.14-2-30, as shown in deed, | 679 | 961 |
| 6.14-3-45, as shown in deed, | 461 | 55 |
| 6.14-3-46.1 | | |
| 6.14-3-46.2, as shown in deed, | 652 | 523 |
| 6.15-1-36.1, as shown in deed, | 704 | 20 |
| 6.15-1-50, as shown in deed, | 625 | 864 |
| 6.15-1-47.2, portion of deed, Parcel I | 678 | 938 |
| 6.15-1-47.1, as shown in deed, | 706 | 882 |
| 6.15-1-27, as shown in deed, | 706 | 799 |
| 6.15-2-25, as shown in deed, | 363 | 458 |
| 6.15-2-52, as shown in deed, | 363 | 458 |
| 6.15-3-23 | 666 | 713 |
| 6.15-3-24 | 522 | 124 |
| Portion of West Ave. adjacent to parcels 6.10-1-44 & 6.10-1-50.1 | | |

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|---|
| Portion of NYS Rt. 98 adjacent to parcels 6.14-1-20 & 6.14-2-47 |
| Portion of Tonawanda Creek adjacent to parcels 6.14-2-44 & 6.14-2-43 |
| Portion of Exchange Street adjacent to parcels 6.14-2-34 & 6.14-3-45 |
| Portion of Conrail rail line adjacent to parcels 6.15-1-36.1 & 6.15-1-50 |
| Linear portion of Conrail rail line from northwest of Favor St. to southeast of Jackson St. |

Village of Silver Springs & Town of Gainesville, Dev. Zone #6

| | Liber | Page |
|--|--------------|-------------|
| 134.08-1-42, as shown in deed, | 614 | 384 |
| 134.08-1-1, as shown in deed, | 649 | 122 |
| 135.05-1-1.11, as shown in deed, | 567 | 272 |
| 135.05-1-1.2, deed includes acres, | 615 | 256 |
| 135.05-1-1.121, as shown in deed, | 614 | 589 |
| 122.20-3-48.1, as shown in deed, | 649 | 122 |
| Portion of 134.06-1-42 | | |
| Portion of 122.19-1-6.11 | 575 | 9 |
| 134-1-24.69, as shown in deed, | 614 | 589 |
| 134-1-24.131, as shown in deed, | 567 | 272 |
| 134-1-24.122, as shown in deed, | 615 | 256 |
| Portion of 134-1-24.11, as shown in deed, | 567 | 272 |
| Portion of NYS Route 19A adjacent to parcels 134.08-1-42 & 134.08-1-1 | | |
| Portion of Rochester Southern rail line adjacent to parcels 134-1-24.11 & 134-1-1.21 | | |

Warsaw Village, Dev. Zone #7

| | Liber | Page |
|---------------------------------|--------------|-------------|
| 73.11-1-3.21, as shown in deed, | 645 | 123 |
| 73.12-1-1, as shown in deed, | 669 | 274 |

Perry Village in Perry Town, Dev. Zone #3

| | Liber | Page |
|--|--------------|-------------|
| 88.15-1-8.1, as shown in deed, | 690 | 643 |
| 88.15-1-8.2, as shown in deed, | 637 | 921 |
| 88.15-1-14, as shown in deed Parcel A, | 637 | 907 |
| 88.15-1-9, as shown in deed Parcel II, | 665 | 358 |
| 88.15-1-5, as shown in deed, | 650 | 102 |
| 88.15-1-4, as shown in deed, Parcel I, | 665 | 358 |
| 88.15-1-3.1, as shown in deed and more | 611 | 922 |
| 88.15-1-1.1, as shown in deed, | 699 | 881 |
| 88.15-1-16, as shown in deed, | 699 | 881 |
| 88.15-1-15, as shown in deed, Parcel F, | 637 | 907 |
| 88.15-1-13, as shown in deed, | 637 | 905 |
| Portion of 088.14-1-1.2, easterly 1,025ft of deed, 594 | 771 | |
| 88.15-1-6.11, as shown in deed, Parcel II | 629 | 397 |
| 88.15-1-21.1, as shown in deed, Parcel II | 594 | 767 |
| 88.15-1-20, portion of deed, | 648 | 557 |
| 88.15-1-17, as shown in deed, | 660 | 76 |
| 88.15-1-19.1 & -19.2, portion of deed, | 648 | 557 |

| | | |
|---|-----|-----|
| 88.15-1-6.121, as shown in deed, | 624 | 315 |
| 88.15-1-18, as shown in deed, | 652 | 348 |
| 88.15-1-22, as shown in deed, | 684 | 367 |
| 88.16-1-2, portion of deed, | 655 | 317 |
| Portion of 88.20-1-1, as shown in deed, | 370 | 595 |
| Portion of 88.16-1-22, as shown in deed, | 396 | 246 |
| 88.16-1-17, as shown in deed, | 530 | 199 |
| 88.16-1-16, as shown in deed, | 683 | 149 |
| 88.16-1-23, as shown in deed, | 683 | 149 |
| 88.16-1-11.2, as shown in deed, | 683 | 149 |
| 88.20-3-16.1, that portion of this deed that lies in Village of Perry | 657 | 1 |
| 88.20-3-14.1, portion of deed, | 608 | 904 |
| 88.20-3-13, as shown in deed, | 619 | 873 |
| 88.20-3-12.1, that portion of this deed that lies in Village of Perry | 638 | 643 |
| Portion of North Center Street adjacent to parcels 88.15-1-8.1 & 88.15-1-6.11 | | |
| Portion of North Main Street adjacent to parcels 88.16-1-17 & 88.16-1-22 | | |

Perry Village in Perry Town, Dev. Zone #4

| | Liber | Page |
|---------------------------------|--------------|-------------|
| 100.10-2-1, as shown in deed, | 582 | 224 |
| 100.10-2-14, portion of deed, | 249 | 271 |
| 100.10-2-12, as shown in deed, | 364 | 568 |
| 100.10-2-11, as shown in deed, | 650 | 884 |
| 100.10-2-13 | | |
| 100.10-2-10, as shown in deed, | 598 | 705 |
| 100.10-2-9 | | |
| 100.10-2-8, as shown in deed, | 388 | 115 |
| 100.10-2-6.1, as shown in deed, | 656 | 872 |
| 100.10-2-5, as shown in deed, | 501 | 84 |

Perry Village in Castile Town, Dev. Zone #4

| | Liber | Page |
|--|--------------|-------------|
| Portion of 100.10-3-25, portion of deed including lots 116-122, | 257 | 217 |
| 100.10-3-26 | | |
| 100.10-3-27, as shown in deed, | 664 | 573 |
| 100.10-3-30.1, as shown in deed, | 667 | 107 |
| 100.10-3-31, as shown in deed, | 667 | 107 |
| Portion of 100.10-3-34.1, portion of deed in lot 42 | 619 | 886 |
| 100.10-3-32, as shown in deed, | 632 | 15 |
| 100.10-3-33, as shown in deed, | 669 | 628 |
| 100.11-5-39.1, as shown in deed, | 687 | 445 |
| 100.11-5-38, as shown in deed, | 627 | 286 |
| 100.11-5-37.1, as shown in deed, | 612 | 679 |
| 100.11-5-27.21, portion of deed, | 700 | 771 |
| 100.11-5-58, portion of deed, | 700 | 771 |

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|---|-----|-----|
| 100.11-5-27.1, as shown in deed, | 616 | 128 |
| Portion of 100.11-5-26, as shown in two deeds excepting 195 ft. west of St. Helena St. west line | 648 | 126 |
| Portion of 100.11-5-25, as shown in two deeds excepting 195 ft. west of Helena St. west line | 530 | 3 |
| 100.15-1-6.1, as shown in deed, | 603 | 423 |
| 100.15-1-5, as shown in deed, | 704 | 465 |
| Portion of 100.15-1-1.111, westerly 1,100 ft. of parcel, | 665 | 741 |
| 100.15-1-7, as shown in deed, | 633 | 754 |
| Portion of 100.15-1-8, westerly 1,100 ft of parcel | 642 | 18 |
| Portion of 100.19-1-1.111, 12.6 acre portion of deed, | 529 | 95 |
| Portion of South Federal Street adjacent to parcels 100.10-3-33 & 100.11-5-39.1 | | |
| Portion of South Main Street adjacent to parcels 100.11-5-39.1 & 100.11-5-38 | | |

Arcade Village & Arcade Town, Dev. Zone #1

| | Liber | Page |
|---|--------------|-------------|
| Portion of 182.16-1-1.12, portion of deed, | 586 | 39 |
| 182.16-1-1.11, as shown in deed, | 644 | 362 |
| 182.16-1-5, as shown in deed, | 644 | 362 |
| 182.16-1-6.1 & 6.2, as shown in deed, | 603 | 119 |
| 182.16-1-7, as shown in deed, | 703 | 677 |
| Portion of 182.16-1-22.1, portion of deed, | 648 | 284 |
| Portion of 182.16-1-23.1, portion of deed, | 648 | 284 |
| Portion of 182.16-1-14.1 | | |
| 193-3-1.112 | | |
| Portion of 193-2-20 | | |
| 193-2-9.121, as shown in deed, | 646 | 277 |
| Portion of 193-2-17.111, portion of deed southwest of Clear Creek, | 636 | 871 |
| Portion of 193-2-1.2, portion of deed southwest of Clear Creek, | 699 | 871 |
| 182.19-1-5.2, as shown in deed, | 641 | 793 |
| 182.19-1-5.1, as shown in deed, | 641 | 790 |
| 182.19-1-16, as shown in deed, | 688 | 846 |
| 182.19-1-8.112, as shown in deed, | 686 | 634 |
| 182.19-1-4.12, as shown in deed, | 532 | 228 |
| 182.19-1-4.112 | | |
| 182.19-1-2, as shown in deed, | 607 | 900 |
| 182.19-1-7, as shown in deed, | 607 | 900 |
| 182.19-1-6.3, as shown in deed, | 607 | 900 |
| 182.19-1-1, as shown in deed, | 607 | 900 |
| 182.19-1-6.2, as shown in deed, | 607 | 900 |
| 182.19-1-12.13, as shown in deed, | 664 | 163 |
| Portion of 183.14-1-18 | | |
| 183.14-1-21, as shown in deed, | 704 | 488 |
| 183.14-1-93, as shown in deed, | 353 | 870 |
| 183.14-1-94, as shown in deed, | 634 | 202 |
| 183.14-1-95, as shown in deed, | 217 | 270 |
| 183.14-1-96, as shown in deed, | 346 | 257 |
| 183.14-1-82.2, portion of deed, parcel A, | 691 | 507 |

| | | |
|--|-----|-----|
| 183.14-1-82.1, as shown in deed, | 683 | 902 |
| Portion of 183.18-1-57.1, portion of deed, | 617 | 738 |
| 183.14-1-61.2, as shown in deed, | 652 | 256 |
| 183.14-1-61.1, as shown in deed, | 692 | 157 |
| 183.10-1-47.11, portion of deed, parcel 4 | 705 | 534 |
| 183.10-1-44.12, as shown in deed, | 692 | 803 |
| 183.10-1-44.11, as shown in deed, | 692 | 803 |
| 183.10-1-37, portion of deed, | 617 | 738 |
| 183.10-1-27, as shown in deed, | 600 | 413 |
| 183.18-1-1, as shown in deed, | 642 | 606 |
| 183.18-1-2, as shown in deed, | 647 | 419 |
| 183.18-1-3, as shown in deed, | 646 | 569 |
| 183.18-1-4, as shown in deed, | 682 | 840 |
| 183.18-1-39, portion of deed, | 319 | 54 |
| 183.18-1-38, as shown in deed, | 629 | 593 |
| 183.18-1-37, as shown in deed, | 690 | 863 |
| 183.18-1-36, as shown in deed, | 628 | 779 |
| 183.18-1-35, as shown in deed, | 686 | 605 |
| 183.18-1-34, as shown in deed, | 687 | 70 |
| 183.18-1-33, as shown in deed, | 661 | 838 |
| 183.18-1-56.1, portion of deed, | 662 | 649 |
| Portion of 183.13-2-2.1 | | |
| Portion of 183.13-2-5, the southerly 230 ft. portion of deed, | 680 | 136 |
| 183.13-2-12, portion of deed, | 614 | 627 |
| 183.13-2-14.1, portion of deed, | 699 | 234 |
| 183.13-2-40, as shown in deed, | 632 | 375 |
| 183.13-2-63, as shown in deed, | 383 | 716 |
| 182.15-1-8, as shown in deed, | 646 | 553 |
| 182.15-1-7, as shown in deed, | 367 | 478 |
| 182.15-1-6, as shown in deed, | 586 | 39 |
| 182.15-1-5, as shown in deed, | 501 | 226 |
| 182.15-1-26.2, as shown in deed, | 691 | 703 |
| 182.15-1-28, as shown in deed, | 685 | 60 |
| 182.15-1-26.1, as shown in deed, | 691 | 700 |
| Portion of 183.06-1-2.1, as shown in deed, | 607 | 933 |
| 192.07-1-1, as shown in deed, | 641 | 793 |
| 192.07-1-2, as shown in deed, | 615 | 875 |
| 173-1-40, as shown in deed, | 706 | 450 |
| Portion of 173-1-14.2, portion of deed south of A&A Railroad | 679 | 375 |
| Portion of 173-1-54, as shown in deed, parcel B | 634 | 936 |
| 183-1-21, as shown in deed, | 644 | 691 |
| 183-1-18, as shown in deed, | 704 | 110 |
| 183-1-17, as shown in deed, | 673 | 410 |
| 183-1-16, portion of deed, | 617 | 738 |
| Portion of 183-1-32, as shown in deed, | 370 | 512 |
| 183-1-15, portion of deed, | 617 | 738 |
| Portion of A&A Railroad rail line, running through parcel 182.16-1-1.11 | | |
| Portion of NYS Route 39, adjacent to parcels 182.15-1-6 & 182.15-1-26.2 | | |
| Portion of NYS Route 98, adjacent to parcels 193-2-9.121 & 193-2-20 | | |
| Portion of William Street, adjacent to parcels 182.19-1-12.13 & 182.19-1-4.112 | | |
| Portion of Cattaraugus Creek, adjacent to parcels 183.14-1-18.1 & 183.10-1-27 | | |

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| |
|---|
| Portion of Main Street, adjacent to A&A Railroad rail crossing |
| Portion of Mill Street, adjacent to A&A Railroad rail crossing |
| Portion of A&A Railroad rail line, adjacent to parcels 183.10-1-27 & 183.10-1-26 |
| Portion of Curriers Road, adjacent to A&A Railroad road crossing |
| Portion of North Street, adjacent to A&A Railroad road crossing |
| Portion of Park Street, adjacent to A&A Railroad road crossing |
| Portion of A&A Railroad rail line between North St. and Curriers Road |
| Portion of Deacon Drive, adjacent to parcels 183.18-1-33 & 183.18-1-56.1 |
| Portion of Bixby Hill Road, adjacent to parcels 183.13-2-2.1 & 183.13-2-12 |
| Portion of A&A Railroad rail line, between west parcel line of 183.13-2-14.7 & Park St. |
| Portion of Conrail rail line, between Cattaraugus Creek and NYS Route 39 |
| Portion of NYS Route 39, adjacent to parcels 182.16-1-5 & 182.16-1-22.1 |

Carried: XXX Ayes: 1618**Noes:****Absent: Abstain:**

Chairman Berwanger introduced Brenda Jones as the new Human Resource Director and Bill Maddison as the new Executive Director of Cornell Cooperative Extension.

There being no further business to come before this Board with a rap on his desk Senior Supervisor Bush adjourned the meeting at 2:43 PM.

Respectfully submitted,

Cheryl J. Ketchum

Clerk to the Board of Supervisors

August 15, 2006

**REGULAR SESSION
(September 12, 2006)**

Tuesday

3:00 PM

The regular Session of the Wyoming County Board of Supervisors was held at the Wyoming County Government Center in the Board of Supervisors' Chambers located at 143 North Main Street, Warsaw, New York with all Supervisors present except Supervisor Bush, T/Gainesville. Also present were County Attorney, Eric T. Dadd; Budget Officer, Paula Parker; Clerk to the Board of Supervisors, Cheryl Ketchum and Deputy Clerk to the Board, Brenda Ferrell.

At 3:37 PM Chairman Berwanger, T/Arcade, called the meeting to order.

In honor of 9/11 the Chairman read a Presidential Proclamation.

PATRIOT DAY, 2006

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BY THE PRESIDENT OF THE UNITED STATES OF AMERICA
A PROCLAMATION

On the fifth anniversary of the attacks of September 11, 2001, we recall the fire and horror at the twin towers of the World Trade Center, the Pentagon, and a Pennsylvania field. America will always remember the thousands of innocent lives taken by the enemies of freedom that morning.

In the face of these unspeakable attacks, we were reminded that the great strength of America is found in the hearts and souls of our citizens. We witnessed firefighters, police officers, other public safety officials, and ordinary Americans demonstrate extraordinary courage, risking their lives to save innocent victims. We saw our country united in compassion as Americans came together to provide relief and bring hope to others.

Today, America is fighting a war that is testing our Nation's resolve. We are once again answering history's call with confidence, and we know that freedom will prevail. Our brave men and women in uniform have stepped forward to fight our enemies

Regular Session

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abroad so that we do not have to face them here at home, and we are grateful for the courageous individuals bringing terrorists to justice around the world.

We are also confronting the extremists in the great ideological struggle of the 21st century. September the 11th made clear that, in the long run, the only way to secure our Nation is to advance liberty and democracy as the great alternatives to repression and radicalism. By working together with our friends and allies, we are helping spread the blessings of freedom and laying the foundations of peace for generations to come.

The events of September 11, 2001, will always be a defining moment in our history. We hold the victims and their families in our hearts, and we lift them up in our prayers.

By a joint resolution approved December 18, 2001 (Public Law 107-89), the Congress has designated September 11 of each year as "Patriot Day."

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, do hereby proclaim September 11, 2006, as Patriot Day. I call upon the Governors of the United States and the Commonwealth of Puerto Rico, as well as appropriate officials of all units of government, to direct that the flag be flown at half staff on Patriot Day. I also call upon the people of the United States to observe Patriot Day with appropriate ceremonies, activities, and remembrance services, to display the flag at half staff from their homes on that day, and to observe a moment of silence beginning at 8:46 a.m. eastern daylight time to honor the innocent Americans and people from around the world who lost their lives as a result of the terrorist attacks of September 11, 2001.

IN WITNESS WHEREOF, I have hereunto set my hand this seventh day of September, in the year of our Lord two thousand six, and of the Independence of the United States of America the two hundred and thirty-first.

GEORGE W. BUSH

September 12, 2006

It has been the custom of the Board of Supervisors since 9/11 to have a veteran lead in the pledge of allegiance.

The Veteran leading the Pledge of Allegiance for September is:

CAPTAIN COLIN KELLY

Captain Kelly's service to his country comes while serving in the United States Army.

Mr. Kelly graduated high school in 1993 from Roselle Catholic High School in Roselle, N.J.

He went to work for Hosokawa Micron Powder Systems as a laboratory technician for the next four years. Mr. Kelly enlisted in the United States Army Reserve in 1997 as a "Light-

Wheeled Vehicle Mechanic" and took his Basic Training at Fort Jackson, South Carolina. Mr. Kelly was awarded a ROTC Scholarship and attended Seton Hall University. Mr. Kelly then completed his Officers Training School at Fort Benning, Georgia in the field of Infantry. On the 5th of January 2002, Mr. Kelly was commissioned as a 1st Lieutenant in the United States Army. Mr. Kelly also graduated from Seton Hall University with a Bachelors of Science Degree in Business Economics. By 2003 Lt. Kelly had completed Airborne School and the Air Assault Course. Lt. Kelly's first assignment was as a Rifle Platoon Leader with "Baker Company" 2nd Battalion of the 506th Infantry Regiment at Camp Greaves in the Republic of Korea. Camp Greaves was located at the "Demilitarized Zone." "Baker" Company is the Old Phonetic designation for the letter "B" and the 506th Infantry has kept this as tied to the famous "Band of Brothers."

During his two years in Korea, Lt. Kelly advanced from Platoon Leader, to Company Executive Officer, and then to the Assistant Operations Officer of Headquarters Company of the 1st Battalion, 506th Infantry. In August of 2004, Lt. Kelly's 506th Infantry Regiment was deployed to Iraq in support of the 2nd Infantry Division of "Operation Iraqi Freedom." The 506th Infantry was stationed at Camp Habbiniyah and their mission was to control the traffic of "Insurgents," Ramidi and Fallujah. This mission also included involvement in the major assault on Fallujah and the 1st Iraqi democratic election. Lt. Kelly was initially assigned as Assistant S-3 (Operation Officer) of Headquarters Company and then became the Executive Officer of Rifle Company "Baker" Company. Lt. Kelly was promoted to the rank of Captain in May of 2005 and returned home with the 506th Infantry Regiment, which was assigned to Fort Carson, Colorado and attached to the 101st Airborne Division.

CPT. Kelly was discharged from Active Duty in January of 2006 and then joined the

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New York Army National Guard in Buffalo, New York as the Assistant Battalion Operations Officer. For his service to his country, CPT Kelly has been awarded:

**THE NATIONAL DEFENSE SERVICE RIBBON
THE ARMY SERVICE RIBBON
THE COMBAT INFANTRY BADGE
THE EXPERT INFANTRY BADGE
THE AIR ASSAULT BADGE
THE PARACHUTIST BADGE
KOREA DEFENSE SERVICE MEDAL
IRAQI CAMPAIGN MEDAL
GLOBAL WAR ON TERRORISM SERVICE MEDAL
GLOBAL WAR ON TERRORISM EXPEDITIONARY
MEDAL
ARMY ACHIEVEMENT MEDAL W/ 2 OAK LEAF
CLUSTERS
ARMY COMMENDATION MEDAL W/ 1 OAK LEAF
CLUSTER
THE BRONZE STAR**

CPT Kelly, after being discharged from active duty, went to work for Noble Environmental Power, and has become the Project Manager working out of Arcade. CPT Kelly enjoys basketball, playing the guitar, and reading books on Military History.

The pledge was said by all.

A certificate of appreciation was presented to Capt. Kelly in honor of his service to his country and also to commemorate his appearance here today.

Capt. Kelly agreed to stay and answer questions after the Board Meeting.

The Department of Social Services proudly recognizes outstanding employees within the department. The employees are invited and encouraged to learn more about governmental proceedings and the inter-relationship between the Department of Social Services and the Board of Supervisors.

Each month, Commissioner Schmitt, brings an employee of the month to the Human Services Committee meeting to see first hand how Departmental requests are processed by the Board.

The employee of the month for September 2006 is Jeannie Broughton. Jeannie has been with the department since 2002 and is our Community Services

September 12, 2006

Worker. She is responsible for our “Work Experience Program”, assisting the Fraud Investigator as well as the eligibility units. Jeannie is greatly appreciated by her peers as well as her clients for her gentle guidance and support.

We would like to thank Jeannie for her years of service to the community and to the County of Wyoming.

Please join me in recognizing Jeannie Broughton.

Ms. Broughton thanked the Board for the opportunity to serve her community.

Appreciation Certificate presented to County Historian by Director of Veterans Services for her contribution to Veteran Services involving Ceremonies in Gainesville Cemetery in which approximately 3,000 Revolutionary War and Civil War Veterans received bronze plaques.

Recognized September 15, 2006 as POW/MIA Recognition Day

Communications:

C1: Invitation to attend ceremony in honor of generous pledge to the Capital ONE Campaign made by Don Beck, Inc. Thursday, September 14 at 10:00 AM in front of the Nursing Facility Lobby area outside.

#1

**RESOLUTION NO. 06-262
(September 12, 2006)**

By Mr. Davis, Chairman of Finance Committee:

FUNDS TRANSFERRED TO VARIOUS 2006 ACCOUNTS

BE IT RESOLVED, That funds are hereby transferred to the various 2006 accounts as follows:

| Public Health | | | <u>Dept. Totals:</u> |
|--|------------|------------|-----------------------------|
| From: 01.34.1681.2.20201 Computers To: 01.38.4010.2.20201 computers Reason: to purchase new pc for Public Health. The county will receive 36% reimbursement paying for computers from Public Health budget. | \$3,362.00 | \$3,362.00 | |
| Public Health Total | | | \$3,362.00 |
| Board of Supervisors | | | |
| From: 01.31.1010.8.81001 Retirement To: 01.31.1010.4.40402 Conferences / Conv. Reason: Funds for 4 Supervisor members to attend NYSAC Conference. | \$2,000.00 | \$2,000.00 | |
| Board of Supervisors Total | | | \$2,000.00 |

Carried: XXX Ayes: 1522 Noes: Absent: 96 (Gainesville) Abstain:
Regular Session

**RESOLUTION NO. 06-263
(September 12, 2006)**

By Mr. Davis, Chairman of Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2006 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2006 accounts as follows:

| Tourism | | | <u>Dept. Totals:</u> |
|--|------------------------------------|-----------------------|-----------------------------|
| To: 01.42.6420.4.40901 Bed Tax-Tourism w/01.02.1325.1113 Bed Tax Rev increased by same Reason: to expend funds to Tourism (less 5% Administrative fee) 1 st quarter adjustment and 3 rd quarter through June 30, 2006. | \$16,000.00 | \$16,000.00 | |
| Tourism Total | | | \$16,000.00 |
| Department of Social Services | | | |
| To: 01.39.6010.4.40304 (Temp. Emp. Services) w/01.12.6010.4610 increase by same. Reason: | \$17,232.00 | \$17,232.00 | |
| Department of Social Services Total | | | \$17,232.00 |
| Office for the Aging | | | |
| To: 01.44.6772.4.40924 Homemaker Service w/01.11.6772.377203 EISEP increased by same Reason: Increase in allocation from NYS Office for the Aging for program year 2006 –2007. | \$56,484.00 | \$56,484.00 | |
| Office for the Aging Total | | | \$56,484.00 |
| Building Code Enforcement | | | |
| To: 01.37.3620.4.40011 Radio Maintenance 01.37.3620.4.40013 Radio Communications <i>from any funds available</i> Reason: Appropriate equipment and additional fee for purchase and installation of new digital radios | \$1,470.00 <u>93.05</u> | \$1,563.05 | |
| Building Code Enforcement Total | | | \$1,563.05 |
| Probation | | | |
| To: 01.37.3140.4.41410 Software 01.37.3141.4.41410 Software 01.37.3141.2.20201 Computers w/01.11.3140.331001 Probation State increased by 01.04.3141.1515 Alt. To Incarc. Fees inc. by Reason: Dedicated funds saved for years from Alternative Programs' percentage of the bail posted can be used to pay for our upgraded software responsibilities and needed computers. | \$1,000.00 6,916.26 4,713.00 | 1,000.00 11,629.26 | |
| Probation Total | | | \$12,629.26 |

Carried: XXX Ayes: 1522Noes: Absent: 96 (Gainesville) Abstain:

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**RESOLUTION NO. 06-264
(September 12, 2006)**

By Mr. Davis, Chairman of Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2006 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2006 accounts as follows:

| Department of Social Services | | | Dept. Totals: |
|--|----------|----------|----------------------|
| To: 01.39.6010.4.42475 Partners Prevention Grant w/01.09.6010.2705 increased by same Reason: Mental Health Mini – grant. | \$417.00 | \$417.00 | |
| Department of Social Services Total | | | \$417.00 |

Carried: XXX Ayes: 1184 Noes: 162 (Arcade) Absent: 96 (Gainesville)Abstain:
127 (Castile)
49 (Eagle)
338

**Non-Consent
#4**

**RESOLUTION NO. 06-265
(September 12, 2006)**

By Mr. Davis, Chairman of Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2006 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2006 accounts as follows:

| Youth Bureau | | | Dept. Totals: |
|--|----------|----------|----------------------|
| To: 01.45.7310.4.42434 Stars Program w/01.03.7310.1289 Other Dept. Income incr. by same Reason: Funds needed to cover additional babysitting course. | \$500.00 | \$500.00 | |
| Youth Bureau Total | | | \$500.00 |

Carried: XXX Ayes: 1184 Noes: 162 (Arcade) Absent: 96 (Gainesville)Abstain:
127 (Castile)
49 (Eagle)
338

**RESOLUTION NO. 06-266
(September 12, 2006)**

By Mr. Davis, Chairman of Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2006 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2006 accounts as follows:

| Youth Bureau | | | Dept. Totals: |
|---|--------------|----------|----------------------|
| To: 01.45.7310.4.42306 Misc – Fair Expense | \$430.13 | | |
| 01.45.7310.4.40406 Employee mileage | <u>69.87</u> | | |
| w/01.03.7310.1289 Other Dept. Income incr. by | | \$500.00 | |
| Reason: Funds needed to cover money spent on fair. | | | |
| Youth Bureau Total | | | \$500.00 |

Carried: XXX Ayes: 1184 Noes: 162 (Arcade) Absent: 96 (Gainesville) Abstain:
127 (Castile)
49 (Eagle)
338

Mr. Knab, T/Sheldon, Vice Chairman of the Audit Committee, presented bills totaling **\$1,536,724.50** for the month of **August 2006**.

Carried: XXX Ayes: 1522 Noes: Absent: 96 (Gainesville) Abstain:

There was a motion by Mr. Patti, T/Attica, to combine resolutions #6 through #10. A voice vote was taken and all voted aye.

#6

**RESOLUTION NO. 06-267
(September 12, 2006)**

By Mr. Patti, Chairman of Public Works Committee:

HIGHWAY SALT BID APPROVED

BE IT RESOLVED, That the 2006/2007 snow season salt bid as awarded to American Rock Salt, P. O. Box 190, Mount Morris, 14510 in the amount of twenty-nine dollars fourteen cents (\$29.14) per ton delivered to the

September 12, 2006

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sixteen towns that make up Wyoming County and Wyoming County Highway Department is hereby approved.

Carried: XXX Ayes: 1522 Noes: Absent: 96 (Gainesville) Abstain: #7

**RESOLUTION NO. 06-268
(September 12, 2006)**

By Mr. Patti, Chairman of Public Works Committee:

HIGHWAY EQUIPMENT BID AWARDED

BE IT RESOLVED, That the purchase of a 2006 Gradall, model XL3100, in the amount of two hundred nineteen thousand nine hundred twenty-seven dollars (\$219,927.00) is hereby awarded to Vantage Equipment, LLC, 4554 W. Saile Drive, Batavia, NY 14020.

Carried: XXX Ayes: 1522 Noes: Absent: 96 (Gainesville) Abstain: #8

**RESOLUTION NO. 06-269
(September 12, 2006)**

By Mr. Patti, Chairman of Public Works Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
WITH THYSSENKRUPP ELEVATOR ON BEHALF OF
BUILDINGS AND GROUNDS**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with ThyssenKrupp Elevator Corp., 55 Benbro Dr., Buffalo, NY 14225 for the provision of maintenance of the Otis elevator in the County Courthouse on behalf of Buildings and Grounds. Said contract is in the amount of six thousand five hundred fifty-two dollars (\$6,552.00); effective September 01, 2006 through August 31, 2009; contingent upon the availability of funds.

Carried: XXX Ayes: 1522 Noes: Absent: 96 (Gainesville) Abstain:

**RESOLUTION NO. 06-270
(September 12, 2006)**

By Mr. Patti, Chairman of Public Works Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
WITH COVERALL CLEANING CONCEPTS ON BEHALF
OF BUILDINGS AND GROUNDS**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with COVERALL Cleaning Concepts (Penny Wright) Franchise, 6265 Sheridan Drive, Suite 106, Williamsville, NY 14422 on behalf of Buildings and Grounds. Said contract is for the provision of janitorial services at county owned buildings in the amount of eighty-two thousand four hundred four dollars (\$82,404.00); effective September 15, 2006 through September 14, 2007; contingent upon the availability of funds.

**Carried: XXX Ayes: 1522 Noes: Absent: 96 (Gainesville) Abstain:
#10**

**RESOLUTION NO. 06-271
(September 12, 2006)**

By Mr. Patti, Chairman of Public Works Committee:

RESOLUTION NUMBER 06-216 AMENDED

WHEREAS, Resolution number 06-216 provides New York State Department of Transportation with a detour during replacement of highway culvert, C470014, on S. H. 5134/5410 (Warsaw – Pavilion, Parts 3 and 4), near the intersection of Fox Road and Route 19, in the Town of Middlebury, Wyoming County, under P. I. N. 4T38.04; and

WHEREAS, In conformance with Section 42 of the New York State Highway Law, the New York State Department of Transportation proposes to utilize the following roads and streets as detours during the period of construction:

September 12, 2006

County Road 7 from the intersection of County Road 7 and Route 19 north through the Towns of Warsaw and Middlebury and ending at the intersection of County Road 7 and Route 19 in the Village of Wyoming; now therefore

BE IT RESOLVED, That, “County Road 7 from the intersection of County Road 7 and Route 19 north through the Towns of Warsaw and Middlebury and ending at the intersection of County Road 7 and Route 19 in the Village of Wyoming,” is hereby replaced with:

County Road 7 from the intersection of County Road 7 and State Route 19 north through the Towns of Warsaw and Middlebury and ending at the intersection of County Road 7 and County Road 60 in the Town of Middlebury.

County Road 60 from the intersection of County Road 7 and County Road 60 north through the Towns of Middlebury and Covington to the intersection of County Road 60 and State Route 19 in the Town of Covington.

Carried: XXX Ayes: 1522 Noes: Absent: 96 (Gainesville) Abstain:

There was a motion by Mr. Rogers, T/Pike, to combine resolutions #11 through #17. A voice vote was taken and all voted aye.

#11

**RESOLUTION NO. 06-272
(September 12, 2006)**

By Mr. Rogers, Chairman of Human Services Committee:

**CHAIRMAN/COMMISSIONER AUTHORIZED TO SIGN A
CONTRACT WITH GENESEE VALLEY BOCES ON
BEHALF OF THE DEPARTMENT OF SOCIAL SERVICES**

BE IT RESOLVED, That the Chairman of this Board and the Commissioner of Social Services with the approval of the County Attorney are hereby authorized and directed to sign an Agreement with Genesee Valley BOCES through Community Solutions for Transportation & Job Training Skills, 27 Lackawanna Ave., Mt. Morris 14520 and 8250 State St., Batavia 14020 on behalf of the Department of Social Services. Said Agreement is for the provision of TABE testing & Adult Education, not to exceed two thousand five hundred dollars (\$2,500.00) with a 100% Federal Reimbursement; effective

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October 01, 2006 through September 30, 2007; contingent upon the availability of funds.

Carried: XXX Ayes: 1522 Noes: Absent: 96 (Gainesville) Abstain: #12

**RESOLUTION NO. 06-273
(September 12, 2006)**

By Mr. Rogers, Chairman of Human Services Committee:

**CHAIRMAN/COMMISSIONER AUTHORIZED TO SIGN A
CONTRACT WITH WYOMING COUNTY OFFICE FOR
THE AGING ON BEHALF OF THE DEPARTMENT OF
SOCIAL SERVICES**

BE IT RESOLVED, That the Chairman of this Board and the Commissioner of Social Services with the approval of the County Attorney are hereby authorized and directed to sign an Agreement with Wyoming County Office for the Aging, 8 Perry Avenue, Warsaw NY 14569 on behalf of the Department of Social Services. Said agreement is for the purpose of the 2006-2007 Low Income Home Energy Assistance Act, not to exceed eight thousand five hundred dollars (\$8,500.00) with a 100% Federal reimbursement; effective October 01, 2006 through September 30, 2007; Contingent upon availability of funds.

Carried: XXX Ayes: 1522 Noes: Absent: 96 (Gainesville) Abstain: #13

**RESOLUTION NO. 06-274
(September 12, 2006)**

By Mr. Rogers, Chairman of Human Services Committee:

**CHAIRMAN/COMMISSIONER AUTHORIZED TO SIGN A
CONTRACT WITH NEW YORK STATE OTDA DIVISION
OF EMPLOYMENT AND TRANSITIONAL SUPPORTS ON
BEHALF OF THE DEPARTMENT OF SOCIAL SERVICES**

BE IT RESOLVED, That the Chairman of this Board and the Commissioner of Social Services with the approval of the County Attorney are
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hereby authorized and directed to sign an agreement with New York State Office Temporary and Disability Assistance, 40 North Pearl Street, 11-C, Albany, NY 12243 on behalf of the Department of Social Services. Said agreement to accept CST VII funding to assist employed recipients with approved auto repairs, insurance, etc., in a minimum amount of fifty-seven thousand eight hundred sixty-nine dollars (\$57,869.00) with a 100% Federal reimbursement; effective July 01, 2006 through June 30, 2007; contingent upon the availability of funds.

Carried: XXX Ayes: 1522 Noes: Absent: 96 (Gainesville) Abstain: #14

**RESOLUTION NO. 06-275
(September 12, 2006)**

By Mr. Rogers, Chairman of Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN INTEGRATED
COUNTY PLAN (ICP) ON BEHALF OF THE
DEPARTMENT OF SOCIAL SERVICES AND YOUTH
BUREAU**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with the Office of Children & Family Services, 52 Washington St., Rensselaer, N.Y. 12144 on behalf of the Department of Social Services and the Youth Bureau for provision of a three-year agreement for the Integrated County Plan (ICP); effective January 1, 2007 to December 31, 2009.

Carried: XXX Ayes: 1522 Noes: Absent: 96 (Gainesville) Abstain: #15

**RESOLUTION NO. 06-276
(September 12, 2006)**

By Mr. Rogers, Chairman of Human Services Committee:

RESOLUTION NUMBER 06-43 AMENDED

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WHEREAS, Resolution Number 06-43 provides for various Office for the Aging Grant Acceptances; and

WHEREAS, Wyoming County Office for the Aging made application for The Title V – Senior Community Service Employment Grant in the amount of twenty-seven thousand two hundred forty-nine dollars (\$27,249.00); now therefore

BE IT RESOLVED, That the above mentioned grant was awarded sixty-eight dollars (\$68.00) less in the amount of twenty-seven thousand one hundred eighty-one dollars (\$27,181.00); and be it further

RESOLVED, That resolution number 06-43 be amended to reflect this change.

Carried: XXX Ayes: 1522 Noes: Absent: 96 (Gainesville) Abstain: #16

**RESOLUTION NO. 06-277
(September 12, 2006)**

By Mr. Rogers, Chairman of Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN A GRANT
APPLICATION AND ACCEPTANCE AWARD ON BEHALF
OF THE OFFICE FOR THE AGING**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a grant application and acceptance with NYS Office for the Aging, 2 Empire State Plaza, Albany NY 12223 on behalf of the Office for the Aging. Said grant is for the provision of AAA Transportation Funding in order to provide or enhance transportation services to residents 60+ in Wyoming County; effective April 01, 2006 through March 31, 2007 in the minimum amount of five thousand dollars (\$5,000.00).

Carried: XXX Ayes: 1522 Noes: Absent: 96 (Gainesville) Abstain: #17

**RESOLUTION NO. 06-278
(September 12, 2006)**

September 12, 2006

By Mr. Rogers, Chairman of Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
WITH DANIEL J. PERKINS ON BEHALF OF THE OFFICE
FOR THE AGING**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Daniel J. Perkins, 101 W. Court St., Warsaw, NY 14569 on behalf of the Office for the Aging. Said contract is for the provision of a WRAP Coordinator in the amount of twenty-one thousand twenty-three dollars (\$21,023.00); effective October 01, 2006 through September 30, 2007; contingent upon the availability of funds.

Carried: XXX Ayes: 1522 Noes: Absent: 96 (Gainesville) Abstain:

There was a motion by Mrs. Totslin, T/Genesee Falls, to combine resolutions #18 through #19. A voice vote was taken and all voted aye.

#18

**RESOLUTION NO. 06-279
(September 12, 2006)**

By Mrs. Totslin, Chairman of Public Health Committee:

FAMILY DAY PROCLAIMED

WHEREAS, The use of illegal drugs and the abuse of alcohol and nicotine constitute the greatest threats to the well-being of America's children; and

WHEREAS, Surveys conducted by the National Center on Addiction and Substance Abuse (CASA) at Columbia University have consistently found that the more often children and teenagers eat dinner with their families the less likely they are to smoke, drink and use illegal drugs; and

WHEREAS, Teenagers who virtually never eat dinner with their families are 72 percent more likely than the average teenager to use illegal drugs, alcohol and cigarettes; and

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WHEREAS, Teenagers who almost always eat dinner with their families are 31 percent less likely than the average teenager to use illegal drugs, alcohol and cigarettes; and

WHEREAS, The correlation between family dinners and reduced risk for teen substance abuse are well documented; and

WHEREAS, Parental influence is known to be one of the most critical factors in determining the likelihood of substance abuse by teenagers; and

WHEREAS, Family dinners have long constituted a substantial pillar of family life in America; now, therefore,

BE IT RESOLVED, That this Board of Supervisors does hereby proclaim Monday, September 25th, 2006 as:

**Family Day
A Day to Eat Dinner with Your Children**

And urges all citizens to recognize and participate in its observance.

Carried: XXX Ayes: 1522 Noes: Absent: 96 (Gainesville) Abstain: #19

**RESOLUTION NO. 06-280
(September 12, 2006)**

By Mrs. Totline, Chairman of Public Health Committee:

**EDWARD HULME APPOINTED TO THE BOARD OF
HEALTH**

BE IT RESOLVED, That Edward Hulme, 3133 Royce Rd., Varysburg, NY 14167 is hereby appointed to the Board of Health to fill the vacant unexpired term of Ms. Beth Hildebrant, effective immediately through corrected term of December 31, 2011.

Carried: XXX Ayes: 1522 Noes: Absent: 96 (Gainesville) Abstain:

Mrs. Totline presented the Family Day Proclamation to Mr. Snell Director of Community Services.

September 12, 2006

There was a motion by Mr. Kushner, T/Eagle, to combine resolutions #20 through #26. A voice vote was taken and all voted aye.

#20

**RESOLUTION NO. 06-281
(September 12, 2006)**

By Mr. Kushner, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A GRANT
ACCEPTANCE AWARD WITH THE UNITED STATES
DEPARTMENT OF JUSTICE ON BEHALF OF
EMERGENCY SERVICES**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a Grant Acceptance Award with the U. S. Dept. of Justice / COPS Division, 1100 Vermont Avenue, NW, Washington, DC 20530 on behalf of Emergency Services. Said grant is for the COPS Technology grant in a minimum amount of ninety-eight thousand seven hundred twenty-three dollars (\$98,723.00). This grant is to provide for radio equipment for four tower sites; effective November 22, 2005 through November 21, 2008.

Carried: XXX Ayes: 1522 Noes: Absent: 96 (Gainesville) Abstain:
#21

**RESOLUTION NO. 06-282
(September 12, 2006)**

By Mr. Kushner, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CHANGE ORDER
WITH SAIA COMMUNICATIONS ON BEHALF OF
EMERGENCY SERVICES**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a change order to the communications contract with Saia Communications, 100 Stradtman Street, Buffalo, NY 14206. This change order will provide

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weatherproof rack cabinets for the sites in the Towns of Pike and Perry. The cost is in the amount of five thousand six hundred dollars (\$5,600.00) each for a total change order of eleven thousand two hundred dollars (\$11,200.00) and a total contract amount of six hundred twenty-two thousand three hundred ninety-four dollars and forty-five cents (\$622,394.45); and be it

FURTHER RESOLVED, That resolution 05-228 be amended to reflect the increase.

Carried: XXX Ayes: 1522 Noes: Absent: 96 (Gainesville) Abstain: #22

**RESOLUTION NO. 06-283
(September 12, 2006)**

By Mr. Kushner, Chairman of Public Safety Committee:

**DUSTY DIETER APPOINTED TO THE FIRE ADVISORY
BOARD**

BE IT RESOLVED, That *Dusty Dieter (Gainesville Fire Department)*, 38 Perry Avenue, Silver Springs, NY 14550 is hereby appointed as a Fire Advisory Board Delegate *for 2006* to replace Mr. Albert Keller *effective immediately*.

Carried: XXX Ayes: 1522 Noes: Absent: 96 (Gainesville) Abstain: #23

**RESOLUTION NO. 06-284
(September 12, 2006)**

By Mr. Kushner, Chairman of Public Safety Committee:

RESOLUTION NUMBER 06-64 AMENDED

WHEREAS, Resolution Number 06-64 provides for the 2006 Annual Probation Plan effective January 01, 2006 through December 31, 2006; and

WHEREAS, The New York State Division of Probation and Correctional Alternatives (DPCA) allotted fifty-seven thousand two hundred

September 12, 2006

dollars (\$57,200.00). Three thousand one hundred dollars (\$3,100.00) less than anticipated; now therefore

BE IT RESOLVED, That Resolution Number 06-64 be amended to reflect the decreased amount of funding.

Carried: XXX Ayes: 1522 Noes: Absent: 96 (Gainesville) Abstain: #24

**RESOLUTION NO. 06-285
(September 12, 2006)**

By Mr. Kushner, Chairman of Public Safety Committee:

RESOLUTION NUMBER 06-61 AMENDED

WHEREAS, Resolution Number 06-61 provides for a contract with the 2006 Alternatives to Incarceration Plan effective January 01, 2006 through December 31, 2006; and

WHEREAS, In a letter to Wyoming County dated August 07, 2006 from the Division of Probation and Correctional Alternatives stating that the Office of the State Comptroller has recommended that state agencies begin using contracts written for a five (5) year term rather than a multi-year contract; now therefore

BE IT RESOLVED, That Resolution Number 06-61 be amended to reflect a 5-year contract effective January 01, 2006 through December 31, 2010 and a new contract amount of one hundred twenty-four thousand five hundred dollars (\$124,500.00), twenty-four thousand nine hundred (\$24,900.00) annually.

Carried: XXX Ayes: 1522 Noes: Absent: 96 (Gainesville) Abstain: #25

**RESOLUTION NO. 06-286
(September 12, 2006)**

By Mr. Kushner, Chairman of Public Safety Committee:

Proceedings of the Board of Supervisors**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
WITH ATTICA LEGAL AID ON BEHALF OF THE PUBLIC
DEFENDER**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is authorized and directed to sign a contract with Attica Legal Aid, 14 Main Street, Attica, NY 14011 on behalf of the Public Defender's Office. Said contract is for the provision of County Indigent legal services for the 2006 fiscal year in an estimated amount of \$199,500.00; effective 01/01/06 through 12/31/06 (or when grant funds are expended).

Carried: XXX Ayes: 1522 Noes: Absent: 96 (Gainesville) Abstain:
#26

**RESOLUTION NO. 06-287
(September 12, 2006)**

By Mr. Kushner, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
WITH NEW YORK STATE DIVISION OF CRIMINAL
JUSTICE SERVICE ON BEHALF OF THE PUBLIC
DEFENDER**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with NYS – DCJS, Four Tower Place, Albany, NY 12203-3764 for the provision of Indigent Parole Program funding for Attica Legal Aid on behalf of the Public Defender's Office. Said contract is in a minimum amount of one hundred eighty thousand dollars (\$180,000); effective April 01, 2006 through September 15, 2007.

Carried: XXX Ayes: 1522 Noes: Absent: 96 (Gainesville) Abstain:
#27

**RESOLUTION NO. 06-288
(September 12, 2006)**

By Mr. Fleischman, Chairman of Planning Committee:

September 12, 2006

**WYOMING COUNTY BUSINESS CENTER, INC.
APPOINTED AS THE EMPIRE ZONE ADMINISTRATIVE
ENTITY**

BE IT RESOLVED, That the Wyoming County Business Center, Inc. (Wyoming County's Local Development Corporation), 143 N. Main Street, Warsaw, NY 14569 is hereby appointed as the Empire Zone Administrative Entity; and be it

FURTHER RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to enter into an agreement with the Wyoming County Business Center, Inc. for the provision of services as the Empire Zone Administrative Entity.

Carried: XXX Ayes: 1522 Noes: Absent: 96 (Gainesville) Abstain:

There was a motion by Mr. Davis, T/Covington, to combine resolutions #28 through #29. A voice vote was taken and all voted aye.

#28

**RESOLUTION NO. 06-289
(September 12, 2006)**

By Mr. Davis, Chairman of Finance Committee:

**MICHAEL J. KELLY REAPPOINTED TO THE
WYOMING COUNTY COMMUNITY HOSPITAL BOARD
OF MANAGERS**

BE IT RESOLVED, That Michael J. Kelly, 38 Park Street, Warsaw, NY 14569, be hereby reappointed to the Wyoming County Community Hospital Board of Managers for a corrected 5 year term; effective October 01, 2006 through December 31, 2011.

Carried: XXX Ayes: 1522 Noes: Absent: 96 (Gainesville) Abstain:
#29

**RESOLUTION NO. 06-290
(September 12, 2006)**

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By Mr. Davis, Chairman of Finance Committee:

SALARY SCHEDULE “S” AMENDED

BE IT RESOLVED, That Wyoming County Salary Schedule “S” which became effective January 01, 1967, as amended, be hereby amended as follows:

- Set the salary for the Undersheriff at \$56,182.00 annually; effective January 01, 2006
- Set the salary for the Secretary I position in the department of Planning & Development at \$14,196 annually; effective July 31, 2006.

Carried: XXX Ayes: 1522 Noes: Absent: 96 (Gainesville) Abstain:

Supervisor Davis reminded everyone that today is Primary Day

There being no further business to come before this Board Capt. Kelly was invited to share his experiences in Korea then in Iraq.

Capt. Kelly shared many stories and answered many questions. The Supervisors were most appreciative of the stories shared, they were very educational and enlightening.

In the absence of ranking Supervisor Bush, and because Supervisors Gozelski, Davis, Kushner, Totline, Meeder, Rogers, and Knab were all elected the same year the Chairman decided to choose alphabetically and asked Supervisor Davis to adjourn the meeting with a rap on his desk at 4:22 PM.

Respectfully submitted,

Cheryl J. Ketchum

Clerk to the Board of Supervisors

September 12, 2006

**REGULAR SESSION
(October 10, 2006)**

Tuesday

3:00 PM

The regular Session of the Wyoming County Board of Supervisors was held at the Wyoming County Government Center in the Board of Supervisors' Chambers located at 143 North Main Street, Warsaw, New York with all Supervisors present. Also present were County Attorney, Eric T. Dadd; Budget Officer, Paula Parker; Clerk to the Board of Supervisors, Cheryl Ketchum and Deputy Clerk to the Board, Brenda Ferrell.

At 3:01 PM Chairman Berwanger, T/Arcade, called the meeting to order.

The Veteran leading the Pledge of Allegiance this month is:

WAYNE R. LADD

Mr. Ladd's service to his country comes while serving during World War II. Mr. Ladd enlisted in the United States Army on the July 27, 1942, at the age of 20. He completed his Basic Training at Fort Niagara. Mr. Ladd then completed airplane mechanics school at Lincoln Air Force Base in Lincoln, Nebraska. Additional training included: Air Force Technical School at Chanute Field in Illinois for airplane heaters and electronics; and P.W. Aircraft Engines at the Chevrolet Motors Division in Detroit, Michigan. Mr. Ladd was then assigned duty station at Lowry Field in Colorado, where he worked as an airplane mechanic. In 1945, Mr. Ladd was assigned duties overseas in Africa, at Casablanca as an instructor for aircraft pilots. After returning to the United States, Mr. Ladd served with the 371st. Army-Air Force Base Unit at Lowry Field in Colorado. Mr. Ladd was honorably discharged on the February 7, 1946.

For his service to his country Mr. Ladd was awarded:

**THE WORLD WAR II VICTORY MEDAL
THE AMERICAN THEATER RIBBON
THE EUROPEAN-AFRICAN-MIDDLE EASTERN RIBBON**

Following the war, Mr. Ladd settled in Denver, Colorado and attended the American Academy of Horology, where he learned the art and science of clock and watch repair. Mr. Ladd worked for H & H Supply for almost two years, both as an apprentice and teacher in the repair of watches and clocks. In 1948, Mr. Ladd relocated to this area and went to work for Eastman Kodak as a tool and cutter grinder. Mr. Ladd worked for Kodak for 20 years, the last 10 years as foreman of the tool and cutter grinder department. Mr. Ladd then worked for

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the Singer Company for the next 10 years. In 1973, Mr. Ladd went to work for General Railroad Signal as the foreman of their tool and cutter grinder department until his retirement in 1983.

Mr. Ladd enjoys collecting and repairing clocks. He and his wife Emma have been married for 53 years and they live in the town of Warsaw.

The pledge was said by all.

A certificate of appreciation was presented to Mr. Ladd in honor of service to his country and also to commemorate his appearance here today.

The Department of Social Services proudly recognizes outstanding employees within the department. The employees are invited and encouraged to learn more about governmental proceedings and the inter-relationship between the Department of Social Services and the Board of Supervisors.

Each month, Commissioner Schmitt, brings an employee of the month to the Health and Human Services Committee meeting to see first hand how Departmental requests are processed by the Board.

The employee of the month for October 2006 is MaryAnn Saylor. She has been with the department since 1988 and presently serves as Principal Account Clerk in our Finance Unit. MaryAnn is being recognized for her strong work ethics and resilience as exhibited by her ability to manage under pressure and maintaining staff moral.

We would like to thank MaryAnn for her years of service to the community and to the County of Wyoming.

Please join me in recognizing MaryAnn Saylor.

Certificates of Recognition presented to Mrs. Morgan's Fourth Grade Class from Genesee Wyoming Catholic Central School. The class is here to learn about local Governmental procedures.

Communications:**Announcements**

C1: Livingston County is this month's Inter-County host. RSVP's are due by the end of the day. The program will be held at the Livingston County Center for Nursing and Rehabilitation. State and Federal Representatives should

be in attendance to discuss Medicaid Reform/Fraud Detection, County Nursing Homes, and Property Taxes.

C2: Mrs. Perkins, Wyoming County Workers' Compensation Program Administrator, would like to remind all of the Supervisors that there will be a Workers' Compensation Board of Trustees meeting at 4:00 PM that all are required to attend.

C3: Purple Ribbons around columns in the front of the Government Center are there to recognize October as Domestic Violence Awareness Month.

#1

**RESOLUTION NO. 06-291
(October 10, 2006)**

By Mr. Davis, Chairman of Finance Committee:

FUNDS TRANSFERRED TO VARIOUS 2006 ACCOUNTS

BE IT RESOLVED, That funds are hereby transferred to the various 2006 accounts as follows:

| Wyoming County Community Hospital | | | Dept. Totals: |
|--|--------------|--------------|----------------------|
| From: 01.52.9950.9.99008 WCCH Transfer To: 01.40.6102.4.42250 MMIS IGT/DSH Pmt Reason: Reduce WCCH subsidy. | \$381,012.50 | \$381,012.50 | |
| Wyoming County Community Hospital Total | | | \$381,012.50 |
| Treasurer | | | |
| From: 01.33.1325.4.41414 Misc. Repair To: 01.49.8710.4.41802 Taxes on County Property Reason: Transfer to cover overage in account. | \$ 181.80 | \$ 181.80 | |
| Treasurer Total | | | \$181.80 |

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#2

**RESOLUTION NO. 06-292
(October 10, 2006)**

By Mr. Davis, Chairman of Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2006 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2006 accounts as follows:

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| | | | |
|---|--|--------------|-----------------------------|
| Department of Social Services | | | <u>Dept. Totals:</u> |
| To: 01.39.6010.2.20201 Computer Equipment w/01.11.6010.3610 Social Service Admin. increased by same | \$11,672.00 | \$11,672.00 | |
| Reason: | | | |
| Department of Social Services Total | | | \$11,672.00 |
| Public Health | | | |
| To: 01.38.4010.4.42456 Diabetes Expense w/01.09.4010.2705 Donations increased by same | \$40.00 | \$40.00 | |
| Reason: For Advertising Warsaw Support Group with donated funds from Cornell Cooperative Extension. | | | |
| To: 01.38.4050.4.41706 Medical & Safety Supplies w/01.09.4050.2705 Donations increased by same | \$100.00 | \$100.00 | |
| Reason: For a blood pressure monitor with donated funds from a client's family | | | |
| To: 01.38.4050.4.40508 Private Auto Repair w/01.08.4050.2680, Insurance Recovery increased by same | \$2,209.09 | \$2,209.09 | |
| Reason: Repair to CHHA vehicle. | | | |
| To: 01.38.4035.4.41204 Advertising 01.38.4035.4.41214 Supplies Purchased 01.38.4035.4.41510 Educational Material 01.38.4035.4.41706 Medical & Safety Supplies w/01.12.4035.4489 Other Health increased by same | \$250.00 1,000.00 700.00 6,307.00 | \$8,257.00 | |
| Reason: For Promotional and Educational material and Advertising for MWS. | | | |
| Public Health Total | | | \$10,606.09 |
| Emergency Services | | | |
| To: 01.37.3640.1.10001 S/D/I Salary 01.37.3640.8.89001 Hospitalization Ins 01.37.3640.8.89002 HRA Account 01.37.3640.4.40301 Prof. Services 01.37.3640.4.40406 Employee Mileage <i>From any funds available</i> | \$8,972.45 3,311.39 333.32 5,870.00 1,500.00 | \$19,987.16 | |
| Reason: to increase line items for salary and related expenses as well as for a contract increase. | | | |
| Emergency Services Total | | | \$19,987.16 |
| Planning & Development | | | |
| HUD / Planning & Development To: 16.65.6422.4.40301 Professional Services 16.65.6422.4.42277 IDA/Micro Loan Funds w/16.12.6422.408903 Federal Grant Revenues increased by \$400,000 | \$50,000.00 350,000.00 | \$400,000.00 | |
| Reason: for new Micro-Enterprise Revolving Loan Grant program award. | | | |
| Planning & Development Total | | | \$400,000.00 |

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

Mr. Bush, T/Gainesville, Chairman of the Audit Committee, presented bills totaling **\$1,656,494.51** for the month of **September 2006**.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

There was a motion by Mr. Rogers, T/Pike, to combine resolutions #3 through #6. A voice vote was taken and all voted aye.

October 10, 2006

**RESOLUTION NO. 06-293
(October 10, 2006)**

By Mr. Rogers, Chairman of the Human Services Committee:

**ONE POSITION OF DIRECTOR OF OFFICE FOR THE
AGING (TEMPORARY) CREATED IN THE
DEPARTMENT OF OFFICE FOR THE AGING**

BE IT RESOLVED, That one position of Director of Office for the Aging (Temporary) be created in the Department of Office for the Aging; effective immediately through December 31, 2006.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#4

**RESOLUTION NO. 06-294
(October 10, 2006)**

By Mr. Rogers, Chairman of the Human Services Committee:

**ONE POSITION OF YOUTH BUREAU DIRECTOR
(TEMPORARY) CREATED IN THE YOUTH BUREAU
DEPARTMENT**

BE IT RESOLVED, That one position of Youth Bureau Director (Temporary) be created in the Youth Bureau Department; effective immediately through December 31, 2006.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#5

**RESOLUTION NO. 06-295
(October 10, 2006)**

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By Mr. Rogers, Chairman of the Human Services Committee:

**SUZANNE PARTON-MEEDER APPOINTED AS
DIRECTOR OF OFFICE FOR THE AGING (TEMPORARY)**

BE IT RESOLVED, That *Suzanne Parton-Meeder*, 4752 Pflaum Rd., Dale, NY 14039 is hereby appointed as Director of Office for the Aging (Temporary) in the Department of Office for the Aging; *effective immediately through December 31, 2006*.

Carried: XXX Ayes: 1554 Noes: Absent: Abstain: 64 (Middlebury)

#6

**RESOLUTION NO. 06-296
(October 10, 2006)**

By Mr. Rogers, Chairman of the Human Services Committee:

**DEBORAH NAYLOR APPOINTED AS YOUTH BUREAU
DIRECTOR (TEMPORARY)**

BE IT RESOLVED, That Deborah Naylor, 215 South Main Street, Perry, NY 14530 is hereby appointed as the Youth Bureau Director (Temporary); *effective immediately through December 31, 2006*.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

There was a motion by Mrs. Totline, T/Genesee Falls, to combine resolutions #7 through #11. A voice vote was taken and all voted aye.

#7

**RESOLUTION NO. 06-297
(October 10, 2006)**

By Mrs. Totline, Chairman of the Public Health Committee:

**CHILD AND FAMILY CLINIC PLUS PROGRAM
SUPPORTED**

October 10, 2006

WHEREAS, there is a need to identify youth in need of mental health services before problems become unmanageable, and

WHEREAS, the Office of Mental Health is making funds available, with no local Medicaid share, to improve access and strengthen child and family mental health clinic services, now therefore

BE IT RESOLVED, that the Wyoming County Board of Supervisors hereby supports and approves the Wyoming County plan for the establishment of enhanced mental health services known as *Child and Family Clinic Plus* which provides for screening, comprehensive assessments, and home-based therapy for those youth in need, as prepared by the Wyoming County Department of Mental Health and approved by the Community Services Board.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#8

**RESOLUTION NO. 06-298
(October 10, 2006)**

By Mrs. Totstline, Chairman of the Public Health Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
WITH CLARK PATTERSON ASSOCIATES, DESIGN
PROFESSIONALS ON BEHALF OF THE PUBLIC
HEALTH DEPARTMENT**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Clark Patterson Associates, Design Professionals, 186 North Water Street, Rochester, New York 14604 on behalf of the Wyoming County Public Health Department. Said contract is to provide for professional engineering services, as needed, at an hourly rate not to exceed seventy-five dollars per hour (\$75/hr) plus mileage; effective September 1, 2006 through December 31, 2007; contingent upon the availability of funds.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#9

**RESOLUTION NO. 06-299
(October 10, 2006)**

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By Mrs. Totstline, Chairman of the Public Health Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
WITH THOMAS CLARK, PE ON BEHALF OF THE
PUBLIC HEALTH DEPARTMENT**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Thomas Clark, PE, 282 Buckham Road, Rochester, NY 14615 on behalf of the Wyoming County Public Health Department. Said contract is to provide for professional engineering services, as needed, at an hourly rate not to exceed sixty-five dollars per hour (\$65/hr) plus mileage; effective September 1, 2006 through December 31, 2007; contingent upon the availability of funds.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#10

**RESOLUTION NO. 06-300
(October 10, 2006)**

By Mrs. Totstline, Chairman of the Public Health Committee:

**8th NATIONAL LEAD POISONING PREVENTION WEEK
PROCLAIMED**

WHEREAS, Every year, approximately 310,000 children across the United States are lead poisoned. To help eliminate lead poisoning among children, the Wyoming County Health Department is pleased to offer blood lead tests for young children; and

WHEREAS, The most common way children are lead poisoned is from exposure to lead paint, which is commonly found in homes built before 1978. Disturbing the lead paint allows dust to settle on toys, windowsills, and floors. Children can then easily ingest bits of dust and paint chips. Children may also be exposed to lead through home health remedies (e.g., arzacan and greta) and imported candies; and

WHEREAS, Lead poisoning can affect nearly every system in the body. Lead poisoning often occurs with no obvious symptoms. The only way to test for lead poisoning is by asking your health care provider for a blood lead test; and

October 10, 2006

WHEREAS, The Wyoming County Health Department is pleased to offer information to help Wyoming County residents stay informed about childhood lead poisoning prevention efforts and ways to prevent lead poisoning among young children; and

WHEREAS, Childhood lead poisoning remains a major environmental health problem in the United States, and it is entirely preventable. Do your part by preventing children's exposure to lead hazards among your family and your community. Together we can make lead poisoning history! now therefore

BE IT RESOLVED, That this Board of Supervisors does hereby proclaim the week of ***October 23 through 29, 2006*** as:

NATIONAL LEAD POISONING PREVENTION WEEK

For more information on the childhood lead poisoning prevention or National Lead Poisoning Prevention Week activities in your area call the Wyoming County Health Department.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#11

**RESOLUTION NO. 06-301
(October 10, 2006)**

By Mrs. Totstline, Chairman of the Public Health Committee:

**NATIONAL BREAST CANCER AWARENESS MONTH
PROCLAIMED**

WHEREAS, For more than 20 years, National Breast Cancer Awareness Month (NBCAM) has educated women about early breast cancer detection, diagnosis, and treatment; and

WHEREAS, Early detection through annual mammography screening for women, when coupled with new treatment options, can significantly reduce suffering and improve chances of survival; and

WHEREAS, Women are encouraged to take charge of their own health. Whether it includes practicing in regular self-breast exams or making

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sure to schedule an annual mammogram, every little bit counts. For patients and survivors, adherence to one's prescribed treatment is equally as paramount; now therefore

BE IT RESOLVED, That in recognition of the fact that mammography, an "x-ray" of the breast, and self-examinations are the most effective methods of detecting breast cancer early this Board of Supervisors of the County of Wyoming does hereby proclaim the month of **October 2006** as,

"NATIONAL BREAST CANCER AWARENESS MONTH"

and be it

FURTHER RESOLVED, That all women are urged to actively participate in the scheduled activities and programs sponsored by Wyoming County Public Health Department for women and their families in Wyoming County to secure facts regarding early detection.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

Dr. Collins thanked Supervisor Totline for the Proclamations and spoke briefly on the services available to the county residents on both the lead poisoning and breast cancer detection programs.

**Non-Consent
#12**

**RESOLUTION NO. 06-302
(October 10, 2006)**

By Mrs. Totline, Chairman of the Public Health Committee:

**THE WYOMING COUNTY BOARD OF SUPERVISORS
SUPPORTS SMOKE FREE MOVIES**

WHEREAS, Tobacco use is the leading cause of preventable death and disability in the United States; and

WHEREAS, Youth ages 12-20 are one-sixth of the population but buy more than one fourth of all movie tickets; and

WHEREAS, Most of U.S. movies with smoking are now rated G, PG, or PG-13; and

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WHEREAS, More than three quarters of all U.S. live action PG-13 movies and 40 percent of all G/PG live action movies released from 1999-2004 featured tobacco; and

WHEREAS, Exposure to smoking in movies recruits half of all new adolescent smokers in the United States; and

WHEREAS, Each year an estimated 390,000 teens start smoking because of their exposure to smoking in movies, 120,000 of whom will die prematurely as a result; and

WHEREAS, The tobacco industry has a long, documented history of promoting the use of tobacco and particular brands on screen, while concealing and denying the practice; and

WHEREAS, The U.S. Centers for Disease Control in 2002, 2003, and 2005 listed smoking in movies as a primary reason that the decline in teen smoking has stalled; and

WHEREAS, Smoking in television ads for movies, significantly greater in ads for movies that display a particular tobacco brand, reach the vast majority of children and teens; and

WHEREAS, The majority of state Attorneys General have written the Motion Picture Association of America urging Hollywood to play an active role in reducing the number of children who smoke because of smoking in the movies; now therefore

BE IT RESOLVED, That this Board of Supervisors, of Wyoming County, New York, does hereby endorse the objectives of the Smoke Free Movies Campaign.

Carried: XXX Ayes: 1353 Noes: 162 (Arcade) Absent: Abstain:
54 (Covington)
49 (Eagle)
265

There was a motion by Mr. Kushner, T/Eagle, to combine resolutions #13 through #15. A voice vote was taken and all voted aye.

#13

RESOLUTION NO. 06-303
(October 10, 2006)

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By Mr. Kushner, Chairman of the Public Safety Committee:

RESOLUTION NUMBER 05-361 AMENDED

WHEREAS, Resolution number 05-361 authorizes the Chairman to sign a contract with Wyoming Transit Service, Inc., 588 Trabold Road, Rochester, NY 14624, on behalf of Wyoming County Emergency Services; and

WHEREAS, This contract is for the provision of rental space on the communications tower located at Fire Training Center, Wethersfield Rd. Wethersfield, NY; effective for a five year period commencing January 01, 2006 through December 31, 2010; now therefore

BE IT RESOLVED, That Resolution Number 05-361 be amended to reflect a revised effective date of October 01, 2006 through September 30, 2011 with all other terms and conditions remaining unchanged.

Carried: XXX Ayes: 1405 Noes: Absent: 213 (Warsaw) Abstain: #14

**RESOLUTION NO. 06-304
(October 10, 2006)**

By Mr. Kushner, Chairman of the Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN LETTER OF
AGREEMENT WITH DIVISION OF PROBATION AND
CORRECTIONAL ALTERNATIVES ON BEHALF OF
PROBATION**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with the Division of Probation and Correctional Alternatives, 80 Wolf Rd. Albany, NY 12205 on behalf of Wyoming County Probation. Said contract to provide reimbursement in the minimum amount of four thousand dollars (\$4,000.00) per year for supervising each level 3 sex offender currently on probation in Wyoming County; effective April 01, 2006 through March 31, 2007.

Carried: XXX Ayes: 1405 Noes: Absent: 213 (Warsaw) Abstain:

October 10, 2006

**RESOLUTION NO. 06-305
(October 10, 2006)**

By Mr. Kushner, Chairman of the Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A LEASE
AGREEMENT WITH BI INCORPORATED ON BEHALF
OF PROBATION**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with BI Incorporated, 6400 Lookout Rd., Boulder, Colorado, 80301 on behalf of Wyoming County Probation. Said contract is to provide updated electronic monitoring equipment in an amount not to exceed predetermined lease fee schedule.

Carried: XXX Ayes: 1405 Noes: Absent: 213 (Warsaw) Abstain:

Sheriff Heimann presented certificates of Appreciation to the Wyoming County Sheriff's Mounted Unit for their accomplishment in achieving Grand Champion at Nationals.

The Mounted Unit invited everyone to take a look at the pictures, ribbons, and other awards the Unit has won displayed in the Supervisors' Committee Room.
#16

**RESOLUTION NO. 06-306
(October 10, 2006)**

By Mr. Patti, Chairman of the Public Works Committee:

**JOHN A. (JACK) BEACHEL REAPPOINTED AS COUNTY
HIGHWAY SUPERINTENDENT**

BE IT RESOLVED, That *John A. (Jack) Beachel*, 62 East Mill Street, Castile, NY 14427 is hereby reappointed as County Highway

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Superintendent *for a term of four (4) years effective July 09, 2006 to July 08, 2010.*

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

There was a motion by Mr. Fleischman, T/Java, to combine resolutions #17 through #22. A voice vote was taken and all voted aye.

#17

**RESOLUTION NO. 06-307
(October 10, 2006)**

By Mr. Fleischman, Chairman of the Planning Committee:

**CHAIRMAN AUTHORIZED TO SIGN CDBG
SMALL CITIES GRANT AGREEMENT**

WHEREAS, The County of Wyoming has been approved to receive a Four Hundred Thousand Dollar (\$400,000) Small Cities grant that will be used by the Wyoming County IDA to provide financial assistance to qualified microenterprise businesses; and

WHEREAS, the loan repayments from microenterprise businesses can be used by the Wyoming County IDA to provide financial assistance to other Wyoming County businesses that will create additional job opportunities for county residents; now therefore

BE IT RESOLVED, That the Chairman of this Board, is hereby authorized as the official representative of Wyoming County, New York to execute the grant agreement from the Governor's Office For Small Cities and the NYS Housing Trust Fund Corporation, for a Four Hundred Thousand Dollar (\$400,000) NYS Community Development Block Grant, Small Cities Economic Development program, and is hereby authorized and directed, upon the approval of the County Attorney, to sign all documents and take all actions needed to receive the approved grant funds; and be it

FURTHER RESOLVED, that the Chairman of this Board of Supervisors designates Richard L. Tindell to act as Certifying Officer for the purposes of carrying out an environmental review.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

October 10, 2006

**RESOLUTION NO. 06-308
(October 10, 2006)**

By Mr. Fleischman, Chairman of the Planning Committee:

**CHAIRMAN AUTHORIZED TO SIGN AN AGREEMENT
WITH H. SICHERMAN & COMPANY INC. FOR SMALL
CITIES CONSULTING SERVICES**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign a contract with H. Sicherman & Company Inc., 5852 Forest Creek Drive, East Amherst, NY 14051 to provide grant administration and loan processing services for a CDBG Small Cities grant of Four Hundred Thousand Dollars (\$400,000). Total cost of said contract not to exceed Fifty Thousand Dollars (\$50,000), contingent upon the availability of funds. The cost of said contract will be paid from the grant funds that have been awarded.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#19

**RESOLUTION NO. 06-309
(October 10, 2006)**

By Mr. Fleischman, Chairman of the Planning Committee:

**CHAIRMAN AUTHORIZED TO SIGN CONTRACT FOR
SOLID WASTE COLLECTION AND INTER-MUNICIPAL
AGREEMENTS**

WHEREAS, Wyoming County wants to continue providing a curbside collection program for the collection of solid waste and recyclable materials; and

WHEREAS, the Wyoming County Board of Supervisors has requested, received and evaluated three bids from solid waste collection providers; now therefore

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BE IT RESOLVED, That this Board of Supervisors does hereby determine that the bid submitted by Nu Way Sanitation, Arcade, NY best meets the solid waste collection needs of county residents; and be it

FURTHER RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign a contract with Nu Way Sanitation, for the period of January 1, 2007 through December 31, 2008; and be it

FURTHER RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign Inter-municipal Agreements with those Municipalities that are participating in the County solid waste curbside collection program.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#20

**RESOLUTION NO. 06-310
(October 10, 2006)**

By Mr. Fleischman, Chairman of the Planning Committee:

AGRICULTURE DISTRICT #1 REVIEW EXTENDED

WHEREAS, Wyoming County Agricultural District #1 has an anniversary date of January 16, 2007; and

WHEREAS, The review of said District was recently completed and certified; and

WHEREAS, Section 303-a of the Agricultural Districts Law allows counties with multiple districts with review dates in any 12-month period, to petition the Commissioner of Agriculture and Markets to approve, for good cause, an extension of up to four years for a district review; now therefore

BE IT RESOLVED, That the Board of Supervisors hereby petitions the Commissioner of Agriculture and Markets to extend the review dates of Wyoming County Agriculture District #1 to January 2011; and be it

FURTHER RESOLVED, That a copy of this resolution be forwarded to the New York State Commissioner of Agriculture and Markets and the Wyoming County Agricultural and Farmland Protection Board.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

October 10, 2006

**RESOLUTION NO. 06-311
(October 10, 2006)**

By Mr. Fleischman, Chairman of the Planning Committee:

**SHARON GRUGEL APPOINTED TO THE GENESEE
LIVINGSTON ORLEANS WYOMING (GLOW)
WORKFORCE INVESTMENT BOARD (WIB)**

BE IT RESOLVED, That *Sharon Grugel* (Noble Environmental Power), 560 West Main Street, Arcade NY 14009 is hereby appointed to the Genesee Livingston Orleans Wyoming (G.L.O.W) Workforce Investment Board (W.I.B.) *as a Private Sector Member effective immediately through December 31, 2009.*

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#22

**RESOLUTION NO. 06-312
(October 10, 2006)**

By Mr. Fleischman, Chairman of the Planning Committee:

**JANE MUNRO APPOINTED TO THE GENESEE
LIVINGSTON ORLEANS WYOMING (GLOW)
WORKFORCE INVESTMENT BOARD (WIB)**

BE IT RESOLVED, That *Jane Munro* (Center Director of WNY Rural Area Health Education Center) (AHEC), 20 Duncan St., Warsaw, NY is hereby appointed to the Genesee Livingston Orleans Wyoming (G.L.O.W) Workforce Investment Board (W.I.B.) *as a Wyoming County Local Education Entity Member, effective immediately.*

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

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There was a motion by Mr. Davis, T/Covington, to combine resolutions #23 through #28. A voice vote was taken and all voted aye.

#23

**RESOLUTION NO. 06-313
(October 10, 2006)**

By Mr. Davis, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
WITH GENWORTH FINANCIAL REGIONAL EMPLOYEE
BENEFIT GROUP OF WNY ON BEHALF OF COUNTY
INSURANCE OFFICE**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a Letter of Understanding with Genworth Financial, Regional Employee Benefit Group of WNY, The Towers Airport Business Park, 1200-A Scottsville Road, Suite 290, Rochester, NY 14624 for the provision of Disability Insurance for Schedule S, D, I, and Hospital Management at a rate of \$12.05/employee per month for two years; effective November 01, 2006 through October 31, 2008.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#24

**RESOLUTION NO. 06-314
(October 10, 2006)**

By Mr. Davis, Chairman of the Finance Committee:

RESOLUTION NUMBER 93-175 AMENDED

BE IT RESOLVED, That Resolution umber 93-175, passed by this Board of Supervisors on July 13, 1993, as amended by resolution number 98-130, is hereby amended to replace Section VII as follows:

Section VII. DESIGNATION OF DEPOSITORIES

The banks and trust companies authorized for the deposit of moneys up to the maximum amounts are:

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| <u>Depository Name</u> | <u>Maximum Amount</u> |
|-------------------------------|------------------------------|
| <u>Officer</u> | |
| Five Star Bank | \$20,000,000.00 |
| Bank of Castile | \$20,000,000.00 |
| M&T Bank | \$10,000,000.00 |
| HSBC | \$10,000,000.00 |

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#25

**RESOLUTION NO. 06-315
(October 10, 2006)**

By Mr. Davis, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A GRANT
APPLICATION AND ACCEPTANCE AWARD WITH THE
STATE OF NEW YORK EMPIRE STATE DEVELOPMENT
OPPORTUNITY FUND ON BEHALF OF EMERGENCY
SERVICES**

WHEREAS, The proposed radio tower equipment capital project is consistent with regional and local plans to provide all public safety personnel in the field with necessary means to communicate efficiently and effectively, thus promoting interoperability capabilities; and

WHEREAS, This project will protect existing and future public resources, by providing all public safety personnel with the necessary communication system to effectively protect all citizens and property during routine operations, emergencies, or disasters.

WHEREAS, Having this communication system in place, will enhance the County's public safety infrastructure, thus promoting economic and social development enhancing the County as a whole; now therefore

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney is hereby authorized and directed to sign a grant application and acceptance award with the State of New York, Empire State Development Empire Opportunity Fund in the amount of seven hundred thousand dollars (\$700,000.00). Said grant to be effective as so determined by the State of New York.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

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**RESOLUTION NO. 06-316
(October 10, 2006)**

By Mr. Davis, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A LEASE
AGREEMENT WITH TOMPKINS TRUST ON BEHALF OF
CENTRAL STORE ROOM**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a lease agreement with Tompkins Trust, P.O. Box 460, 121 Seneca Street, The Commons, Ithaca, NY 14851 on behalf of Central Store room. Said lease is to provide for a slightly used copier (less than 100,000 copies) in an amount not to exceed two hundred fifty-four dollars (\$254.00) per month for 36 months plus a one hundred dollar (\$100.00) acquisition fee.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#27

**RESOLUTION NO. 06-317
(October 10, 2006)**

By Mr. Davis, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
EXTENSION WITH ACS GOVERNMENT SYSTEMS
DIVISION ON BEHALF OF INFORMATION
TECHNOLOGY**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract extension with ACS Government Systems Division – i400 systems & Services Group, 2901 3rd Street South, Waite Park, MN 56387 on behalf of Information Technology. Said extension is to provide for an Application Provider and Technology Support Master Agreement & ACS Application and Professional Technology Service Agreement for the following modules: Financial, HR, Payroll, County Clerks, and Public Health Software. Monthly charge increased to nineteen thousand one hundred forty-six dollars

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(\$19,146.00) per month with upgrades to Public Health software. Total cost not to exceed two hundred sixty-five thousand eight hundred fifty-nine dollars (\$265,859.00).

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#28

**RESOLUTION NO. 06-318
(October 10, 2006)**

By Mr. Davis, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN AN AGREEMENT
WITH EASTMAN TREE SPECIALISTS ON BEHALF OF
THE SHERIFF'S DEPARTMENT**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Eastman Tree Specialists, 3203 Smallwood Road, Warsaw, NY 14569 on behalf of the Sheriff's Department. Said contract to provide for removal of trees interfering with the microwaves of county radio towers in an amount not to exceed two thousand five hundred dollars (\$2,500.00).

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

**Unanimous Consent
#29**

**RESOLUTION NO. 06-319
(October 10, 2006)**

By Mr. Berwanger, Chairman of the Committee of the Whole:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
WITH DADD AND NELSON ON BEHALF OF WYOMING
COUNTY'S EMPIRE ZONE**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Dadd and Nelson, 11 Exchange Street, Attica, NY 14011 on behalf of Wyoming County's Empire Zone. Said contract to include all legal services

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in connection with researching the legal requirements for the development and establishment of the Wyoming County Empire Zone and all related start-up legal services, including preparation of all organizational documents and development of an operating procedural manual as well as day-to-day legal services in an amount not to exceed three thousand seven hundred fifty dollars (\$3,750.00) per month; effective September 01, 2006 through December 31, 2006.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

**Unanimous Consent
#30**

**RESOLUTION NO. 06-320
(October 10, 2006)**

By Mr. Berwanger, Chairman of the Committee of the Whole:

2-1-1 SUPPORTED IN WYOMING COUNTY

WHEREAS, 2-1-1 is the number set aside by the FCC in 2000 as a single, memorable means of access to human services information and services. 2-1-1 call centers are staffed by well-trained information and referral staff who can provide information and link callers to agencies from a regional database of services; and

WHEREAS, New York State is blessed with a rich infrastructure of services, finding out about those services can be a challenge. The plan is for 7-8 regional call centers supported by national standards, and backed up by a computerized database of services. Call centers will be linked so that in the event of an emergency, calls can be transferred to another center; and

WHEREAS, 2-1-1 was developed with day-to-day human service needs in mind. Its value in a disaster has been well documented, both during the Florida hurricanes and more recently Hurricane Katrina. 2-1-1 has proven itself to be the mechanism to link callers who need help, as well as those who want to help, thus relieving emergency management agencies from calls they are not prepared to handle; and

WHEREAS, 2-1-1 now serves 55% of the country – 163 million Americans. In New York State call centers are serving the Finger Lakes and Hudson Valley region with plans for WNY, the Capital Region, the Southern Tier, and New York City well along; and

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WHEREAS, Funding to date for start-up in NYS has come from United Way and foundations, and in some cases, county funds. A blue print for service in NYC has just been completed in conjunction with the Mayor's 3-1-1 office. Without state support, 2-1-1 will not continue to be viable over the long-term; now therefore

BE IT RESOLVED, That this Board of Supervisors supports Federal Legislation S311/ HR896, entitled, ***"To facilitate nationwide availability of 2-1-1 telephone service for information and referral on health and human services, including volunteer services, and for other purposes;"*** that would create a dedicated federal revenue stream to support 2-1-1; and be it

FURTHER RESOLVED, That the State Senate put \$3.45 million in their Senate budget bill to support 2-1-1 development and that the Assembly put in the other half to complete the \$6.9 million requested; and be it

FURTHER RESOLVED, That central referral of Erie County function as the lead agency for providing 2-1-1 services in Wyoming County.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

There being no further business to come before this board Supervisor Bush adjourned the meeting with a rap on his desk at 4:47 PM

Respectfully submitted,

Cheryl J. Ketchum

Clerk to the Board of Supervisors

**REGULAR SESSION
(November 14, 2006)****Tuesday****3:00 PM**

The regular Session of the Wyoming County Board of Supervisors was held at the Wyoming County Government Center in the Board of Supervisors' Chambers located at 143 North Main Street, Warsaw, New York with all Supervisors present. Also present were County Attorney, Eric T. Dadd; Budget Officer, Paula Parker; Clerk to the Board of Supervisors, Cheryl Ketchum and Deputy Clerk to the Board, Brenda Ferrell.

At 3:15 PM Chairman Berwanger, T/Arcade, called the meeting to order.

The Veteran leading the Pledge of Allegiance this month is:

DONALD E. CARNEY

Mr. Carney's service to his country comes while serving in the United States Army. He had been working for Morton Salt Works for about 10 years when he was drafted in February of 1945. Mr. Carney took Basic Training at Camp Blanding, Florida in the field of Infantry. His first duty was at Fort Meade, MD. This assignment, however, was short-lived when he was sent to California, his departure point for duty in the Pacific Theater. He was assigned duty at the Naval Yard in Currie, Japan. There he spent about 6 months as a truck driver hauling enemy ordinance to the docks in the shipyard. Mr. Carney then was assigned duty in Yokohama, Japan, where he also spent about 6 months helping to dispose of Japan's arsenal of weapons and equipment. He returned to the United States and was honorably discharged on April 23, 1946 at the rank of Tech. Sergeant.

For his service to his country Mr. Carney was awarded:

**THE WORLD WAR II VICTORY MEDAL
THE ASIATIC-PACIFIC CAMPAIGN MEDAL
THE GOOD CONDUCT MEDAL**

Following the war, Mr. Carney returned to this area and again worked for Morton Salt.

He worked in several departments at Morton, to include: research, loading, night watchman, and his last department as Assistant Storekeeper. Mr. Carney retired in 1978 after 43 years of total service to Morton Salt.

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Mr. Carney enjoys photography, mostly 35 mm slides and is a Past President of the Candid Camera Club. Mr. Carney also is a past member of: the Silver Spring Fire Department, the Bates-Courtney Post 105 of the American Legion, and a past member of the Free Masons. Mr. Carney resides in the Village of Silver Springs.

The pledge was said by all.

A certificate of appreciation was presented to Mr. Carney in honor of service to his country and also to commemorate his appearance here today.

In recognition of the Veterans' Day Holiday observed on Friday, November 10, 2006 Veterans' Director, Gary Cousins performed an ***MIA/POW Ceremony*** in honor of the Americans missing in action or are prisoners of war.

The Department of Social Services proudly recognizes outstanding employees within the department. The employees are invited and encouraged to learn more about governmental proceedings and the inter-relationship between the Department of Social Services and the Board of Supervisors.

Each month, Commissioner Schmitt, brings an employee of the month to the Human Services Committee meeting to see first hand how Departmental requests are processed by the Board.

The employee of the month for November 2006 is Anne Wallace. She has been with the department since 1996 and presently serves as Clerk in our Support Unit as well as assists the receptionist at the front desk. Annie is being recognized by her peers for her willingness to help in whatever way she can.

We would like to thank Anne for her years of service to the community and to the County of Wyoming.

Please join me in recognizing Anne Wallace.

Communications:

None

#1

**RESOLUTION NO. 06-321
(November 14, 2006)**

By Mr. Davis, Chairman of Finance Committee:

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FUNDS TRANSFERRED TO VARIOUS 2006
ACCOUNTS

BE IT RESOLVED, That funds are hereby transferred to the various 2006 accounts as follows:

| | | | |
|---|-------------|-------------------------|--------------------|
| Board of Supervisors | | | |
| From: 01.31.1010.8.81001 Retirement To: 01.31.1010.4.40407 Supervisor Mileage Reason: To cover Supervisor Mileage through the end of 2006. | \$4,000.00 | 4,000.00 | |
| Board of Supervisors Total | | | 4,000.00 |
| Youth Bureau | | | |
| From: 01.36.2490.4.41505 Community College To: 01.38.4059.4.41503 Tuition (EI) 01.38.4059.4.41504 Transportation Reason: additional funds needed for Early Intervention tuition and transportation and to transfer the remainder from Community Colleges. | \$80,000.00 | \$75,000.00 5,000.00 | |
| Youth Bureau Total | | | \$80,000.00 |
| Social Services | | | |
| From: 01.40.6102.4.42249 (MMIS) To: 01.39.6010.2.23001 (Vehicles) Reason: We were advised that our 2007 budget was cut for this item and to purchase from 2006. Transfer necessary to cover balance of 2006. | \$20,000.00 | \$20,000.00 | |
| Social Services Total | | | \$20,000.00 |
| Sheriff | | | |
| From: 01.52.9950.9.99004 Interfnd Transfer (CIP) To: 01.37.3110.2.23001 Cars Reason: Allow for CIP funds to be transferred and new patrol cars to be purchased. | \$29,400.00 | \$29,400.00 | |
| Sheriff Total | | | \$29,400.00 |

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#2

RESOLUTION NO. 06-322
(November 14, 2006)

By Mr. Davis, Chairman of Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2006 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2006 accounts as follows:

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| | | | |
|--|---|--|--------------------|
| Treasurer | | | |
| To: 01.42.6420.4.40901 Bed Tax-Tourism w/Revenue 01.02.1325.1113 Bed Tax Rev Reason: to expend funds to Tourism (less 5%) Administrative fee) 3 rd quarter through August 30, 2006 | \$10,000.00 | \$10,000.00 | |
| Treasurer Total | | | \$10,000.00 |
| Youth Bureau | | | |
| To: 01.38.4059.4.41503 Tuition w/01.11.4059.3449 EI State Service Fees increased by same. Reason: additional funds needed for Early Intervention tuition and transportation and to transfer the remainder from Community Colleges. | \$75,000.00 | \$75,000.00 | |
| Youth Bureau Total | | | \$75,000.00 |
| Mental Health | | | |
| To: 01.38.4325.4.40926 ARA Inc w/01.11.4325.3490 Mental Health increased by same Reason: Child & Family Clinic Plus state aid allocation 10/01/06-12/31/06. | \$6,453.00 | \$6,453.00 | |
| To: 01.38.4320.4.40926 ARA Inc. 01.38.4320.4.42476 CCSI (MH) w/01.11.4320.3490 Mental Health increased by w/01.11.4320.349003 MH Perf Funds decreased by Reason: Modifications to 2006 MH state aid allocations | \$ 389.00 77.00 | \$746.00 (280.00) | |
| Appropriation/ Budget Reduction: To: 01.38.4325.4.40406 Empl. Mileage 01.38.4325.4.40926 ARA Inc. 01.38.4325.4.42409 Advocacy 01.38.4325.4.42414 Respite Care 01.38.4325.4.42415 Family Support 01.38.4325.4.42416 Supt. Emphy. 01.38.4325.4.42419 Drop-In 01.38.4325.4.42420 P/S Club 01.38.4325.4.42441 Misc MH Prog. 01.38.4325.4.42445 Supt Apartmt. 01.38.4325.4.42446 Affirm. Business 01.38.4325.4.42467 Crisis Outreach 01.38.4325.4.42468 Transp. Program w/01.11.4325.3490 Mental Health reduced by 01.11.4325.349001 Mental Health State Aid incr. 01.11.4325.349003 MH Perf Funds incr. 01.11.4325.349004 MH Reinvestment incr. Reason: Modifications to 2006 MH state aid allocations. | \$(240.00) (18,914.00) 1,136.00 269.00 652.00 20,155.00 825.00 481.00 (16,216.00) 3,953.00 (106.00) 1,451.00 <u>3,395.00</u> (3159.00) | \$ (9,982.00) 73.00 1,739.00 <u>5,011.00</u> (3159.00) | |
| Appropriation/ Budget Reduction: To: 01.38.4324.4.42476 CCSI (MH) w/01.11.4324.349001 MH decreased by 01.11.4324.349003 MH Perf Funds incr. by 01.11.4324.349004 MH Reinvestment incr. by Reason: Modifications to 2006 State Aid allocations. | \$858.00 | (1,739.00) 440.00 2,157.00 | |
| To: 01.38.4250.4.40926 ARA Inc. 01.38.4250.4.40409 Other (Board Expense) 01.38.4250.4.41204 Advertising w/01.11.4250.3490 Mental Health incr. by 01.12.4250.4490 Mental Health incr. by Reason: Modifications made to 2006 State/Federal aid | \$1,452.00 910.00 1,000.00 | \$1,559.00 1,803.00 | |
| Appropriation/ Budget Reduction: To: 01.38.4220.2.20201 Computer. Equip. 01.38.4220.4.42476 CCSI (MH) 01.38.4220.4.41510 Educ. Materials 01.38.4220.4.40301 Contr. Prof Serv. 01.38.4220.4.40805 Cleaning Serv. Priv w/01.11.4220.3490 Mental Health incr. by 01.12.4220.4490 Mental Health decr. by Reason: Increased state aid for 2006 & reallocate federal funding to Alcoholism account #4250. | \$1,000.00 3,328.00 5,000.00 (1,500.00) <u>(303.00)</u> 7525.00 | \$9,328.00 (1,803.00) | |

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| | | | |
|---|---|-------------|----------------------|
| Appropriation/ Budget Reduction: To: 01.38.4323.4.40926 ARA Inc 01.38.4323.4.42409 Advocacy 01.38.4323.4.42411 PAO 01.38.4323.4.42412 Forensic CM w/01.11.4323.3490 MH decr. by 01.12.4323.4490 Mental Health decr. by Reason: Modifications to 2006 MH State Aid allocations | \$ (10,596.00) 528.00 (20,960.00) <u>190.00</u> (30,838.00) | | |
| Mental Health Total | | | \$(15,333.00) |
| Public Health | | | |
| To: 01.38.4050.4.40924 Home Health Aides 01.38.4050.4.40928 Occupational Therapy w/ 01.04.4050.161003 increased by same Reason: To appropriate for HHA & OT expenses with offsetting revenues. | \$35,000.00 15,000.00 | \$50,000.00 | |
| To: 01.38.4011.2.20001 Furniture 01.38.4011.2.20401 Misc Equipment 01.38.4011.4.41010 Misc Ofc Supplies 01.38.4011.4.41201 Postage 01.38.4011.4.41214 Supplies Purchased w/ 01.11.4011.340112 increased by same Reason: To appropriate for water-related expenses with offsetting revenues. | \$1,500.00 500.00 3,000.00 100.00 4,900.00 | \$10,000.00 | |
| Public Health Total | | | \$60,000.00 |
| Sheriff | | | |
| To: 01.37.3110.2.23001 Cars w/01.08.3110.2680 Insurance Recovery increased by same Reason: purchase of new vehicle | \$1,554.33 | \$1,554.33 | |
| To: 01.37.3110.2.20201 Computers & Equipment w/01.11.3110.308901 State Aid increased by same. Reason: Resolution 06-248 for the TraCs Program. | \$60,067.00 | \$60,067.00 | |
| To: 15.64.3020.2.20101 Radio Commun. Project w/15.13.3020.5031 Interfund Revenues Reason: To appropriate funds for the agreed upon tree trimming for the microwave tower reflector per the authorized agreement (Res. #06-318). | \$2,499.00 | 2,499.00 | |
| Sheriff Total | | | \$64,120.33 |
| Building Code Enforcement | | | |
| To: 01.37.3620.4.40508 Private Auto Repairs 01.06.3620.2590 Revenues Reason: Transmission Repair Trailblazer. | \$2,000.00 | \$2,000.00 | |
| Building Code Enforcement Total | | | \$2,000.00 |
| County Attorney | | | |
| To: 01.34.1421.4.42305 Assigned Counsel <i>from any funds available</i> Reason: Necessary to pay vouchers. | \$35,000.00 | \$35,000.00 | |
| County Attorney Total | | | \$35,000.00 |

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

Mr. Bush, T/Gainesville, Chairman of the Audit Committee, presented bills totaling **\$1,147,795.88** for the month of **October 2006**.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

November 14, 2006

**RESOLUTION NO. 06-
(November 14, 2006)**

By Mr. Patti, Chairman of the Public Works Committee:

HIGHWAY EQUIPMENT BID APPROVED

2. Bidding a new 2006 or newer Hydraulically Operated Track Mounted Excavator with 0 hours on November 9, 2006 at 1:00 pm. Permission to award to the lowest bidder.

D. Luckenbach to provide details after bid opening and award.

Carried: Ayes:

Noes: Absent:

Abstain:

Pulled by Department Head. Not ready to award bid at this time.

There was a motion by Mr. Patti, T/Attica, to combine resolutions #3 through #5. A voice vote was taken and all voted aye.

#3

**RESOLUTION NO. 06-323
(November 14, 2006)**

By Mr. Patti, Chairman of the Public Works Committee:

RESOLUTION NUMBER 06-254 AMENDED

WHEREAS, Resolution Number 06-254 provides for a contract with Clark Patterson Associates, 186 North Water Street, Rochester, NY 14604 on behalf of the Highway Department to provide for Scope of Service for the Town of Castile, Middle Reservation Road Project in an approximate amount of two hundred twenty thousand dollars (\$220,000.00) effective once contract is signed by the State of New York through June 30, 2016, now therefore

BE IT RESOLVED, That resolution number 06-254 be hereby amended to reflect the actual amount of two hundred fifty-four thousand three hundred sixty-three dollars (\$254,363.00).

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

Regular Session

**RESOLUTION NO. 06-324
(November 14, 2006)**

By Mr. Patti, Chairman of the Public Works Committee:

**APPROVAL OF NEW YORK STATE DEPARTMENT OF
TRANSPORTATION DETOUR FOR THE TOWN OF
GAINESVILLE**

WHEREAS, The New York State Department of Transportation proposes to replace Route 19 over Oatka Creek, BIN 1015110, in the Town of Gainesville, Wyoming County, P.I. N. 4019.36; and

WHEREAS, In conformance with Section 10, Subdivision 19 and Section 42 of the New York State Highway Law, the New York State Department of Transportation proposes to utilize the following County of Wyoming roads and streets as detours during the period necessity.

County Road 32 (Wethersfield Road) between NYS Route 19 and County Road 4 (Hermitage Road) and County Road 4 between County Road 32 and NYS Route 78; and

WHEREAS, The New York State Department of Transportation will provide traffic control devices and make improvements or repairs when necessary to the above mentioned roads and streets to make them adequate to handle additional detour traffic; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors does hereby authorize the New York State Department of Transportation to utilize the above mentioned roads and streets as detours and maintain traffic on them in accordance with Subsection 619 of its Standard Specification during the period of necessity; and be it

FURTHER RESOLVED, That the County of Wyoming will continue to provide routine maintenance and snow and ice control for the above mentioned roads and streets; and be it

November 14, 2006

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FURTHER RESOLVED, That the Clerk to the Board of Supervisors is hereby directed to transmit four (4) certified copies of this resolution to New York State Department of Transportation.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#5

**RESOLUTION NO. 06-325
(November 14, 2006)**

By Mr. Patti, Chairman of the Public Works Committee:

**MEMBERS APPOINTED/REAPPOINTED TO THE
TRAFFIC SAFETY BOARD**

BE IT RESOLVED, That the following individuals are appointed/reappointed to the Traffic Safety Board for a term of three (3) years; effective November 14, 2006 through November 13, 2009

- Paul Korzelius (Town of Eagle) 4201 Hillside Rd. Bliss, NY 14024
- Gary Rinehart (Town of Gainesville) 18 South Main Street, Silver Springs, NY 14550
- Gary Vasile (Town of Genesee Falls) 6641 Pike Street, Portageville, NY 14536
- Ronald George (Town of Java) 4885 Coby Road, N. Java, NY 14113
- John Hurst (Town of Middlebury) 51 Main Street, Wyoming, NY 14591

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

There was a motion by Mr. Rogers, T/Pike, to combine resolutions #6 through #12. A voice vote was taken and all voted aye.

#6

**RESOLUTION NO. 06-326
(November 14, 2006)**

By Mr. Rogers, Chairman of the Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN GRANT
APPLICATION AND ACCEPTANCE FOR THE ANNUAL**

Regular Session

Proceedings of the Board of Supervisors
IMPLEMENTATION PLAN (AIP) ON BEHALF OF THE
OFFICE FOR THE AGING

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a grant application and acceptance award with the New York State Office for the Aging, 2 Empire Plaza, Albany, NY 12223 for the Annual Implementation Plan (AIP) on behalf of the Office for the Aging. Grant Periods effective January 01, 2007 through December 31, 2007 for Federal Grants and April 01, 2007 through March 31, 2008 for the State Grants.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#7

RESOLUTION NO. 06-327
(November 14, 2006)

By Mr. Rogers, Chairman of the Human Services Committee:

NOVEMBER 2006 PROCLAIMED NATIONAL
CAREGIVERS MONTH

WHEREAS, During the season of Thanksgiving, as we pause to reflect on the many blessings that have been bestowed upon us as individuals and as a County, we are especially grateful for the love of our families and friends. One of the most profound ways in which that love is expressed is through the generous support provided by family caregivers to loved ones who are chronically ill, elderly, or disabled. Caregivers reflect family and community life at its best. They are among Wyoming County's most important natural resources; and

WHEREAS, The need for family caregivers is growing. We are blessed to live in a time when medicine and technology have helped us live longer. As a result, persons with disabilities are living longer and people over 85 are the fastest growing segment of our population. Family caregivers can be found in every city and town in America. It is likely that we all know at least one family caregiver; and

WHEREAS, Family caregivers deserve our lasting gratitude and respect. This month, as we honor the many contributions that family caregivers make to the quality of our national life, let us resolve to work through our

November 14, 2006

community, religious, social, business, and other organizations to offer programs and services that will provide caregivers the support and encouragement they need to carry out their vital responsibilities; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors does hereby proclaim November 2006 as:

National Family Caregivers Month

And urge all citizens to recognize and participate in its observance.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#8

**RESOLUTION NO. 06-328
(November 14, 2006)**

By Mr. Rogers, Chairman of the Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN CONTRACT WITH
LETCHWORTH CENTRAL SCHOOL ON BEHALF OF
THE YOUTH BUREAU**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Letchworth Central School, 5550 School Road, Gainesville, New York 14066 on behalf of the Youth Bureau. Said contract is for the provision of Preschool Special Education Transportation for disabled preschoolers to Letchworth Little Learners at a cost of \$30 per child per day; effective July 01, 2003 through June 30, 2008.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#9

**RESOLUTION NO. 06-329
(November 14, 2006)**

By Mr. Rogers, Chairman of the Human Services Committee:

Proceedings of the Board of Supervisors

**CHAIRMAN AUTHORIZED TO SIGN THE 2007
RESOURCE ALLOCATION PLAN (RAP) ON BEHALF OF
THE YOUTH BUREAU**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign the 2007 Resource Allocation Plan (RAP) with the New York State Office of Children & Family Services, Capital View Office Park, 52 Washington Street, Rensselaer, New York 12144-2796 on behalf of the Youth Bureau. Said plan is in a minimum amount of ninety-four thousand eight hundred twenty-six dollars (\$94,826.00); effective January 01, 2007 through December 31, 2007 or until complete (as per the provisions of the contract).

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#10

**RESOLUTION NO. 06-330
(November 14, 2006)**

By Mr. Rogers, Chairman of the Human Services Committee:

**NOVEMBER 2006 PROCLAIMED
VETERANS' AWARENESS AND APPRECIATION MONTH**

WHEREAS, Since our nation's founding, the U.S. Military has been dispatched to all the world to defend our freedom and that of our allies. In battles big and small, our men and women of the U.S. Armed Forces have distinguished themselves through their strength, loyalty, and valor; and

WHEREAS, Many members of our Armed Forces have come from all areas within our County, many being injured or even paying the ultimate sacrifice in the defense of our freedoms in our great country; and

WHEREAS, Veterans Day having its origin from the armistice of World War I, at the 11th hour, of the 11th day, of the 11th month. And then by legislation in 1954, has since become a national holiday honoring all Veterans and their service; and

WHEREAS, The members of the Wyoming County Board of Supervisors and the citizens of Wyoming County strongly support our Veterans who sacrificed so much to insure our freedom; now therefore

November 14, 2006

BE IT RESOLVED, That the Wyoming County Board of Supervisors does hereby proclaim the month of November 2006 as:

VETERANS AWARENESS AND APPRECIATION MONTH
and be it

FURTHER RESOLVED, That the Clerk of this Board is hereby directed to forward certified copies of this resolution to President Bush, U.S. Senators Charles Schumer and Hillary Clinton, Congressman Thomas M. Reynolds, and all other deemed appropriate and necessary.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#11

**RESOLUTION NO. 06-331
(November 14, 2006)**

By Mr. Rogers, Chairman of the Human Services Committee:

**NOVEMBER 2006 PROCLAIMED
NATIONAL ADOPTION AWARENESS MONTH**

WHEREAS, November is National Adoption Awareness Month and is designed to provide us with an opportunity to acknowledge the families and staff who are involved in adoption activities throughout the year. The focus this year is on those children currently in foster care; and

WHEREAS, Deciding to open their hearts and homes to a child, adoptive and foster care families demonstrate great compassion and provide hope and love to these children. National Adoption Awareness Month helps raise public awareness of the fact that there are children available who are waiting for caring families; and

WHEREAS, In 2006, three of Wyoming County's foster families adopted six children that were in foster care. Wyoming County still has up to seven pending adoptions remaining for this year; and two Wyoming County families are looking to adopt four children from out of state resources; and

WHEREAS, There are approximately 53 children in Wyoming County currently in foster care; and there are 19 registered foster care homes and more are desperately needed to help care for our children. The valuable contributions

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of foster care and adoptive parents are recognized as they continually strive to improve the quality of life for the children brought into their lives; now therefore

BE IT RESOLVED, That this Board of Supervisors does hereby proclaim **November 2006** as:

NATIONAL ADOPTION AWARENESS MONTH

In Wyoming County; and be it

FURTHER RESOLVED, That it is the desire of this Board of Supervisors and the Wyoming County Department of Social Services that all children awaiting adoption in Wyoming County and beyond find permanent and loving homes.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#12

**RESOLUTION NO. 06-332
(November 14, 2006)**

By Mr. Rogers, Chairman of the Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
WITH WENDY SISSON, ESQ ON BEHALF OF THE
DEPARTMENT OF SOCIAL SERVICES**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Wendy Sisson, Esq., P.O. Box 242, Geneseo, NY 14454 on behalf of the Department of Social Services. Said contract is for the provision of legal services in the event of an Assistant County Attorney conflict with county cases in the amount of \$100.00/hour not to exceed three thousand dollars (\$3,000.00); effective November 01, 2006 through December 31, 2007.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

Supervisor Rogers was asked to come to the podium to present the three proclamations just passed. He requested Suzanne Parton-Meeder and Shirley Brown from the Office For the Aging to present the Caregivers' Month

November 14, 2006

Proclamation. A Caregivers' Luncheon will be held on Thursday, November 16, 2006 at the Valley Chapel here in Warsaw.

Director Cousins was asked to step forward on behalf of the Veterans' Services to accept a proclamation declaring November 2006 Veterans' Awareness and Appreciation Month. Supervisor Rogers stated that it is a great honor as a fellow veteran to be able to present this proclamation.

Commissioner Schmitt was asked to step forward in order to receive the proclamation declaring November 2006 as National Adoption Month. Anyone interested in becoming a foster parent were encouraged to contact the Commissioner for more information.

Chairman Berwanger asked that Director Cousins complete the Veterans' Day recognition ceremonies. The Director thanked the Board of Supervisors for their continued support of Veterans' Services and the proclamation. To show the Board of Supervisors the support Wyoming County Veterans' Services has in the community he recognized that all 16 Wyoming County Towns are represented here today to include the American Legion, VFW, the Vietnam Veterans of America, and the Disabled Veterans of America. Also, Veterans were recognized by conflict. The following participants were asked to stand and be recognized: World War II Veterans, Korean War Veterans, Vietnam Veterans, Lebanon, Granada, Bosnia, Panama and the Iraqi Gulf War. Not to forget the Ladies Auxiliary.

#13

**RESOLUTION NO. 06-333
(November 14, 2006)**

By Mrs. Totstline, Chairman of the Public Health Committee:

**CHAIRMAN AUTHORIZED TO SIGN AMENDED
2006 CONTRACTS ON BEHALF OF MENTAL HEALTH**

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BE IT RESOLVED, that the Chairman of this Board, with the approval of the County Attorney and on behalf of the Department of Mental Health, to amend Resolution #05-350; as amended by resolution number #06-108; and #06-192, and is hereby authorized and directed to sign the following contract amendments for FY 2006:

- 1) Livingston/Wyoming Arc, contract amendment for Sheltered Workshop Program for the mentally ill population for the period January 1, 2006 through December 31, 2006: $\$50,945.00 + \$1928.00 = \$52,873.00$
- 2) Suburban Adult Services, Inc. contract amendment for the period of January 1, 2006 through December 31, 2006: $\$93,204.00 + \$16,630.00 = \$109,834.00$
- 3) ARA, Inc. renewal contracts for the period of January 1, 2006 through December 31, 2006:

One contract for Mental Health Services $\$524,727.00 + 23,000$ (#06-108) + $4,773.00$ (#06-192) = $\$552,500.00 + 12,248.00 = \$564,748.00$

- A. Mental Health Clinic: $\$27,976.00 + \$5,000 = \$32,796.00$
- B. Adult Case Management/SPOE/SPOA: $\$57,628.00 + 408.00 = \$58,036.00$
- E. Co-Occurring Disorder Program & Case Management: $\$23,064.00 + 1,710.00 = \$24,774.00$
- F. Telemedicine Contract: $\$9,300.00 - \$4,625.00 = \$4,675.00$
- I. Chemical Abuse Treatment and Prevention Staffing & Men's Group: $\$295,317.00 + 3,436.00 = \$298,753.00$
- K. Child & Family Clinic Plus: $\$6,319.00$

- 4) Wyoming County Community Health System - renewal contract for the period of January 1, 2006 through December 31, 2006: $\$42,505.00 - 4,432.00 = \$38,073.00$

- B. Forensic case management: $\$27,184.00 + 170.00 = \$27,354.00$
- C. Jail based behavioral health services in the jail: $\$6,021.00 + 23.00 = \$6,045.00$
- F. Telemedicine Grant: $\$9,300.00 - \$4,625 = \$4,675.00$

- 5) Chautauqua County Mental Health Department – renewal contract for the Telemedicine Contract for the period of January 1, 2006 through December 31, 2006: $\$9,300.00 - 4,625.00 = \$4,675.00$

- 6) Mental Health Association of Rochester/Monroe County, Inc. – renewal contract for the period of January 1, 2006 through December 31, 2006 to establish and operate the following programs: One contract for \$219,034.00
1. Consumer Run Thrift Store: $\$31,338.00 + 4,891.00 = \$36,229.00$
 2. RIV-Drop-in Center: $\$19,216.00 + 1,884.00 = \$21,100.00$
 3. Com, Perf. Transportation : $\$39,975.00 + 3,396.00 = \$43,371.00$
 4. MICA & Social Club: $\$90,454.00 + 481.00 = \$90,935.00$
 5. Peer Advocacy: $\$9,410.00 + 90.00 = \$9,500.00$
 6. PREP: $\$5,212.00 + 38.00 = \$5,250.00$
 7. CCP Funds for Medical & Vocational Transportation: $\$16,679.00 - 5,422.00 = \$11,257.00$
- 7) Hillside Children's Center renewal contract for the period of January 1, 2006 through December 31, 2006 to provide: $\$36,539.00 + 1,013.00 = \$37,552.00$
- A. RIV - Crisis respite for children: $\$16,732.00 + 268.00 = \$17,000.00$
 - B. RIV - GLOW Family Support: $\$6,399.00 + 651.00 = \$7,050.00$
 - C. RIV - Home Based Crisis Intervention: $\$13,408.00 + 94.00 = \$13,502.00$
- 8) Living Opportunities of DePaul renewal contract for the period of January 1, 2006 through December 31, 2006 for: $\$159,960.00 + 5,233.00 = \$165,193.00$
- A. RIV - Temporary Supportive Housing: $\$8,754.00 + 1,346.00 = \$10,100.00$
 - B. RIV - Four-bed treatment apartments: $\$4,406.00 + 94.00 = \$4,500.00$
 - D. Supported Housing (20 SLOTS): $\$146,800.00 + 3,793.00 = \$150,593.00$
- 9) CCSI of Rochester contract renewal for the period of January 1, 2006 through December 31, 2006: $\$433,056.00 + 14,265.00 = \$447,321.00$
- A. Service Coordination: $\$105,904.00 - 2,461.00 + 4,500.00 = \$107,943.00$
 - B. Dual Diagnosis Coordination: $\$66,681.00 + 1,124.00 + 1,250.00 = \$69,055.00$
 - C. Coordinated Children's Services Initiative: $\$64,042.00 - 3,162.00 + 4,250.00 = \$65,130.00$

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- D. Performance Measurements: \$27,499.00 +825.00 +
150.00 = \$28,474.00
- E. Substance Abuse Prevention: \$168,930.00 – 5,211.00 +
13,000.00 = \$176,719.00

ALL CONTRACTS CONTINGENT UPON THE AVAILABILITY OF FUNDING.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

There was a motion by Mr. Kushner, T/Eagle, to combine resolutions #14 through #22. A voice vote was taken and all voted aye.

#14

**RESOLUTION NO. 06-334
(November 14, 2006)**

By Mr. Kushner, Chairman of the Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
WITH WATCH SYSTEMS, LLC ON BEHALF OF THE
SHERIFF'S DEPARTMENT**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Watch Systems LLC (Mark A. Wilson), 516 East Rutland Ave., Covington, LA, 70433 for the provision of a web-accessible database to house data associated with sex offenders in an amount not to exceed three thousand five hundred dollars (\$3,500.00) per year; effective the date agreement is fully executed for one full year.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#15

**RESOLUTION NO. 06-335
(November 14, 2006)**

By Mr. Kushner, Chairman of the Public Safety Committee:

November 14, 2006

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
WITH ADECCO ON BEHALF OF THE DISTRICT
ATTORNEY'S OFFICE**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Adecco USA, Inc., located at 230 East Main Street, Arcade, New York, 14009 on behalf of the District Attorney's Office. Said contract is for the provision of clerical support for scanning old files per the provision of the current BYRNE grant; effective through the duration of the grant.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#16

**RESOLUTION NO. 06-336
(November 14, 2006)**

By Mr. Kushner, Chairman of the Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
WITH THE COUNTY OF MONROE, PUBLIC SAFETY
LABORATORY ON BEHALF OF THE SHERIFF'S
DEPARTMENT**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with the County of Monroe, Public Safety Laboratory, 150 S. Plymouth Ave., 5th Floor, Rochester NY 14614 on behalf of the Wyoming County Sheriff's Department. Said contract is for forensic laboratory services in an amount not to exceed nineteen thousand nine hundred sixty dollars (\$19,960.00); effective January 01, 2007 through December 31, 2007.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#17

**RESOLUTION NO. 06-337
(November 14, 2006)**

By Mr. Kushner, Chairman of the Public Safety Committee:

Proceedings of the Board of Supervisors**CHAIRMAN AUTHORIZED TO SIGN A GRANT
ACCEPTANCE AWARD ON BEHALF OF THE SHERIFF'S
DEPARTMENT**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a grant application and acceptance award on behalf of the Sheriff's Department. Said grant is for the Sex Offender "Offender Watch" program in a minimum amount of four thousand dollars (\$4,000.00).

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#18

**RESOLUTION NO. 06-338
(November 14, 2006)**

By Mr. Kushner, Chairman of the Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
WITH SIMPLEXGRINNELL ON BEHALF OF THE JAIL**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with SimplexGrinnell, 1999 Mt. Read Blvd., Bldg 1, Rochester NY 14615 on behalf of the County Jail. Said contract is for maintenance and repair of the control room equipment along with smoke and fire alarm maintenance for building in an amount not to exceed eleven thousand four hundred seventy – two dollars (\$11,472.00); effective January 01, 2007 through December 31, 2007.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#19

**RESOLUTION NO. 06-339
(November 14, 2006)**

By Mr. Kushner, Chairman of the Public Safety Committee:

November 14, 2006

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
EXTENSION WITH WILLIAM STREICHER ON BEHALF
OF EMERGENCY SERVICES**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with William Streicher, 486 Sanders Hill Rd., Strykersville, NY 14145 on behalf of Emergency Services. Said contract is for the provision of Fire Coordinating Services in an amount not to exceed six thousand nine hundred dollars (\$6,900.00); effective September 01, 2006 through December 31, 2006.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

There was a motion by Mrs. Meeder, T/Middlebury, to combine resolutions #20 through #23. A voice vote was taken and all voted aye.

#20

**RESOLUTION NO. 06-340
(November 14, 2006)**

By Mr. Kushner, Chairman of the Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN THE 2007 STOP
DWI PLAN**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign the 2007 STOP – D.W. I. Plan in the amount of one hundred forty-one thousand five hundred dollars (\$141,500.00).

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#21

**RESOLUTION NO. 06-341
(November 14, 2006)**

By Mr. Kushner, Chairman of the Public Safety Committee:

CHAIRMAN AUTHORIZED TO SIGN A CONTRACT

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WITH STEPHEN C. TARBELL ON BEHALF OF THE
STOP-DWI PROGRAM

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Stephen C. Tarbell, 4270 Fairview Road, Castile, NY 14227 on behalf of the Wyoming County STOP – D. W. I. Program. Said contract is for the provision of a STOP – DWI Coordinator in an amount not to exceed eight thousand dollars (\$8,000.00); effective January 01, 2007 through December 31, 2007 and is contingent upon the availability of funds.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#22

RESOLUTION NO. 06-342
(November 14, 2006)

By Mr. Kushner, Chairman of the Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN MEMORANDUMS
OF UNDERSTANDING ON BEHALF OF THE STOP-DWI
PROGRAM FOR THE YEAR 2007**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign the 2007 STOP – D. W. I. Memorandums of Understanding with the following Police Departments:

- ***Arcade Police Department –***
Five thousand dollars (\$5,000.00) for DWI enforcement patrols, specific expenses listed in paragraph no. 4 of the MOU and a video system for their office to monitor DWI suspects during the breathalyzer test.
- ***Attica Police Department -***
Five thousand dollars (\$5,000.00) for DWI enforcement patrols, specific expenses listed in paragraph no. 4 of the MOU and a video system for their office to monitor DWI suspects during the breathalyzer test.
- ***Perry Police Department –***
Four thousand dollars (\$4,000.00) for DWI enforcement patrols and specific expenses listed in paragraph no. 4 of the MOU.
- ***Warsaw Police Department –***

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Five thousand dollars (\$5,000.00) for DWI enforcement patrols, specific expenses listed in paragraph no. 4 in the MOU and a video system for their office to monitor DWI suspects during the breathalyzer test.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

There was a motion by Mrs. Meeder, T/Middlebury, to combine resolutions #23 through #25. A voice vote was taken and all voted aye.

#23

**RESOLUTION NO. 06-343
(November 14, 2006)**

By Mrs. Meeder, Chairman of the Human Resource Committee:

TIME AND ATTENDANCE POLICY ADOPTED

WHEREAS, Resolution Number 06-14 provides for the adoption of a county wide Time and Attendance policy that became effective on February 10, 2006; now therefore

BE IT RESOLVED, That the above mentioned Time and Attendance Policy is hereby amended and the revised policy is annexed hereto; and be it

FURTHER RESOLVED, That these revisions are effective immediately

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

**Wyoming County
ADMINISTRATIVE POLICY**

| | | |
|---|--|--|
| EFFECTIVE DATE: February 10, 2006 DATE REVISED: April 11, 2006 October 10, 2006 | REVIEWED BY: (Individuals/Committees) Human Resource Committee WCCHS Personnel Committee | DEPARTMENTS AFFECTED: All Departments WCCHS SUPERCEDES: |
| ADMINISTRATIVE APPROVAL: A.D. Berwanger, Chairman, Board of Supervisors | PREPARED BY: HR Workgroup | REFERENCES: |

Regular Session

Proceedings of the Board of Supervisors**ATTENDANCE & PUNCTUALITY**

POLICY: Employees will be at their assigned workplace ready to work at their regular starting time each day they are scheduled to work.

PURPOSE: Wyoming County provides important and valuable services to its customers. In order to accomplish its Mission, it is imperative that every employee be present when scheduled to work. Employees who are frequently absent from work, or who are not present when the workday begins reduce their own productivity and lower the morale of their fellow workers. Wyoming County has developed a policy designed to promote fairness and consistency when addressing employee attendance and punctuality matters.

DEFINITIONS: An **absence occurrence** is a period of one or more consecutive days of unexcused absence separated by one or more consecutive days of attendance at work. Each period of consecutive absence will be regarded as one occurrence regardless of the number of days of duration. Any employee requesting sick leave during three (3) or more consecutive days shall be required to supply their own statement, or, at the discretion of the Department Head of the Employer, that of a physician licensed under Article 131 of the Education Law.

Tardiness occurs whenever an employee fails to be at his/her assigned work station at the start of his/her shift.

An **exclusion** is an absence due to a pre-employment agreement, pre-approved medical or dental appointment, bereavement, jury duty, compensatory time, military duty, a Worker's Compensation Claim, available Personal leave accrual time, FMLA – approved leaves of absence that are not due to sickness or disability.

Previously scheduled employee appointments with a medical or dental professional may qualify as an exclusion, if available employee sick time is utilized and subject to the following:

- The appointment must be previously-scheduled, with prior written notification to the Department Head or designee as far in advance as possible; and
- Additional or overtime expense will not be incurred by the Employer to ensure appropriate coverage, at the sole discretion of the Department Head or designee.
- Verification of the employee appointment with a medical or dental professional may be required.

An exclusion is not subject to the Corrective Action Process.

PROCEDURE:

- Two (2) ***absence occurrences*** in any three (3) month period will initiate the Corrective Action Process.
- Three (3) ***tardiness occurrences*** will be equivalent to one (1) ***absence occurrence*** and will be counted as such.
- The Corrective Action Process will be cumulative for a period of twelve (12) months; Warnings greater than twelve (12) months old will be voided.

The Corrective Action Process for employees with absence and/or tardiness exceeding the limits set forth above will be as follows:

| | |
|---|----------------------|
| Two (2) absence occurrences within any three (3) month period | Counseling |
| Two (2) absence occurrences within any three (3) months following the date of Counseling | Verbal Warning |
| Two (2) absence occurrences within any three (3) months following the date of Verbal Warning | Written Warning |
| Two (2) absence occurrences within any three (3) months following the date of Written Warning | Employee Suspension |
| Two (2) absence occurrences within any three (3) months following the date of Employee Suspension | Employee Termination |

Habitual offenders, who have established a pattern of absences, may bring the employer to initiate the Corrective Action Process, or advance to the next step in the Corrective Action Process, as appropriate. Patterns of absence shall include but not be limited to: absence or tardiness occurrences before or after scheduled days off or holidays.

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An employee who fails to report as scheduled or fails to complete their assigned shift without appropriate notification (“no call / no show”) will immediately initiate the Corrective Action Process or proceed to the next step in the Corrective Action Process, dependent upon the number and frequency of prior occurrences.

Two (2) consecutive “no call / no show” days will be considered a voluntary resignation on the part of the employee.

Exceptions to this policy may be made based upon extraordinary employee circumstances (i.e. leaving work visibly and physically ill), at the discretion of the Department Head or designee and in consultation with the Human Resource Department and the appropriate Union Representative if applicable.

#24

**RESOLUTION NO. 06-344
(November 14, 2006)**

By Mrs. Meeder, Chairman of the Human Resource Committee:

**ANNA MAE BALMAS REAPPOINTED ELECTION
COMMISSIONER (D)**

BE IT RESOLVED, That Anna Mae Balmas, 1 West Mill Street, Castile, NY 14427 is hereby reappointed as Election Commissioner (D) for a term of two years effective January 01, 2007 through December 31, 2008.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#25

**RESOLUTION NO. 06-345
(November 14, 2006)**

By Mrs. Meeder, Chairman of the Human Resource Committee:

EMPLOYEE HANDBOOK APPROVED

BE IT RESOLVED, That the Wyoming County Board of Supervisors have approved revisions to the Employee Handbook as adopted by resolution number 96-119, as amended; effective immediately.

November 14, 2006

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

EMPLOYEE HANDBOOK

Resolution 96-119

Resolution 06-345

FORWARD

Wyoming County is owned by the people of the County. As a County Employee, each person, whether elected, appointed or hired, is an employee of the people we serve.

PURPOSE

This handbook has been written to help you understand your role in meeting this important mission, and as such, serves only as a guide subject to change.

Many, if not most, of the conditions and procedures that cover County employment are specifically authorized or required by law or statute. The New York State Civil Service Law, for example, provides rules and guidelines that cover many County workers.

Numerous matters concerning County employment have also been negotiated with the bargaining unions that represent the different segments of our work force. If you are a unionized worker, you should acquaint yourself with the contract that covers your position.

These laws, statutes and bargaining agreements are, of necessity, quite detailed and change over a period of time. For this reason, the EMPLOYEE HANDBOOK is a general supplement to other applicable sources.

If your questions are not answered by this handbook or an applicable bargaining agreement, your Department Head and/or County Human Resource Director will be pleased to be of assistance to you.

Welcome to the County workforce.

WYOMING COUNTY GOVERNMENT

Wyoming County is governed by a legislative body composed of sixteen Supervisors, one elected by each of the sixteen (16) towns situated in the County. The Board of Supervisors operates under a weighted voting system which is based on the population of the town they represent. With the exception

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of the Towns of Arcade, Warsaw, and Covington which elect its Supervisor for four years, all Supervisors are elected for two-year terms of office.

The Board of Supervisors meets regularly on a monthly basis in the Supervisors' Chambers in the Wyoming County Government Center.

A committee of the Board of Supervisors oversees each County Department. The Standing Committees of the Board of Supervisors are: Finance, Audit, Human Services, Public Health, Human Resources, Public Safety, Planning & Green Energy, Agriculture, and Public Works.

The Board of Supervisors chooses one of its members as Chairman. The Chairman of the Board of Supervisors is the County's Chief Executive Officer.

County Department Heads are appointed by the Board of Supervisors.

The County Treasurer, County Coroners, County Clerk, Sheriff and District Attorney are elected officials.

EQUAL EMPLOYMENT/AFFIRMATIVE ACTION POLICY

The County of Wyoming maintains a policy of nondiscrimination and equal opportunity.

It is County policy to comply with all applicable federal, state and local labor laws.

As an employer, the Wyoming County Board of Supervisors will take positive action to ensure that there is equal opportunity without regard to age, race, religion, creed, color, national origin, sex, disability, marital status, or other non-merit factors.

An AFFIRMATIVE ACTION PLAN (AAP) covering such activities as advertising, recruitment, testing, training, promotions, and grievance procedures has been adopted to guide the County.

Every employee has specific rights under the AAP. A copy of the plan can be obtained from your Department Head or the Clerk of the Board of Supervisors.

It is the intent of the County that every effort be made to resolve discrimination complaints internally. All employees may seek the assistance of

appropriate State and Federal agencies if their complaint is not satisfactorily resolved.

HIRING POLICY

It is the policy of Wyoming County to effectively utilize available manpower resources by selecting the best qualified person for the job to be performed, subject to New York State-Law, County Civil Service Rules & Requirements, Federal Law and applicable collective bargaining agreements.

Personnel that have been hired and promoted in the past and those hired and promoted in the future, have been and will continue to be selected from all applicants on the basis of qualifications. These factors include, but are not limited to: ability, availability, capability, aptitude, experience, education, physical fitness, and a willingness to work and serve.

DRUG FREE WORKPLACE POLICY

All employees are hereby notified that, pursuant to the DRUG FREE WORKPLACE ACT OF 1988, it is unlawful to manufacture, distribute, dispense, possess, or use an illegal controlled substance in any Wyoming County workplace.

As a condition of employment with the County, every employee must (1) abide by the terms of this statement and (2) notify the County of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days after such conviction.

The County may impose penalties on employees for drug abuse violations occurring in the workplace. These may include disciplinary actions as allowed under any applicable collective bargaining agreements or personnel policies up to and including dismissal. As an alternative, the County may require the employee to satisfactorily participate in a drug abuse assistance or rehabilitation program.

Employees seeking information about the dangers of drug abuse or the availability of drug/alcohol counseling may contact the County's Employee Assistance Program provider at **1-888-244-0680**.

SEXUAL HARASSMENT

Sexual harassment is an unlawful employment practice defined as:

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Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; (2) submission or rejection of such conduct by an individual is used as basis for employment decisions affecting such individual, or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Sexual harassment in the workplace will not be tolerated. Any employee found guilty of sexually harassing another employee or the public will be disciplined and may be dismissed from County employment.

Employees who consider themselves to be a victim of illegal discrimination may file a grievance in writing with the County Attorney. Filing such a complaint with the County Attorney does not forfeit your right to file with an outside enforcement agency such as the State Division of Human Rights or the Equal Employment Opportunity Commission.

CODE OF ETHICS

All employees are expected to act in an ethical manner. The Board of Supervisors has established the following resolution to guide the ethical behavior of all County employees and officials.

SECTION 1. PURPOSE

Pursuant to the provisions of Section 806 of the General Municipal Law, the Board of Supervisors, County of Wyoming, recognizes that there are rules of Ethical Conduct for Public Officers and Employees which must be observed if a high degree of moral conduct is to be obtained, and if public confidence is to be maintained in our unit of local government. It is the purpose of this resolution to promulgate these rules of ethical conduct for the officers and employees of the County of Wyoming. These rules shall serve as a guide for official conduct for the officers and employees of the County of Wyoming. These rules of ethical conduct of this resolution as adopted, shall not conflict with, but shall be in addition to any prohibition of Article Eighteen of the General Municipal Law or any other general or special law relating to ethical conduct and interest in contracts of municipal officers and employees.

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SECTION 2. DEFINITIONS.

(a) "Municipal Officer or Employee" means an officer or employee of the County of Wyoming whether paid or unpaid, including members of any administrative board, commission or other agency thereof.

(b) "Interest" means a pecuniary or material benefit accruing to a municipal officer or employee unless the context otherwise requires.

SECTION 3. STANDARDS OF CONDUCT

Every Officer or Employee of the County of Wyoming shall be subject to and abide by the following standards of conduct.

(a) **Gifts.** He shall not directly or indirectly, solicit any gifts; or accept or receive any gift having a value of twenty-five dollars (\$25.00) or more, whether in the form of money, services, loans, travel, entertainment, hospitality, or promises, or any other form, under circumstances in which it could reasonably be expected to influence him in the performance of his official duties or was intended as a reward for any official action on his part.

(b) **Confidential information.** He shall not disclose confidential information acquired by him in the course of his official duties or use such information to further his personal interest.

(c) **Representation before one's own agency.** He shall not receive, or enter into any agreement, express or implied, for compensation from an agency of which he is an officer, member or employee, or from any municipal agency over which he has jurisdiction, or to which he has the power to appoint any member, officer or employee.

(d) **Representation before any agency for a contingent fee.** He shall not receive, or enter into any agreement, expressed or implied for compensation for services to be rendered in relation to any matter before any agency of his municipality, whereby his compensation is to be dependent or contingent upon any action by such agency with respect to such matter, provided that this paragraph shall not prohibit the fixing at any time of fees based upon the reasonable value of the services rendered.

(e) **Disclosure of interest in legislation.** To the extent that he knows thereof, a member of the Board of Supervisors and any officer of the County of Wyoming, whether paid or unpaid, who participates in the discussion or gives official record of the nature and extent of any direct or indirect financial or other private interest he has in such legislation.

(f) **Investments in conflict with official duties.** He shall not invest or hold any investment directly or indirectly in any financial, business, commercial

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or other private transaction which creates a conflict with his official duties. Any member of the Board of Supervisors and any officer or employee of the County of Wyoming, shall, prior to any action that may affect such investments disclose such investments on the official record of the Board.

(g) **Private employment.** He shall not engage in, solicit, negotiate for or promise to accept private employment or render services for private interests when such employment or service creates a conflict with or impairs the proper discharge of his official duties.

(h) **Future employment.** He shall not, after the termination of service or employment with such municipality, appear before any board or agency of the County of Wyoming in relation to any case, proceeding or application in which he personally participated during the period of his service or employment or which was under his active consideration.

SECTION 4. Nothing herein shall be deemed to bar or prevent the timely filing by a present or former municipal officer or employee of any claim, account, demand or suit against the County of Wyoming, or any agency thereof on behalf of himself or any member of his family arising out of any personal injury or property damage or for any lawful benefit authorized or permitted by law.

SECTION 5. Distribution of Code of Ethics. The Clerk of the Board of Supervisors shall cause a copy of this Code of Ethics to be distributed to every officer and employee of the County of Wyoming within 60 days after the effective date of this Resolution. Each officer and employee elected or appointed thereafter shall be furnished a copy before entering upon the duties of his office or employment by his department head.

SECTION 6. Posting of Code of Ethics. The Department head of each County department shall cause a certified copy of this resolution or code of ethics to be kept posted in a conspicuous place in their respective offices, and the Clerk of the Board of Supervisors shall cause to be kept posted on the bulletin board in the County Courthouse a certified copy of this resolution and code of ethics.

SECTION 7. PENALTIES. In addition to any penalty contained in any other provision of law, any person who shall knowingly and intentionally violate any of the provisions of this code may be fined, suspended or removed from office or employment, as the case may be, in the manner provided by law.

SECTION 8. EFFECTIVE DATE. This Resolution adopted by the Wyoming County Board of Supervisors shall take effect on August 21, 1970.

November 14, 2006

OATH OF OFFICE

All County Officers and Board Members, paid or volunteer, shall take an Oath of Office.

The oath shall be taken prior to beginning the duties of the position.

HATCH ACT

There is often confusion about the political restrictions on public employees. The law which limits political activity is a Federal Law (the Hatch Act) and only applies to local government employees whose activities are largely funded by the federal government. For example, the Hatch Act applies to all employees of the Department of Social Services, and anyone whose salary is paid through a grant provided by the federal government. Many of the earlier restrictions provided by the Hatch Act have been removed. The following remain, however:

a covered employee may not be a candidate
for any elective office in a partisan election,
and

he or she also may not use official authority
for the purpose of interfering with or
affecting the result of an election.

Those covered by the Hatch Act can, however, participate actively in a partisan campaign and even run such a campaign. An employee whose employment is covered by the Hatch Act must resign from his or her position if he/she decides to run for elective office.

Any questions concerning the Hatch Act or employee political rights and responsibilities should be directed to the County Attorney.

AGENCY SHOP

The Public Employees Fair Employment Act (the Taylor Law) specifically prohibits any requirement that an employee must become a member of any labor organization. Provisions of a state law passed in 1978 permits Agency Shop provisions to be written into Labor Contracts.

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Under Agency Shop provisions, all members of a bargaining unit must pay a sum in lieu of union dues to the bargaining agent that represents the unit, even though some employees may not be actual union members.

Agency Shop provisions are included in ALL Wyoming County bargaining agreements.

HUMAN RESOURCES DEPARTMENT

The Human Resources Department serves as the Central Personnel Agency for County government. The Human Resources Department is headed by the Director of Human Resources.

Some other functions of this office include: coordinating various labor relations matters, maintenance of detailed employment history for all employees in the County, advising individual employees of their rights, benefits and responsibilities under the law and under collective bargaining agreements, providing assistance and information concerning retirement matters, handling unemployment claims, and other personnel related matters.

The Human Resource Department is available to assist all employees by calling 786-8940 Ext. 4598.

CIVIL SERVICE

The Civil Service Commission has the authority to adopt Civil Service rules governing appointments, promotions, reinstatements, and similar matters governing employment in County Service and other political subdivisions under its jurisdiction including towns, villages, school districts, and special districts. Some of these rules are outlined for you in this handbook.

The activities of the Civil Service Commission include: job classification according to its duties, assigning titles, and the review of the qualification of all appointees to Civil Service positions. The Civil Service Office is responsible for conducting examinations and certifies each payroll for accuracy.

The Civil Service Department is available to answer questions and assist employees by calling 585-786-8830.

CLASSIFIED RULES

Civil Service Law (Section 20) requires that "each municipal Civil Service Commission shall prescribe, amend and enforce suitable rules for carrying into effect" the provisions of the State Civil Service Law.

The Civil Service Commission has the power to implement Civil Service Law at the local level through its own Rules, which have the force of law.

These must be approved by the State and, after such approval, have the force and effect of law.

These rules are published periodically by the Civil Service Office as "Rules for the Classified Civil Service of the County of Wyoming."

Copies of the rules are available for review at the Wyoming County Civil Service Office.

CIVIL SERVICE JURISDICTIONAL CLASSES

The State Civil Service Law or regulations prescribe the procedure which units of County government must follow in the recruitment, examination, selection, promotion and dismissal of public employees.

Positions are classified according to the manner in which they are filled. The State Civil Service Commission retains final decision over the jurisdictional classification of positions in County services which fall under the Competitive, Non-Competitive, Exempt, Labor or Unclassified Service.

Positions in the Unclassified Service include all elected positions - Supervisors, Sheriff, County Clerk, County Treasurer, County Coroners, District Attorney, and some appointed Department Heads. In addition, all positions at the Board of Elections are part of the unclassified service.

There are four jurisdictional classes in the Classified Service:

Competitive Class: Positions in this class are filled from Civil Service eligible lists which are established after applicants compete in examinations. If no eligible list exists for a title, a person may receive provisional appointment until an exam is held, and an eligible list is established. Civil Service law requires that appointment must be made from one of the top three (3) individuals on the list who are willing and able to accept appointment when it is offered.

Non-Competitive Class: This class includes positions for which it is not practicable to use examinations. Although appointments are not made from a list, all appointees must meet all training and experience requirements as stated on the position specification (job description) for the title.

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Labor Class: These positions are not filled through competitive examination. Appointment is made at the discretion of the appointing authority.

Exempt Class: Positions in this class do not require examinations. The class covers principal deputies and private secretaries to elected or special policy making officials. By law, all positions in this class involve either confidential or policy-making functions.

KINDS OF APPOINTMENT

Several distinct kinds of appointments can be made to positions in the several Jurisdictional Classes just described:

A **permanent appointment** can be made only to a position in any jurisdictional class in which there is a permanent vacancy. (That is, to a position to which no other employee has a prior claim). All permanent appointments to Competitive Class positions must be made from applicable eligible lists.

A **provisional appointment** can be made only to a Competitive Class position for which no eligible list exists.

Temporary appointments are made under different sets of circumstances, the most common being to fill a vacancy which exists because an employee having a prior claim to the position is on approved leave of absence. The permanent incumbent has a right to return to it at a future time. Another circumstance is that occasionally a question concerning the Civil Service or administrative status of a title or position must be resolved before an appointment to the position can be made on either a provisional or permanent basis.

A **substitute appointment** is made on occasion, to enhance the workforce and to cover very short periods of absences of critical positions ex: School Bus Drivers, Nurses, and Food Service Workers.

A **seasonal appointment** is made to a position which is not continuous throughout the year, but which may total as much as five (5) months of cumulative seasonal service in a single year, and which is successive in each consecutive year.

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PROVISIONAL APPOINTMENTS AND
LIMITATIONS ON

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When no eligible list exists for a Competitive Class title, a provisional appointment can be made by the appointing authority. A person who meets all minimum qualifications for the title may be appointed to the position until an examination is held, an eligible list is established, and a canvass of all who are eligible is completed.

A provisional appointee must compete in the first exam held for the title of the position in which he is serving. Willful failure to compete will result in termination of provisional appointment.

Service under provisional appointment does not confer or establish any prior right toward any permanent appointment. In order to receive permanent appointment, the provisional appointee must be reachable on the eligible list when it is established.

When a person without permanent status under any title in the classified service accepts provisional or temporary Competitive Class appointment, time served under such appointment is not counted toward seniority for retention in case of layoffs.

When an employee presently holds permanent status under a title in the classified service and later accepts a temporary or provisional Competitive Class appointment, such time served is counted in computing overall seniority for layoff purposes.

If an examination does not create a mandatory eligible list, a provisional appointee may be re-appointed provisionally to the position once, pending a second examination. Failure to establish a passing score on two (2) successive examinations for the same title will result in termination of the provisional appointment and removal from the position.

If a Competitive Class employee with permanent status is appointed to a higher graded position in the same department, on either a temporary or provisional basis, he or she retains permanent status in the lower level position. He/she is put on leave of absence from the lower position, and may return to it if permanent status is not gained under the higher graded title.

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CIVIL SERVICE EXAMINATIONS

The portions of Civil Service Law that cover examinations and eligible lists are quite detailed. We can, therefore, give only a capsule overview of exam procedures.

Most Wyoming County exams are prepared and scored by the New York State Civil Service Department in Albany. Actual scoring often takes 4 to 6 months after an exam is given.

Exam announcements are published from 2 weeks to 1 month prior to final filing date. Applications for exams must be either mailed or personally delivered to the County Personnel Department no later than the end of the work day on the final filing date.

Exams are held approximately 30 days after the final filing date. All applicants must complete a separate formal application for each exam in order to be permitted to participate.

Applicants are notified by mail whether they qualify to take the examination or not, and if qualified, where and when the exam is scheduled. Sufficient time is allowed for those who have been disqualified to appeal for admittance to the examination.

After exams are scored, those who participated are advised by mail of their score and relative standing on the resulting eligible list.

When two or more eligible have identical scores, each such eligible will have *equal* standing on the list. Appointment may be offered to either eligible, so long as his/her name is reachable.

OPEN-COMPETITIVE EXAMS

Anyone who meets the minimum qualifications and residency requirements may participate in an open competitive examination.

Once a list has been established as the result of an open competitive examination given to fill a County position, individuals who were Wyoming County residents at the time of appointment/exam, and for at least one (1) month prior thereto, may be given preference in appointment over nonresidents participating in the examination.

Although preference may be given to County residents, an individual must be among the top three (3) eligible of those residents who are ready and willing to accept a position.

PROMOTIONAL EXAMS

All promotions to positions in the Competitive Class require examinations. Rules for the Classified Civil Service require a minimum of six (6) months of permanent service in a lower title in order to be eligible to compete in promotional exams. More commonly, the required period of permanency is set at one (1) year or more to establish eligibility for promotion. The same rules apply for Competitive promotion as for other competitive appointments: to be appointed permanently, an employee must pass the examination and be reachable on the eligible list.

If an employee with permanent competitive class status is promoted to a higher level position temporarily or provisionally, the right to return to the lower position is protected, unless during the time he/she is serving in the higher level position the position in which he holds permanent status is abolished for budgetary reasons. In such case, if other positions exist within the layoff unit under the title in which he/she holds permanent status, he or she may displace the least senior employee in service under that title, seniority permitting. If the employee cannot so displace or "bump" within the department, his or her name is put on a preferred list (page 12) according to his or her seniority date.

TIME OFF FOR CIVIL SERVICE EXAMS

Decentralized examinations are scheduled by the Civil Service Office. Special arrangements will be made for people with disabilities, and whose religious beliefs preclude taking exams on Saturdays, and for certain other specified circumstances which would conflict with or prohibit participation in an examination on the regularly scheduled examination date. The Civil Service Office must be notified in writing as soon as possible before the examination date when a conflict in schedule is foreseeable, and no later than the Tuesday following the regular examination date for an unforeseeable emergency that has prevented the applicant from being present to participate in an exam.

VETERAN'S CREDITS FOR APPOINTMENT

Military veterans who have served in time of war can receive additional credit toward permanent Competitive Class appointment. This credit consists of an additional 5 points added to actual test score for a non-disabled veteran to an open Competitive exam and 10 points to be added for a disabled veteran (at least

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ten per cent disability recognized by the U.S. Veteran's Administration). Half of these points can be applied toward the score on a promotional exam.

A Veteran must attain a passing score of 70 on the examination, and make application for Veteran's credits before it can be applied toward appointment. A candidate may choose to use his or her credits for any given appointment. However, Veteran's credits can be used only once for any New York State or municipal Civil Service appointment anywhere in the State of New York.

ELIGIBLE LISTS

Eligible Lists contain only the names of those applicants who have received passing scores on Civil Service Examinations. The names of persons who have not received passing scores are never disclosed to the public.

An appropriate Eligible List is a list that contains one or more names. A valid Mandatory List is a list with three or more names.

Civil Service Law requires that an Eligible List must remain in effect for a minimum of one (1) year and up to a maximum of four (4) years.

This has to be done regardless of whether the final result is a one name list or a multiple name list. It is important to note that regardless of the period of time originally set up for the list, if a new Eligible List is established after the old list is one year old, the old list goes out of existence automatically unless specific, formal action is taken by the Civil Service Commission to continue the old list. Also, regardless of the period of time originally set up for the list, if a new Eligible List is established before the old list is one year old, the old list goes out of existence automatically upon becoming one year old unless specific formal action is taken by the Civil Service Commission to continue the old list.

Eligible Lists are public information. Any person may examine any Eligible List upon written request to the Wyoming County Civil Service Commission.

CANVASS OF ELIGIBLE LISTS

After an Eligible List is established for any title, any department which has openings under that title must request on the appropriate form, a list of certified eligibles from the County Civil Service Department.

Canvass letters are then sent to those eligible to see if they are interested in being interviewed for the position. Appointment must be made

from one of the top three (3) names on the list who are willing and able to accept appointment when offered.

Temporary declination of appointment in writing can be made only for the reasons listed on the standard canvass letter. Candidates who have been removed from an Open Competitive List as a result of declining appointment may have their names returned to the list by filing a written request with the Civil Service Commission. However, return of a candidate's name to an Eligible List after a declination is not automatic upon request. The request must be individually approved or disapproved by the Civil Service Commission, based on its own individual merits.

Reinstatement of names to Promotion Eligible Lists is not normally allowed, except for temporary inability to accept appointment based on a correctable medical condition which is supported by a physician's certification.

If your name appears on an Eligible List, and either your name or address has changed after taking the exam, or after the list is actually established, it is the individual's responsibility to notify the County Civil Service Department, in writing, of such change.

Failure to notify the Civil Service Office of a name change or change of address could mean that your name would be removed from the Eligible List and you would not be considered for future appointments.

COMPETITIVE CLASS TRANSFERS

An employee with permanent status in a Competitive Class position can transfer to a position under the same title in another County department. Such transfer requires the permission of the head of the department to which transfer is sought, the Civil Service Commission, and the employee being transferred. Transfer under the same title between departments does not affect the Civil Service status of the transferee in any way. Such transfer, under Civil Service Law may not be considered, in all cases, to be similar or like in matter to that as described in Collective Bargaining Agreements.

Transfers may be made either intra-departmentally (within the same department), or inter-departmentally (between two separate departments). There are provisions to cover each type of transfer in the Collective Bargaining Agreements. Please refer to the appropriate agreement(s) if you contemplate requesting either type of transfer.

Transfer cannot be made to a Competitive Class position for which a preferred list exists.

Civil Service transfers are sometimes possible even between jurisdictions, such as from County service to the service of one of the towns or villages, or State service. Such inter-jurisdictional transfers are complex, and should be undertaken only after personal consultation with the County Personnel Department and the Civil Service Department.

LAYOFF AND RETRENCHMENT

COMPETITIVE CLASS POSITIONS:

The County will continue to try to make any necessary reductions in workforce or programs through natural attrition (resignations, retirement, etc.). If this is not possible, layoffs will be made in accord with Section 80 of Civil Service Law and provisions of applicable Collective Bargaining Agreements as such pertain to competitive positions. A Competitive Class employee's retention rights are based on continuous seniority which dates from the first date of permanent appointment in the classified service. Those with temporary or provisional appointments, who have not previously had permanent status and continuous service since, are not entitled to recall or reinstatement under Civil Service Law.

Section 80 governs layoff of permanent employees in the Competitive class. For these employees the layoff unit is the County department in which the lay off occurs. If they cannot "bump" within the department from which they are laid off, their names are then put on Preferred Lists according to seniority, for recall as positions become available.

COMPETITIVE CLASS PREFERRED LISTS RESULTING FROM LAYOFF

Persons serving under permanent Competitive Class appointments that are laid off as a result of retrenchment will have their names placed on Preferred Lists for their respective titles in inverse order of their layoff dates.

As positions become available, recall to these or comparable titles is offered in the same order that the names of the laid-off employees appear on the Preferred Lists; i.e. the person with the greatest seniority first, the person with the second greatest seniority second, and so on.

A Preferred List takes precedence over any other Eligible List for any Competitive Class appointment.

One whose name is on a Preferred List may have his/her name certified for appointment to the same or to a comparable title, as determined by the Civil

Service Commission, either in his/her original department or in another County department.

A Preferred List applicant may decline appointment to a position in a department other than his/her original layoff department. However, he/she will not thereafter be canvassed for any future vacancies except those occurring in his/her original layoff department.

A Preferred List applicant who declines appointment to the same or to a comparable title in his/her original layoff department will have his/her name stricken from that Preferred List.

Only under very unusual circumstances may appointment from a preferred list be declined without the decliner's name being automatically removed from the Preferred List. Reasons for such declinations must be submitted in writing, and must be approved or disapproved on their individual merits by the Civil Service Commission.

A Preferred List remains in effect for four (4) years from the date it is established. If a Preferred List appointment has not been offered to a laid-off employee within this period, all Preferred List rights to that title cease.

RESIGNATIONS

Rule XX of the "Rules for the Classified Civil Service...." provides:

- (1) Except as otherwise provided herein, every resignation shall be in writing.
- (2) If no effective date is specified in a resignation, it shall take effect upon delivery to or filing in the office of the appointing authority. If an effective date is specified in a resignation, it shall take effect on such specified date. However, if a resignation is submitted while the employee is on leave of absence without pay, such resignation, for the purpose of determining eligibility for reinstatement, shall be deemed to be effective as of the date of the commencement of such absence.

Notwithstanding, the provisions of this section, when charges of incompetence or misconduct have been or are about to be filed against an employee, the appointing authority may elect to disregard a resignation filed by such employee and to prosecute such charges; and, in the event that such employee is found guilty of such charges and dismissed from the service, his termination will be recorded as a dismissal rather than a resignation.

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- (3) A resignation may not be withdrawn, canceled or amended after it is delivered to the appointing authority, without the consent of the appointing authority.

REINSTATEMENT**TO COMPETITIVE CLASS POSITIONS:**

A permanent Competitive Class employee who has resigned may be reinstated without further Civil Service examination to the position from which he/she resigned. All reinstatements are subject to certain terms and conditions.

Any request for reinstatement must be initiated by the applicant, and must be submitted in writing directly to the Department Head. Reinstatement may be to the position from which the employee resigned, if vacant, or to another position for which he or she was eligible for transfer, or reassignment at the time of resignation. Reinstatement requires the approval of the Civil Service Commission.

PROBATIONARY TERMS

Except where otherwise provided, every original appointment to a permanent position in the Competitive Class and every original and permanent appointment to a position in the Non-Competitive and Labor classes are subject to satisfactory completion of a probationary period of not less than eight (8), or more than (52) fifty-two weeks. All promotional Competitive Class titles require probationary periods. Bargaining unit employees are subject to satisfactory completion of a probationary period of not less than eight (8), or more than twenty-six (26) weeks under existing collective bargaining agreements.

The maximum probationary period of 8 weeks will automatically extend to 52 weeks unless the appointing Department Head gives earlier written notice to the employee that probation has been successfully completed, or that service is unsatisfactory and that his/her services are to be terminated.

A probationer's services may be terminated anytime between the 8th and the 52nd week. The Department Head may notify the probationer in writing anytime between the 8th and the 52nd week that the probationary period has been satisfactorily completed. A copy of such notice shall be sent to the Director of Human Resources.

Upon being terminated, the probationer shall be granted an interview with the Department Head or his designee.

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Time served under provisional or temporary appointment does not count toward completion of probation under that specific title.

A Competitive Class probationary employee who is not retained in the position during his/her probationary period may petition the Civil Service Commission to reinstate his/her name to the Eligible List for the title. Such request must be in writing and will be considered upon its individual merits.

EVALUATION

An initial evaluation of each employee's performance will be made during and at the end of the probationary period and yearly thereafter. Evaluations of employees shall be done by the Department Head, or his or her designee.

An employee shall have a right to review his/her evaluation prior to inclusion in their personnel file.

PRE-EMPLOYMENT PHYSICAL AND DRUG TEST

Each person employed by the County of Wyoming shall, before starting such employment, undergo a physical examination and drug screen performed by the Wyoming County Community Health Systems' Workplace Health.

Actual hiring is contingent upon the prospective employee passing these examinations. If reasonable accommodation is requested by the perspective employee, such request shall be forwarded to the department head.

The cost of the physical shall be borne by the County

OTHER PHYSICAL REQUIREMENTS

If an employee changes positions (transfer or promotion) without a break in service, he or she may be required to be re-examined.

An employee returning to active service following a sick leave (or leave without pay due to illness) of thirty (30) calendar days or more, must present a statement from his or her own attending physician stating that the employee is ready to return to work. He or she must then be re-examined by a County approved physician before he or she is permitted to work.

The physical examination shall be in such form as may be prescribed by the Administrator of the Wyoming County Self-Insurance Plan.

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All required annual physicals will be provided and paid for by the County.

IMMIGRATION LAW

The Immigration Reform and Control Act of 1986 requires employers to employ only U.S. Citizens and aliens authorized to work in the U.S. All new employees must complete the verification form designated by the Immigration and Naturalization Service (INS) to certify that they are eligible for employment.

As evidence of eligibility and identity the government will require employees hired after November 7, 1986 to complete a Form I-9 verifying that persons are eligible to work in the United States. The employee will need to provide a document or documents that establish both identity and employment eligibility.

EMPLOYEE ORIENTATION

The County will conduct a comprehensive orientation program for every new full-time employee. It will include:

- A discussion of departmental operations, policies and practices.
- A tour of the work facility to which the employee will be assigned.
- An explanation and demonstration of any applicable safety equipment to be worn by the employee.
- A distribution and personal briefing on the County's EMPLOYEE and SAFETY HANDBOOKS.

SAFETY AND HEALTH

Wyoming County is vitally concerned for the safety and health of its employees. Each department will provide a place to work that is as free of hazards as possible.

Accident prevention requires teamwork, cooperation and commitment from all employees. This includes employees, Supervisors, and Department Heads equally. The County is committed to the use of proper protective clothing and equipment. Required protective clothing and equipment shall be properly used and cared for by all employees. Failure to properly care for and use these items is subject to disciplinary action. Safety and health practices must and will take precedence over expediency or short cuts.

It is management's responsibility to instruct employees to insure that they know how to perform their duties in an acceptable manner. Employees are encouraged to request instructions in those tasks or in the operation of equipment with which they are not familiar. Employees should inform the supervisor immediately if they detect or even suspect an imminent danger. This term is defined by Federal regulations "**as a condition where there is reasonable certainty that a danger exists that can be expected to cause death or serious physical harm immediately, or before the danger can be eliminated through normal enforcement or corrective measures.**" Less critical conditions should also be routinely reported.

Every employee should know his exact duties in case of an accident, fire or other catastrophe. Awareness of emergency phone numbers, evacuation procedures, and for seeking emergency help is the responsibility of every employee.

Housekeeping plays an important role in accident prevention. It is each employee's responsibility to keep up his work area after the completion of his work time.

Occupational accidents and illnesses can cause suffering and financial loss to employee and employer alike. Therefore, it is every employee's duty to conduct himself in a safe manner, to abide by established work rules and standard practices and to call to the attention of supervision either unsafe conditions or unsafe behavior by individuals. If you do not understand procedures, instructions, or the rules, you should seek clarification from your supervisor.

All employees will receive a WYOMING COUNTY SAFETY HANDBOOK. Please read this reference guide thoroughly.

HAZARDS COMMUNICATIONS RIGHT TO KNOW LAW

Under the Right to Know Law, employers in New York State must tell workers about the health effects of any toxic substances at their work sites.

Training will be provided to all employees who handle or are exposed to listed chemical substances as outlined in the OSHA Hazard Communication Standard.

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ON-THE-JOB ACCIDENTS

It is the employee's responsibility to report all accidents. If you are injured in the course of duty, no matter how slight, you are to report immediately to your Supervisor/Department Head, who will assist you in obtaining medical treatment, if needed. A C-2 form (Worker's Compensation Report) must be filled out by the Department Head and forwarded to the Self-Insurance Plan.

INCIDENT AND ACCIDENT REPORT

An INCIDENT REPORT FORM is to be used whenever there is an accident or incident involving the public and County. Such accident or incident could involve County personnel or property.

The form must be filled out as soon as possible after the accident or incident by the individual witnessing or involved in the accident or incident and the department head.

Such form should be forwarded to the Administrator of Wyoming County's Worker's Compensation Insurance Department within 48 hours of the accident or incident.

EMPLOYEE BENEFITS

In addition to the actual wages or salary which you earn, there may be other substantial benefits provided to you as a County employee if you qualify. Most of these benefits are paid wholly or in part by the COUNTY.

The TYPES OF BENEFITS and the RULES governing use of benefits are contained in the various Resolutions and Collective Bargaining Agreements negotiated by the County. Please refer to the Collective Bargaining Agreement for your own bargaining unit on questions concerning your own entitlement for any specific benefit.

EMPLOYEE ASSISTANCE PROGRAM

In an effort to promote the health and welfare of our employees and their families, Wyoming County has established an EMPLOYEE ASSISTANCE PROGRAM (EAP).

The EAP is designed to assist employees or their family members troubled by alcoholism, drug dependence, emotional, family, or financial problems.

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The County strongly encourages those who feel they need help to contact EMPLOYEE SERVICES INC. at 1-888-244-0680.

All personal information will be maintained in strict confidence.

HEALTH AND HOSPITALIZATION

The County provides high quality medical insurance plans for its employees. Eligibility requirements and conditions are defined by applicable Collective Bargaining Agreement and the rules of each plan or by County Resolution.

Enrollment and plan details can be obtained from the Wyoming County Worker's Compensation Insurance Department at 786-8855.

A word of caution: *It is the responsibility of individual employees to ensure that they have the correct health insurance coverage.* Eligible employees are given the opportunity to obtain coverage at the time they complete their employment forms. However, subsequent to this, all changes affecting employee coverage including marital status (marriage, divorce or separation), change of address, death of a spouse or family member, addition of a dependent, employee or spouse attaining age 65 and becoming eligible for enrollment in the Federal Medicare/Medicaid programs or a dependent reaching their nineteenth birthday must be reported by the covered employee to the County's Worker's Compensation Insurance Department immediately.

Failure to report changes and complete the appropriate paper work could result in lack of adequate coverage for you and your family.

Your insurance coverage becomes effective the first day of the month following the month you become eligible and complete the necessary paper work.

COBRA

In certain situations, you, your spouse, or your dependent child may be eligible to continue health care at your own expense, beyond the date that coverage would normally end. To qualify, you, your spouse, or your dependent child must enroll for this continuation within 60 days after the date coverage normally ends.

Federal law requires this opportunity for continuation provided the individual pays 100% of the full cost of the coverage under the provisions of Consolidated Omnibus Budget Reconciliation Act (COBRA).

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You, your spouse, or your dependent child may continue coverage for a period of up to 18 months if you or they qualified because your employment terminated (for reasons other than gross misconduct).

Your spouse and dependent child may continue coverage for up to 36 months if:

- a. You die.
- b. You become divorced or separated.
- c. You become eligible for Medicare.

In addition, your dependent child may continue coverage for up to 36 months if he or she ceases to be a "dependent child" under the terms of the respective plan (e.g., reaching age 19).

If coverage is to be continued as a result of your divorce or separation, or because of a child losing dependent status, the individual wishing to continue coverage must notify the Worker's Compensation Insurance Department within 60 days of the event and must also sign the proper form within the 60-day limit described above. In the case of other qualifying situations (your death, termination of employment, or Medicare eligibility), the company will notify you and/or the eligible individuals so you or they may sign the proper form within the 60-day limit described above.

If enrollment is completed within the 60-day limit described above, the coverage continuation that you, your spouse or dependent child obtains will become effective immediately upon termination of your original coverage, without a break in coverage, provided you, your spouse, or your dependent child pay the appropriate cost. No evidence of insurability will be required.

This continuation of coverage will end automatically 18 or 36 months following the month in which the original coverage ended. However, coverage may end before these scheduled times if any of the following events occur:

- a. The enrolled individual cancels the coverage.
- b. The enrolled individual fails to pay the applicable cost of coverage.
- c. The enrolled individual becomes covered under another group health care plan.

Any Wyoming County employee is eligible for membership in the New York State Employees Retirement System which provides for service retirement and also for benefits in the event of death or disability.

Employees who have reached retirement age and who have the required years of service may request estimates of their retirement benefit to assist in their retirement planning.

Employees who intend to retire should make application to the New York State Employee's Retirement System at least 30 days but not more than 90 days prior to their anticipated last day of work.

An employee's final average salary is defined as the average of the employee's three highest consecutive years of employment.

Under all four tiers, an employee must be a member of the Retirement System for at least five (5) years in order to be vested. Vesting means that even if the employee leaves government service before reaching retirement age, he or she will be able to collect a retirement benefit upon reaching retirement age.

Retirement System Members and/or beneficiaries may be eligible for benefits in cases of disability or death.

The Human Resource Office is available to provide assistance with matters related to retirement, however, the State Retirement System views certain matters concerning an individual's retirement status as a personal matter between the employee and the Retirement System and will not release information to anyone other than the employee or one legally authorized to act for him or her. Therefore, it may be necessary for employees to address certain questions in writing to the *New York State Retirement System, Albany, New York 12244*.

General information can be obtained by calling the New York State Retirement System at 518-474-7736.

The Human Resource Department can provide you with a variety of forms related to retirement such as requests for estimates, withdrawal of contributions, requests to re-employ a retired person, etc. Employees approaching retirement may wish to contact the Human Resource Department to obtain assistance in completing the required paperwork. Although the Human Resource Department attempts to ensure that all employees are given the opportunity to join the retirement system when they become eligible, each employee is responsible for his or her status under the retirement system.

The New York State Retirement system is mandatory for any full-time permanent employee employed on or after July 1, 1976. Membership for permanent part-time, temporary part-time or full-time, or provisional employees is optional. Those employees electing **not to join** the retirement system will be required to sign a retirement waiver at the time they complete their employment forms.

The Retirement Law is so extensive and complex it is impossible to provide detailed information here relative to membership and benefits. In addition to this handbook, new employees will receive a booklet describing retirement benefits and membership requirements. Other employees may obtain a booklet at the Human Resource Department or Treasurer's Office.

WORKER'S COMPENSATION

As an employee of Wyoming County, you are covered by Worker's Compensation which provides compensation under certain conditions for injury or diseases that are sustained as a direct result of performing your job.

Accidents occasionally happen. While work related injuries are infrequent and most often are minor, the potential for more serious injury cannot be totally eliminated. The proper course of action for an injury during working hours necessarily depends on its type and severity. For any more serious injury, the first step is always to get medical attention/treatment as quickly as possible. For more minor injuries or accidents, the supervisor should first be contacted (circumstances permitting), then first aid or medical treatment secured.

Every job related injury must be reported to the Department Head or his designee at the earliest possible time that circumstances permit. Prompt reporting protects you!

As soon as a job related injury is reported to the Department Head or his designee, the Department Head is required by law to immediately complete and forward a Workers' Compensation Board standard C-2 form (EMPLOYER'S REPORT OF INJURY) to the Self-Insurance Department. The form includes the necessary personal and earnings data for the employee, the nature of the injury and the time, date and pertinent details of its occurrence.

Completion of the C-2 establishes that an injury has been reported/treated, and if time away from the job becomes necessary it enables the insurance carrier to start payment to the employee promptly.

Under present regulations no Worker's Compensation benefits are paid for the first five (5) working days after an injury is incurred.

If injury results in loss of time from work and/or possible residual impairment, the Worker's Compensation Board makes a determination as to eligibility and benefits.

UNEMPLOYMENT INSURANCE

Wyoming County employees are covered by New York State Unemployment Insurance Law. Its primary purpose is to provide temporary financial assistance to workers who may become unemployed through no fault of their own, until they can locate other suitable employment.

A person who is laid off must serve a one week waiting period **once** within any calendar 52 week period, before he or she is eligible for benefits. An applicant also must have worked a specific number of weeks in covered employment in order to gain eligibility.

The conditions under which a person may be eligible for Unemployment Insurance payments, the amount of individual payments and the maximum period for payments are all determined by the New York State Department of Labor, and are subject to amendment or change.

All County Unemployment Insurance matters are administered directly through the Wyoming County Human Resource Department.

CREDIT UNION

Eligible Wyoming County employees can choose to participate in a private credit union to take advantage of such things as loans, life insurance and discounts on amusement park tickets.

Payroll deductions are available for both savings account and loan payments.

Further information can be obtained by contacting the Treasurer's Office.

RULES OF CONDUCT

The orderly and efficient operation of County business and its diverse services requires that all employees observe certain minimum standards of behavior and performance. The rules listed below are to insure proper conduct

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by all employees so that all employees' health and safety are protected, delivery of necessary services is not interrupted, and County and personal property are protected.

We believe that these rules are reasonable and easy to follow. Nevertheless, those individuals who fail to follow the rules will be disciplined, appropriate to the violation(s).

Wyoming County endorses the policy of Progressive Discipline. Normal steps in this process are oral warning, written warning, suspension from duty, and discharge. The policy of Progressive Discipline does not necessarily apply for a number of the more serious violations or offenses, where immediate discharge, in line with due process, may be required.

These rules apply to all County units. The list is not all-inclusive, however, because no list of rules can cover every possible situation. Other work rules, as well as collective bargaining agreements may be required for individual locations, work units, or types of activities. For instance, a particular work rule that might be necessary and appropriate in the Health Department might not be appropriate for the County Highway Department. Department Heads will post work rules particular to their departments. All such rules shall be filed with and reviewed by the County Attorney when necessary.

RULES

1. The following acts are prohibited:
 - a. Fighting, provoking a fight or disorderly conduct of any kind.
2. Drinking or possessing alcoholic beverages or narcotic substances (other than medical prescriptions) on County premises, or reporting to work under the influence of alcohol or drugs.
3. Immoral conduct or indecency of any kind.
4. Commission of a crime which relates to or could affect the performance of his/her duties.
5. Abusive, threatening or discourteous treatment of any fellow employee or member of the public or any other conduct that does not warrant public trust.
6. Willful violation of safety rules and practices including failure to use safety equipment.

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7. Insubordination or failure to follow the reasonable direction or order of a supervisor.

NOTE: Even if you have reservations concerning a specific order or direction, carry it out as directed, unless doing so would create a definite health hazard to another, or would result in dishonesty. If, after having carried out the order/direction, you still seriously question its appropriateness, file a grievance concerning the action and have the matter settled through appropriate channels.

1. Deliberately restricting work output or interfering with the work performed by your department or that performed by others.
2. Destruction or theft of property, tools or equipment belonging either to the County or to any other employee or person.
3. Falsification of or making any material change in any County record, or any letter or document submitted to the County.
4. Failure to report to work without authorization for extension after expiration of an approved leave.
5. Unauthorized use and/or removal of County property, records, or any other materials from County premises.
6. Unauthorized possession of firearms, weapons, or explosives either on employee's person or on County property.
7. Sale of drugs or intoxicants on County property.
8. Soliciting or accepting any financial or non-financial reward in return for special consideration in the purchase or providing of goods or services, or awarding of any contract.
9. Horseplay of any type.
10. Leaving the work area during working hours without permission of the supervisor.
11. The circulation of malicious and slanderous rumors, documents, or remarks concerning any employee, County government, its services, or the County's bargaining agents.

12. Gambling on County premises.
13. Posting of any material on County property without County permission, or alteration, defacing or removal of authorized notices appearing on County bulletin boards.
14. Personal use of County materials, tools or equipment without permission.
15. Performing conduct of other than incidental personal business during County working hours.
16. Unreasonable number of absences, failure to report absences, or any unauthorized absence.
17. Sleeping during working hours.
18. Repeated unauthorized extension of rest breaks or lunch periods.
19. Repeated and excessive lateness.
20. Failure to report any personal injury to the supervisor.
21. Smoking in prohibited areas.

MEETING THE PUBLIC

The public judges the quality of County services by the courtesy and efficiency shown to them personally by the County employees with whom they come in direct contact.

The public supports our services with their taxes. They have every right to be treated with courtesy and respect, and to expect appropriateness in dress, speech and manner from each of us.

A most important aspect of your job is to be as polite and helpful as possible in spite of any occasional difficulty. Treat the public as you would like to be treated. Be courteous, patient and helpful.

The Board of Supervisors desires to insure that any information, including budgetary and financial information, released to the public regarding County activities, be complete, accurate, and truly representative of the County's position.

There is concern about the potential liability which may result from the inaccurate release of public information, or the inadvertent release of privileged information.

All non-elected department heads and their staff must receive approval from the Chairman of the Wyoming County Board of Supervisors prior to the release of any news items to the press.

The following shall be excluded from this policy:

Legal Notices.

Job Notices.

Bid Notices.

Advertising.

Routine requests for basic statistical information.

Clarification of information presented at a public meeting.

Public Safety and Emergency Information.

REQUESTS UNDER THE FREEDOM OF INFORMATION LAW

The Freedom of Information Law provides public access to "any information kept, held, filed, produced or reproduced by, with or for any agency (all units of state and local governments except the State Legislature and courts which are covered by separate provisions) in any form whatsoever."

All requests received under this law must be handled officially and expeditiously. Agencies are required to compile "a reasonably detailed current list by subject matter of all records in possession of an agency, whether or not the records are accessible." Standards of procedure for inspection and copying of records are to be available from each agency.

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The Clerk of the Board of Supervisors is the coordinating officer responsible for overseeing County compliance to the Act.

USE OF COUNTY PROPERTY

Equipment and property owned by the County is provided for the use of employees in carrying out the responsibilities of their position. Department Heads are responsible for equipment assigned to their department, and for prevention of abuse and misuse. This responsibility includes employee training in safe operation, proper maintenance, and removal from use of unsafe equipment.

Personal use of County equipment and facilities is prohibited. The prohibition extends to both work and non-work hours. County property may not be utilized by non-county employees unless required by services to be delivered or by job assignment. Examples of prohibited use are family members driving County vehicles and employees "baby-sitting" children on County property during work hours.

The County encourages the sharing of equipment and co-purchasing where practical. Any department needing "special" equipment should contact the Chairman of Wyoming County Board of Supervisors.

All departments will conduct an annual inventory to account for items in their custody and to assure that all property is properly labeled. The time period for this activity will generally be around the first of the year to correspond with the County's fixed asset requirement.

WEARING OF SEAT BELTS

All employees of the County shall be required to wear safety belts while operating a vehicle, either owned by the County or operating a privately owned vehicle while such vehicle is being used on County business.

Passengers under the age of four shall be required to be restrained in safety seats, as required by Section 1229-c, paragraph 1 of the New York State Vehicle and Traffic Law.

VEHICLE OPERATION ON COUNTY TIME

The use and operation of County owned vehicles must be in accordance with all laws. An employee operating a County owned vehicle must have a valid New York State driver's license appropriate for the class of vehicle he/she is driving. Employees operating their own vehicles on behalf of Wyoming

County must have appropriate insurance in effect. Non employees will not be allowed to operate County owned vehicles.

When operating a County owned vehicle in the conduct of County business, the employee and passengers will be protected by the County's insurance coverage. In event of injury, the employee will be eligible for Worker's Compensation Benefits.

When operating a personal vehicle in the conduct of County business, the primary protection will be provided by the personal insurance policy with secondary coverage provided by the County's policy. Worker's Compensation will still provide coverage in the event of personal injury to the employee while on duty.

Important: Physical damage to an employee's personal vehicle used in the conduct of County business is not covered by the County's policy. Employees should obtain coverage from their private carriers if they feel it is appropriate.

Employees using their personal vehicles for the conduct of County business shall be reimbursed the applicable IRS Business Rate. Expense reports for such mileage must be submitted at the end of each month.

CONFIDENTIALITY

As part of their jobs many County employees deal with confidential matters and information. It is of the utmost importance that employees who are involved in confidential matters or who have access to confidential material adhere strictly to appropriate laws and departmental policies governing confidentiality. Failure to do so is considered a serious offense and could result in discipline, including suspension and/or discharge.

PUBLIC RELATIONS

In general, public relations on the departmental level are conducted under the guidance and direction of the Department Head. As such, the Department Head is considered responsible for all information released from his or her department. Questions concerning release of information should be directed to the Chairman of the Wyoming County Board of Supervisors.

DRESS CODE

Although no formal dress code exists, you are asked to wear articles of clothing suitable to the type of work you do and the work environment in which

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you work. Articles of clothing should be neat, clean, in good taste, and not constitute a safety hazard. Interpretation of this code will be left to the Department Head.

PAY DAYS

The County pays its employees every other Friday. If that day is a holiday, the pay day will be the preceding work day.

The two week pay period runs from Sunday to Saturday. Your pay check will include wages earned up to and including the previous Saturday, or in some cases to date.

Payroll checks are subject to several deductions or withholdings. Deductions are made for both Federal and New York State Income Tax. These deductions are based upon your earnings and the number of dependents you claim on your tax withholding form (W-4). Any change in number of dependents claimed should be immediately reported by filling out a new tax withholding form and submitting it to your department's payroll clerk.

Deductions may also be made for Social Security (FICA), New York State Employee's Retirement System (contributions, arrears, and loan repayments), credit union deductions, union dues, garnishments, and charitable contributions.

Upon separation from County service, an employee's last paycheck includes all pay for the total number of days worked in the last pay period (up to and including the employee's last day of work) as well as any lump sum payment for earned and unused terminal leave credits (if any), when an employee gives timely notice to his supervisor for meeting payroll deadlines.

TELEPHONE

Everyone agrees that courteous telephone handling and pleasant manners are among the basic fundamentals of sound public relations. If you need to use the telephone for urgent business, most departments will allow you to make local calls if you do not abuse the privilege. All personal long distance calls must be paid by the employee with a phone card or billed to their home phone.

If you are required to use the telephone as part of your job, here are a few tips which you should observe:

Answer promptly.
Identify your office and yourself.

Speak directly into the telephone.
Keep calls as brief as possible.
Hang up the receiver gently.
Always be courteous.

HOURS OF WORK

County Offices shall be open for the conduct of business and convenience of the public in strict accordance with the hours prescribed by the Wyoming County Board of Supervisors and in accordance with existing State and County regulations.

Accurate records of time worked shall be maintained by each department.

Since payroll and contractual payments are computed on the basis of these records, their accuracy is the responsibility of each department head.

Arriving early or leaving late for the employee's own convenience is not included in working time, and will not be allowed without prior approval of the Department Head on each occasion.

LATE TO WORK

Any employee of the County not at their assigned area at the designated time of work shall be considered late. An employee may be subject to disciplinary procedures as prescribed in the Attendance and Punctuality Policy.

If an emergency is likely to cause lateness of more than 15 minutes, the employee must phone his supervisor and give expected time of arrival.

An employee who is late understands that his pay is reduced commensurately.

ATTENDANCE RECORDS

The Department Head shall maintain accurate written records of all lost time, including lateness. These records are necessary tools for correction of unsatisfactory attendance.

It is essential to detect, early in time, the beginning of poor attendance habits. Consider frequency of absence, patterns of absence, and causes of absence.

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Short term and frequent absences, including lateness, are indicative of poor dependability and attitude.

CLOSING YOUR OFFICE

At the completion of the day your office should be left as neat as possible. Be sure all electrical equipment is turned off, and windows and doors are closed and locked. If there are papers of a confidential nature, these should be placed in your desk or file. All lights are to be turned off.

EARLY DISMISSAL AND CLOSING

Early dismissal policies will be enacted when an emergency occurs after employees have reported to work and that emergency requires that such employees be sent home early.

Department Heads will be called by the Board of Supervisors' Office with notification and approval of early dismissal.

Employees sent home early will be paid for the balance of the day as if they had worked. Employees absent from work on this day because of compensated leave (sick, personal, vacation, holiday) will have their time charged to such leave.

Emergency closings constitute an emergency which require the closing of a County facility before employees report for work.

Notification of any such closings will be announced on local radio stations (WCJW). Along with these radio stations, the Sheriff's Department will be requested to issue closing announcements to home monitors.

Because of the mandatory nature of the service provided by WCCH, Sheriff and Highway departments, they will not be considered closed as a result of severe conditions, unless specifically announced. Employees who are unable to report during a period when other offices are closed may be offered "make up" hours whenever possible.

PERSONAL DATA CHANGES

Employee personnel records, deemed essential for efficient operations, will be maintained by the County. Employees are requested to report promptly, changes in status as listed below, to their department head, supervisor or the Personnel Department.

Change of:

November 14, 2006

Name.

Address.

Telephone Number.

Marital Status.

Name, birth date, relationship and total number of dependents.

Physical or other limitations.

Retirement Plan beneficiary.

Health Insurance.

License changes when such license is required by the job description.

Department Heads are responsible for forwarding any of the above information received by them to the Human Resources Department. Changes in status are to be reported and sent to the Human Resource Department for processing.

SEVERABILITY AND AMENDMENT

This handbook and its component provisions are subordinate to any present or future Federal or New York Law, and regulations or Resolutions of the Board of Supervisors and Collective Bargaining Agreements. If any Federal or New York law or regulation or the final decision of any Federal or New York Court or administrative agency affects any provision of this handbook, each provision will be amended to the extent necessary to comply with such law, regulation or decision but otherwise this handbook will not be affected.

READING/UNDERSTANDING THE HANDBOOK

Each employee of the County shall be given a copy of this Handbook and be required to read such as a term and condition of employment.

ACKNOWLEDGEMENT STATEMENT

Employee Statement: I, _____ acknowledge that I have been given, and have read the Wyoming County Employee Handbook.

Signature

Date

**RESOLUTION NO. 06-346
(November 14, 2006)**

By Mrs. Meeder, Chairman of the Human Resource Committee:

**BREAST CANCER SCREENING/MAMMOGRAPHY
POLICY ADOPTED**

BE IT RESOLVED, That the Wyoming County Board of Supervisors have approved a policy for Breast Cancer Screening/Mammography; effective September 15, 2006.

Carried: XXX Ayes: 1564 Noes: 54 (Covington) Absent: Abstain:

ADMINISTRATIVE POLICY AND PROCEDURE

| | | |
|------------------------------------|---|---|
| Effective Date: 9/15/06 | Reviewed by: | Department: Wyoming County Human Resource |
| Date Developed: 10/20/06 | Department Head's Signature: | Supersedes: |
| Department Manager's Signature: | PREPARED BY: Brenda Jones HR Director | REFERENCES: Section I. 159-b Civil Service Law Chapter 362 |

BREAST CANCER SCREENING/MAMMOGRAPHY

POLICY: Procedure for Breast Cancer Screening leave for Wyoming County Employees.

PURPOSE: An act to amend the Civil Service law in relationship to authorizing excused leave to undertake a screening for breast cancer for county employees

November 14, 2006

PROCEDURE:

1) Excused leave to undertake a screening for breast cancer for every employee of any county shall be entitled to absent him or herself to undertake a screening for breast cancer. The leave time allowable is granted for up to 4 hours on a yearly basis.

2) The entire period of the leave of absence granted shall be excused leave and shall not be charged against any other leave the employee is otherwise entitled. This is paid time off in addition to existing negotiated paid leave provisions. The time allotted for breast cancer screening leave includes time to and from the appointment and any subsequent follow up consultation visits. Any time taken for this purpose above and beyond 4 hours is chargeable to other leave credits.

3) Each department will require a doctor's statement, receipt issued by the clinic as proof that screening has occurred. The employee has the right to ask that documentation be kept confidential with only those required to grant approval or certify time and attendance reports having access.

4) This leave time cannot be accumulated for year to year, if the 4 hours during the course of the year is not used, each January 1st a new 4 hour leave entitlement takes effect.

**Non-Consent
#27**

**RESOLUTION NO. 06-347
(November 14, 2006)**

By Mrs. Meeder, Chairman of the Human Resource Committee:

**HOSPITAL SUPERVISORY UNIT #9250.01,
CSEA LOCAL #1000 CONTRACT APPROVED**

BE IT RESOLVED, That the Wyoming County Board of Supervisors hereby approves a bargaining unit agreement effective January 1, 2006 through December 31, 2008 with the Wyoming County Hospital Supervisory Unit

Regular Session

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#9250-01, Wyoming County Local #861, Civil Service Employees Association, Inc., Local 1000, AFSCME AFL-CIO, subject to language clarification approval by the office of the County Attorney; and be it

FURTHER RESOLVED, That the Chairman of this Board of Supervisors and the members of the Committee of the Whole of this Board, are hereby authorized to execute the above mentioned agreements on behalf of the County of Wyoming.

This resolution shall become effective immediately, contingent on the ratification of said agreements by all parties.

Carried: XXX Ayes: 1515 Noes: 54 (Covington) Absent: Abstain: 49 (Eagle)

There was a motion by Mr. Fleischman, T/Java, to combine resolutions #28 through #34. A voice vote was taken and all voted aye.

#28

**RESOLUTION NO. 06-348
(November 14, 2006)**

By Mr. Fleischman, Chairman of the Planning Committee:

**AUTHORIZE CHAIRMAN TO SIGN
QUALITY COMMUNITIES GRANT APPLICATION**

WHEREAS, The New York State Department of State is soliciting applications for 2006-2007 grants under the New York State Environmental Protection Fund's Quality Communities Grant Program; and

WHEREAS, This program provides grant funding for planning, design and pre-construction activities related to the development and revitalization of community main streets and downtowns; and

WHEREAS, Livingston County and Wyoming County have jointly identified the need for such activities to enhance and support an existing Downtown Revitalization Program targeting eight Village commercial districts in Livingston and Wyoming Counties; and

WHEREAS, Livingston County has agreed to serve as the lead applicant for the Quality Community grant application and Wyoming County will be co-applicant; now therefore

November 14, 2006

BE IT RESOLVED, That the Board of Supervisors of Wyoming County hereby authorizes its participation as co-applicant with Livingston County in the Quality Communities grant application for the Livingston/Wyoming Downtown Revitalization Program, and will provide up to 50% of the required project match.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#29

**RESOLUTION NO. 06-349
(November 14, 2006)**

By Mr. Fleischman, Chairman of the Planning Committee:

**CHAIRMAN AUTHORIZED TO SIGN AGREEMENT
WITH ENVIRONMENTAL ENTERPRISES FOR GLOW
REGION 2007 HOUSEHOLD HAZARDOUS WASTE
COLLECTION PROGRAM**

WHEREAS, The GLOW Region Solid Waste Management Committee has received funding from the NYS Department of Environmental Conservation (NYSDEC) for the 2007 Household Hazardous Waste Collection Program; and

WHEREAS, The GLOW Committee has recommended that a contract with Environmental Enterprises Inc. be extended to provide collection services for the May 13, 2007 Household Hazardous Waste Collection Program; now therefore

BE IT RESOLVED, That upon the approval of the County Attorney, the Chairman of the Wyoming County Board of Supervisors is authorized and directed to sign a contract extension with the other GLOW Counties and Environmental Enterprises Inc. for the 2007 GLOW Household Hazardous Waste Collection Program in an amount not to exceed twenty-three thousand dollars (\$23,000.00).

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

**RESOLUTION NO. 06-350
(November 14, 2006)**

By Mr. Fleischman, Chairman of the Planning Committee:

**CHAIRMAN AUTHORIZED TO SIGN
SMALL CITIES GRANT APPLICATION**

WHEREAS, The County of Wyoming wishes to apply for a \$187,500.00 Small Cities grant that will be used by the Wyoming County IDA to provide financial assistance to Blue Seal Feeds Inc., Arcade, New York, for its continued growth and expansion; and

WHEREAS, The loan repayments from Blue Seal Feeds Inc. will be used by the Wyoming County IDA to provide financial assistance to other Wyoming County businesses that will create additional job opportunities for county residents; now therefore

BE IT RESOLVED, That the Chairman of this Board of Supervisors is hereby authorized as the official representative of Wyoming County, New York, to execute and submit a grant application to the Governor's Office For Small Cities as a NYS Community Development Block Grant, Small Cities Economic Development program, and is hereby authorized and directed, upon the approval of the County Attorney, to take the actions needed for the submission of the grant application and to provide such additional information and assistance as may be necessary; and be it

FURTHER RESOLVED, That two public hearings by this Board of Supervisors will be held on November 30, 2006 and December 7, 2006 at 3:00 pm at the Wyoming County Business Center, 6470 Route 20A, in the Town of Perry, New York, and at least five days notice of such hearings shall be given by the Clerk of this Board by publishing such notice at least once in the official newspapers of the county designated for such publications.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#31

**RESOLUTION NO. 06-351
(November 14, 2006)**

November 14, 2006

By Mr. Fleischman, Chairman of the Planning Committee:

**CHAIRMAN AUTHORIZED TO SIGN
SMALL CITIES GRANT APPLICATION**

WHEREAS, The County of Wyoming wishes to apply for a \$420,000.00 Small Cities grant that will be used by the Wyoming County IDA to provide financial assistance to Hilec LLC., Arcade, New York, for its continued growth and expansion; and

WHEREAS, the loan repayments from Hilec LLC. will be used by the Wyoming County IDA to provide financial assistance to other Wyoming County businesses that will create additional job opportunities for county residents; now therefore

BE IT RESOLVED, That the Chairman of this Board of Supervisors is hereby authorized as the official representative of Wyoming County, New York, to execute and submit a grant application to the Governor's Office For Small Cities as a NYS Community Development Block Grant, Small Cities Economic Development program, and is hereby authorized and directed, upon the approval of the County Attorney, to take the actions needed for the submission of the grant application and to provide such additional information and assistance as may be necessary; and be it

FURTHER RESOLVED, That two public hearings by this Board of Supervisors will be held on November 30, 2006 and December 7, 2006 at 3:00 pm at the Wyoming County Business Center, 6470 Route 20A, in the Town of Perry, New York, and at least five days notice of such hearings shall be given by the Clerk of this Board by publishing such notice at least once in the official newspapers of the county designated for such publications.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#32

**RESOLUTION NO. 06-352
(November 14, 2006)**

By Mr. Fleischman, Chairman of the Planning Committee:

**CHAIRMAN AUTHORIZED TO SIGN
SMALL CITIES GRANT APPLICATION**

Proceedings of the Board of Supervisors

WHEREAS, The County of Wyoming wishes to apply for a \$141,000.00 Small Cities grant that will be used by the Wyoming County IDA to provide financial assistance to Mille Fabricators, Arcade, New York, for its continued growth and expansion; and

WHEREAS, the loan repayments from Mille Fabricators will be used by the Wyoming County IDA to provide financial assistance to other Wyoming County businesses that will create additional job opportunities for county residents; now therefore

BE IT RESOLVED, That the Chairman of this Board of Supervisors is hereby authorized as the official representative of Wyoming County, New York, to execute and submit a grant application to the Governor's Office For Small Cities as a NYS Community Development Block Grant, Small Cities Economic Development program, and is hereby authorized and directed, upon the approval of the County Attorney, to take the actions needed for the submission of the grant application and to provide such additional information and assistance as may be necessary; and be it

FURTHER RESOLVED, That two public hearings by this Board of Supervisors will be held on November 30, 2006 and December 7, 2006 at 3:00 pm at the Wyoming County Business Center, 6470 Route 20A, in the Town of Perry, New York, and at least five days notice of such hearings shall be given by the Clerk of this Board by publishing such notice at least once in the official newspapers of the county designated for such publications.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#33

**RESOLUTION NO. 06-353
(November 14, 2006)**

By Mr. Fleischman, Chairman of the Planning Committee:

**ANNE HUMPHREY APPOINTED TO
THE GLOW WORKFORCE INVESTMENT BOARD**

BE IT RESOLVED, That Anne Humphrey (Horizon Wind Energy) Main Street, Perry, NY 14530 to the GLOW Workforce Investment Board as a

November 14, 2006

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349

Private Sector Representative for an open ended term effective January 01, 2007.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#34

**RESOLUTION NO. 06-354
(November 14, 2006)**

By Mr. Fleischman, Chairman of the Planning Committee:

**WILLIAM MADDISON APPOINTED
TO THE GLOW WORKFORCE INVESTMENT BOARD**

BE IT RESOLVED, That William Maddison (Cornell Cooperative Extension) 401 N. Main Street, Warsaw NY 14569 to the GLOW Workforce Investment Board as a Private Sector Representative for an open-ended term effective January 01, 2007.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

Supervisor Gozelski requested that the resolution number 35 be revised to read “Leading Dairy County of New York State” instead of “Dairy Capital of New York State.”

Supervisor Rogers questioned the revision. Cornell Cooperative Extension Executive Director, William Maddison stated that within this past hour a conversation was had with the Governor’s office regarding the wording.

#35

**RESOLUTION NO. 06-355
(November 14, 2006)**

By Mr. Gozelski, Chairman of the Agriculture Committee:

**WYOMING COUNTY BOARD OF SUPERVISORS
SUPPORTS GOVERNOR SIGNING PROCLAMATION
DECLARING WYOMING COUNTY AS THE LEADING
DAIRY COUNTY OF NEW YORK STATE**

Regular Session

Proceedings of the Board of Supervisors

WHEREAS, The mission of Cornell Cooperative Extension is “Building Strong & Vibrant New York Communities;” and

WHEREAS, Target Tomorrow proposed the development of an Institute dedicated to agricultural education and research. A Dairy Institute will help attract agricultural based industry to assist in program funding as well as, stimulate much needed economic development for the residents of Wyoming County; and

WHEREAS, Wyoming County Dairy producers have lead the curve for New York State in terms of total milk production and cow numbers, so to continue to maintain this level of production the producers need the assistance in bilingual farm worker training programs, to train, upgrade and recruit “value added” workers; and

WHEREAS, Farmers and workers alike spend inordinate amount of hours to complete the work required in a labor-intensive industry. Worker training programs must be structured to accommodate these hours and be located either on a farm or in close proximity to a critical mass of farms, such as exists in Wyoming County; and

WHEREAS, Cornell Cooperative Extension of Wyoming County has signed memorandums of understanding with other non-profit organizations with similar missions, such as Quality Milk Service and Alfred State College, and are collaborating to develop an institute to create bilingual farmer and farm worker credit and non-credit bearing training programs in Wyoming County; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors supports the signing of a proclamation declaring Wyoming County as the Leading Dairy County of New York State in order to assist in recruitment of students to Wyoming County’s new Dairy Institute Certificate program model as a unique and financially affordable way to gain entry to the dairy industry; and be it

FURTHER RESOLVED, New York State should be proud to recognize its leading milk producing county to aid in bringing national and global attention to the progressive farmers of this county.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

There was a motion by Mr. Davis, T/Covington, to combine resolutions #36 through #50. A voice vote was taken and all voted aye.

**RESOLUTION NO. 06-356
(November 14, 2006)**

By Mr. Davis, Chairman of the Finance Committee:

2007 WORKERS' COMPENSATION COSTS APPROVED

BE IT RESOLVED, That the cost of Workers' Compensation Insurance for the Participants covered by the Wyoming County Workers' Compensation Pool as based upon the 2007 budget of \$1,885,551 (total budget of \$1,935,551 minus a \$50,000 dividend) are as follows:

TOWNS

| | |
|---------------|--------------|
| Arcade | 21,118.00 |
| Attica | 21,989.00 |
| Bennington | 23,870.00 |
| Castile | 20,682.00 |
| Covington | 14,158.00 |
| Eagle | 14,925.00 |
| Gainesville | 15,902.00 |
| Genesee Falls | 11,480.00 |
| Java | 17,867.00 |
| Middlebury | 19,178.00 |
| Orangeville | 14,193.00 |
| Perry | 17,520.00 |
| Pike | 12,983.00 |
| Sheldon | 21,321.00 |
| Warsaw | 22,579.00 |
| Wethersfield | 13,443.00 |
| Total | \$283,208.00 |

and be it

FURTHER RESOLVED, That the Clerk of this Board is hereby authorized and directed to apportion the total sum of such estimated costs of Workers' Compensation Insurance to each of the above mentioned participants in these respective amounts and to levy the same against the taxable property of each respective municipality.

Proceedings of the Board of Supervisors
COUNTY & OUTSIDE AGENCIES

| | |
|--------------------------------|----------------|
| County Government | 180,443.00 |
| County Highway Department | 101,769.00 |
| Wyom. Co Community Hospital | 547,867.00 |
| Community Action | 17,058.00 |
| Wyom. Co. Volunteer Fire Depts | 206,430.00 |
| Soil & Water Conservation | 1,825.00 |
| Total | \$1,055,392.00 |

VILLAGES

| | |
|---------------------|--------------|
| Arcade | 50,163.00 |
| Attica-pays in June | 33,823.00 |
| Castile | 3,720.00 |
| Gainesville | 20.00 |
| Perry | 45,822.00 |
| Pike | 389.00 |
| Silver Springs | 7,809.00 |
| Warsaw-pays in June | 61,998.00 |
| Wyoming | 3,688.00 |
| Total | \$207,432.00 |

SCHOOL DISTRICTS

| | |
|------------------------|--------------|
| Attica Central School | 92,921.00 |
| Perry Central School | 67,280.00 |
| Pioneer Central School | 143,300.00 |
| Warsaw Central School | 15,430.00 |
| Wyoming Central School | 20,588.00 |
| Total | \$339,519.00 |

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#37

RESOLUTION NO. 06-357
(November 14, 2006)

By Mr. Davis, Chairman of the Finance Committee:

November 14, 2006

APPROVES PROPERTY AUCTION SALES

WHEREAS, The County has acquired the right to transfer the following properties pursuant to a Judgement of Foreclosure under Article 11 of the Real Property Tax Law, and

WHEREAS, The Finance Committee of the Board has obtained an offer to purchase said properties and recommends the acceptance thereof, namely:

Missing parcel numbers were withdrawn.

| | | |
|-----|--|---|
| 72 | | Edward R. Pelc, Edward R. Pelc4462 E. Highland Pkwy., Blasdell, NY 14219 has offered \$5,060 for property located at 6805 Lake Shore Drive,Town of Castile, 111.20-4-56.1. |
| 79 | | Rose M. George, 6660 Railroad Ave., Bliss, NY 14024 has offered \$550 for property located at 0 Railroad Avenue, Town of Eagle, 166.3-1-31. |
| 118 | | Harold Trapper, 10469 Croop Road, Clarence, NY 14031 has offered \$1,210 for property located at 0 Route 19A, Town of Genesee Falls, 181.2-1-13. |
| 127 | | Paul T. & Kathleen F. Halvorsen, 909 Arthur Moore Dr., Green Cove Springs, FL 32043 has offered \$17,050 for property located at 6829 Halvorsen Road, Town of Genesee Falls, 170.-1-22.112. |
| 142 | | Clinton W. Dunn, 5363 Java Lake Rd., Arcade, NY 14009 has offered \$110for property located at 0 Block F, Town of Java, 140.8-6-24. |
| 148 | | Matthew J. Diebler, 327 Dearborn, Buffalo, NY 14207 has offered \$330 for property located at 0 Block F, Town of Java, 140.8-6-13. |
| 149 | | Kevin R. Horn, Krista M. Horn & Andrea L. Horn, 21 Lakeside Cresent, Lancaster, NY 14086 has offered \$330 for property located at 0 Block G, Town of Java, 140.8-8-5. |

Proceedings of the Board of Supervisors

| | | |
|-----|--|---|
| 150 | | David Maciejewski, 29 Woodside, Buffalo, NY 14220 has offered \$440 for property located at 0 Block G, Town of Java, 140.8-8-12. |
| 153 | | LaVerne & Rita White, 29 East Street, Gainesville, NY 14066 has offered \$1,870 for property located at 0 Block F, Town of Java, 140.8-7-82.1. |
| 165 | | Jerry Jirak, Northwoods Rd, Arcade, NY 14009 has offered \$2,860 for property located at 0 Syler Road, Town of Orangeville, 82.-1-79. |
| 166 | | Benjamin & Jennifer Clark, 3065 Route 20A, Varysburg, NY 14167 has offered \$6,710 for property located at 0 Route 20A, Town of Orangeville, 70.-2-45.2. |
| 167 | | Benjamin & Jennifer Clark, 3065 Route 20A, Varysburg, NY 14167 has offered \$25,850 for property located at 0 Route 20A, Town of Orangeville, 70.-2-46.1. |
| 176 | | Lisa A. Marshall, 11790 Lapp Rd., Fillmore, NY 14735 has offered \$5,170 for property located at 3911 Route 20A, Town of Orangeville, 71.-1-34.2. |
| 213 | | Harold Trapper, 10469 Croop Road, Clarence, NY 14031 has offered \$880 for property located at 25 Main Street, Village of Pike, 179.10-1-44. |
| 231 | | Alan H. Chartraw, 2169 Creek Rd., Attica, NY 14011 has offered \$3,850 for property located at 0 Route 98, Town of Sheldon, 57.-2-36.1. |
| 258 | | Cornerstone Homes, Inc., Charles Cagle, 11801 Harrington Drive, Corning, NY 14830 has offered \$19,910 for property located at 3833 Route 19, Town of Warsaw, 97.-2-23. |
| 259 | | Frank S. Stefanone, 380 Main, West Seneca, NY 14224 has offered \$4,620 for property located at 0 Route 19, Town of Warsaw, 62.-2-26. |

November 14, 2006

Now, therefore,

BE IT RESOLVED, That the above are hereby approved and accepted and the County Treasurer, in the name of the County, is hereby authorized to execute and deliver a referee deed to the purchaser, providing payment of said purchase price is received by him on or before December 8, 2006.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#38

**RESOLUTION NO. 06-358
(November 14, 2006)**

By Mr. Davis, Chairman of the Finance Committee:

**CANCELLATION OF TAXES AFTER PARCEL HAS BEEN
WITHDRAWN FROM FORECLOSURE**

WHEREAS, Pursuant to the Real Property Tax Law §1138 (6) (a), the County Legislative Body may direct the cancellation of certain delinquent taxes where it is determined that there is no practical method to enforce collection of the delinquent taxes and a supplementary proceeding to enforce collection of the tax would not be effective; and

WHEREAS, Several parcel(s) of real property exist within the County of Wyoming, and have been identified and so designated by the Finance Committee; now therefore

BE IT RESOLVED, That the County of Wyoming, in accordance with the Section 1138 (6) of the Real Property Tax Law, hereby directs the cancellation of any and all delinquent taxes levied against the following tax parcels and the Wyoming County Treasurer shall, pursuant to Section 1138 (6) (c) of the Real Property Tax law, charge back to the appropriate municipal corporation the amount of such cancelled delinquent tax as shall have been credited or otherwise guaranteed to such municipal corporation.

Proceedings of the Board of Supervisors**AUTHORITY:** RPTL 1138 (6) (a) – Cancellation of Tax.**PARCEL ONE:** Town of Perry**Tax Map#:** 100.10-2-1**ASSESSED TO:** A&A Metal Fabricating

Attn: Warren Industries

PO Box 907

Warren, PA 16365

PARCEL ONE: Town of Perry**Tax Map#:** 100.6-1-3**ASSESSED TO:** A&A Metal Fabricating

Attn: Warren Industries

PO Box 907

Warren, PA 16365

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#39

RESOLUTION NO. 06-359**(November 14, 2006)**

By Mr. Davis, Chairman of the Finance Committee:

RELEVY OF UNPAID SCHOOL AND VILLAGE TAXES

WHEREAS, The Real Property Tax Law requires that, by November 15, 2006, all rural Wyoming County School Districts return their respective unpaid 2006-2007 school taxes to the County Treasurer for inclusion in the following year's town and county levy, and

WHEREAS, The Board of Supervisors entered into an agreement with the various villages within the county that, upon notification to the county, by the villages, within the time period as defined in the agreement, the unpaid village taxes will be relieved as part of the town and county levy; now therefore

BE IT RESOLVED, that the County Board of Supervisors does hereby authorize all unpaid school taxes and unpaid village taxes be relieved against the various towns in the County of Wyoming immediately upon receipt by the County Treasurer's Office.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

November 14, 2006

**RESOLUTION NO. 06-360
(November 14, 2006)**

By Mr. Davis, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A RENEWAL
CONTRACT WITH ABS, INC. ON BEHALF OF REAL
PROPERTY TAX SERVICE**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a renewal Tax Bill Insert & Printing Agreement with ABS, Inc. on behalf of Real Property Tax Service. Said contract is in the amount of fourteen thousand two hundred twenty-nine dollars (\$14,229.00) effective August 16, 2006 through August 16, 2007; contingent upon the availability of funds.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#41

**RESOLUTION NO. 06-361
(November 14, 2006)**

By Mr. Davis, Chairman of the Finance Committee:

**NEGOTIATE AND SIGN AGREEMENT
FOR THE SALE OF REAL PROPERTY**

WHEREAS, The County of Wyoming has determined that certain property located on Hurdville Road, in the Town of Arcade, New York, tax map No. 182.-1-39.1 (2 parcels containing approximately 1.75 acres) is no longer needed for County purposes and that such property is now surplus and available for purchase; and

WHEREAS, The County has received an offer by Manfred Koch to purchase said property for the sum of \$1,500.00 plus closing costs; now therefore

Proceedings of the Board of Supervisors

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is authorized to take whatever steps are necessary to abandon said surplus property and to accept the offer to purchase said property by Manfred Koch on Hurdville Road in the Town of Arcade, New York, tax map No. 182.-1-39.1 for the sum of \$1,500.00, subject to the County of Wyoming's reservation of an easement for maintenance and construction purposes, subject to the approval of the County Attorney; and it is further

RESOLVED, that all closing costs are to be paid by Manfred Koch.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#42

**RESOLUTION NO. 06-362
(November 14, 2006)**

By Mr. Davis, Chairman of the Finance Committee:

2006 EQUALIZATION TABLE PRESENTED

BE IT RESOLVED, That the 2006 Equalization Table is hereby presented, and be it

FURTHER RESOLVED, That its adoption be tabled for at least one day.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#43

**RESOLUTION NO. 06-363
(November 14, 2006)**

By Mr. Davis, Chairman of the Finance Committee:

2006 TOWN BALANCES APPROVED

BE IT RESOLVED, That the statement of the County Treasurer as to TOWN BALANCES is hereby accepted, and be it

November 14, 2006

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FURTHER RESOLVED, That the Clerk of the Board is hereby directed to credit or charge the amounts stated to the 2007 Tax Rolls of the respective towns:

| <u>Towns</u> | <u>Debit</u> | <u>Credit</u> |
|--|---------------------|----------------------|
| Arcade | \$ 718.08 | \$ - |
| Attica | \$ - | \$ - |
| Bennington | \$ 27.53 | \$ - |
| Castile | \$ 25.00 | \$ - |
| Covington | \$ - | \$ - |
| Eagle | \$ - | \$ - |
| Gainesville | \$ 269.52 | \$ - |
| Genesee Falls | \$ - | \$ - |
| Java | \$ 8,083.19 | \$ - |
| Middlebury | \$ - | \$ - |
| Orangeville | \$ - | \$ - |
| Perry | \$ 45.47 | \$ - |
| Pike | \$ - | \$ - |
| Sheldon | \$ 5,518.28 | \$ - |
| Warsaw | \$ 1.92 | \$ - |
| Wethersfield | \$ - | \$ - |
| <u>Town & County Totals</u> | \$ 14,688.99 | \$ - |

Dated: November 6, 2006

Cheryl D. Mayer Treasurer

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#44

**RESOLUTION NO. 06-364
(November 14, 2006)**

Mr. Davis, Chairman of the Finance Committee, presented the **SEMI-ANNUAL MORTGAGE TAX REPORT** for the period of April 1, 2006 through September 30, 2006 and moved that the Clerk draw warrants on the County Treasurer for the various amounts therein.

To: Cheryl D. Mayer, County Treasurer of Wyoming County, NY

In accordance with Section 261 of the Tax Law, you are hereby authorized and directed to distribute Mortgage Tax Receipts amounting to \$300,483.70 to the

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several tax districts of Wyoming County, in accordance with the report filed with the Clerk of the Board of Supervisors, as follows:

| TAX DISTRICTS | MORTGAGE TAX DISTRIBUTED | VILLAGE | TOWN |
|------------------------|---|---------------------|---------------------|
| Arcade | \$43,995.69 | \$10,727.69 | \$33,268.00 |
| Attica | \$20,954.19 | \$4,196.16 | \$16,758.03 |
| Bennington | \$31,053.90 | | \$31,053.90 |
| Castile | \$24,457.45 | \$1,865.52 | \$21,055.85 |
| Perry Village | | \$1,536.08 | |
| Covington | \$9,891.78 | | \$9,891.78 |
| Eagle | \$6,331.04 | | \$6,331.04 |
| Gainesville | \$7,599.56 | \$253.28 | \$6,262.27 |
| Silver Springs Village | | \$1,084.01 | |
| Genesee Falls | \$3,433.85 | | \$3,433.85 |
| Java | \$14,244.73 | | \$14,244.73 |
| Middlebury | \$6,736.34 | \$646.08 | \$6,090.26 |
| Orangeville | \$9,109.43 | | \$9,109.43 |
| Perry | \$25,196.66 | \$6,703.78 | \$18,492.88 |
| Pike | \$5,733.85 | \$529.60 | \$5,204.25 |
| Sheldon | \$15,662.11 | | \$15,662.11 |
| Warsaw | \$26,836.72 | \$9,486.19 | \$17,350.53 |
| Wethersfield | \$1,294.83 | | \$1,294.83 |
| Total: | | \$37,028.39 | \$215,503.74 |
| Grand Totals: | | \$252,532.13 | |

Let This Be Your Warrant for Such Payment: \$252,532.13 IN WITNESS
 WHEREOF, I have hereunto set my hand and seal of the Board of Supervisors
 this 14th day of November 2006.
 s/Cheryl J. Ketchum, Clerk

Board of Supervisors

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

November 14, 2006

**RESOLUTION NO. 06-365
(November 14, 2006)**

By Mr. Davis, Chairman of the Finance Committee:

**DATE OF PUBLIC HEARING FOR
2007 TENTATIVE COUNTY BUDGET SET**

BE IT RESOLVED, That the Public Hearing upon the Tentative Budget of the County for the fiscal year and calendar year 2007 will be held in the Supervisors' Chambers at the County Government Center in the Village of Warsaw, NY, on ***Tuesday, December 12th, 2006 at 3:00 PM*** and that copies of that tentative County Budget will be available at the Public Hearing and after 3:00 P.M. on November 15, 2006, in accordance with Section 354(2) of the County Law of this State, at the office of the Clerk of the Board of Supervisors; and

BE IT FURTHER RESOLVED, That the Clerk of this Board is hereby directed to publish a notice of said public hearing in the official newspapers published in the County of Wyoming, in accordance with the provisions of Section 359 of the County Law of this State; and

BE IT FURTHER RESOLVED, That, with the approval of the Finance Committee, the Rules of Procedure shall be suspended for that day only, to allow resolutions to be accepted until 9:30 A.M. on November 30, 2006.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#46

**RESOLUTION NO. 06-366
(November 14, 2006)**

By Mr. Davis, Chairman of the Finance Committee:

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**ONE POSITION OF MEDICAL ASSISTANT
COORDINATOR, PT (.5 FTE) AND ONE POSITION OF
DOMESTIC VIOLENCE ADVOCATE, PT (.5 FTE)
CREATED IN THE DEPARTMENT OF SOCIAL SERVICES**

BE IT RESOLVED, That one position of Medical Assistant Coordinator (.5 FTE) and one position of Domestic Violence Advocate (.5 FTE) be created in the Department of Social Services effective immediately; and be it

FURTHER RESOLVED, That these positions be placed on Salary Schedule "S."

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#47

**RESOLUTION NO. 06-367
(November 14, 2006)**

By Mr. Davis, Chairman of the Finance Committee:

**RESTRUCTURING OF THE ENVIRONMENTAL UNIT
WITHIN THE WYOMING COUNTY HEALTH
DEPARTMENT APPROVED AND ONE POSITION OF
PUBLIC HEALTH SANITARIAN (1.00 FTE) CREATED**

BE IT RESOLVED, That the restructuring of the Environmental Unit in the Public Health Department as approved on November 02, 2006 by the Public Health Committee is hereby approved by this Board of Supervisors and is annexed hereto, effective January 01, 2007; and be it

FURTHER RESOLVED, That one position of Public Health Sanitarian be hereby created in the Environmental Unit in the Public Health Department effective January 01, 2007 to be placed on grade 14 of the current CSEA Agreement.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

November 14, 2006

**RESOLUTION NO. 06-368
(November 14, 2006)**

By Mr. Davis, Chairman of the Finance Committee:

**ONE POSITION OF DIRECTOR OF ENVIRONMENTAL
HEALTH, PT, CREATED IN THE ENVIRONMENTAL
UNIT AT THE PUBLIC HEALTH DEPARTMENT AND
AMEND SALARY SCHEDULE “S”**

BE IT RESOLVED, That one position of Director of Environmental Health, PT, be created in the Environmental Unit in the Public Health Department; and be it

FURTHER RESOLVED, That said position be placed on Salary Schedule “S” and set the salary at a stipend of \$15,000/annually effective November 01, 2006

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#49

**RESOLUTION NO. 06-369
(November 14, 2006)**

By Mr. Davis, Chairman of the Finance Committee:

SALARY SCHEDULE “S” AMENDED

BE IT RESOLVED, That the Wyoming County Salary Plan, Schedule “S,” which became effective January 01, 1967, as amended, is hereby amended as follows;

Effective January 01, 2007:

Public Health:

- Fiscal Administrator - \$41,984.00 (increase of \$3,000)
- Public Health Administrator - \$45,824.00 (increase of \$5,000)

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Effective immediately:

Department of Social Services:

- Medical Assistant Coordinator - \$12,000 annually
- Domestic Violence Advocate - \$18,000 annually

**Carried: XXX Ayes: 1491 Noes: 127 (Bennington) Absent: Abstain:
#50**

**RESOLUTION NO. 06-370
(November 14, 2006)**

By Mr. Davis, Chairman of the Finance Committee:

SALARY SCHEDULE “D” AMENDED

BE IT RESOLVED, That the Wyoming County Salary Plan, Schedule “D,” which became effective January 01, 1967, as amended, is hereby amended to combine the titles of Director of Fire and Emergency Management and Fire Coordinator, PT, to reflect one title of Director of Fire and Emergency Management and set the salary at \$46,000 annually; and be it

FURTHER RESOLVED, That the Fire Coordinator, PT position be removed from the salary schedule.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

Supervisor Patti stated that a correction needs to be made on the mileage of the roads. The mileage numbers were incorrect. Dollar amounts are not affected. The county attorney agreed that this revision can be considered a typographical error.

**2/3 Majority
#51**

**RESOLUTION NO. 06-371
(November 14, 2006)**

By Mr. Davis, Chairman of the Finance Committee:

November 14, 2006

**BOND RESOLUTION OF THE COUNTY OF
WYOMING, NEW YORK, DATED NOVEMBER 14, 2006
FOR THE ISSUANCE AND SALE OF BONDS OF THE
COUNTY OF WYOMING, NEW YORK, IN THE AMOUNT
OF \$3,345,000.00 FOR THE RECONSTRUCTION OF 7.84
MILES OF MIDDLE RESERVATION ROAD IN THE
TOWN OF CASTILE, 3.40 MILES OF EAST MAIN STREET
ROAD IN THE TOWN OF ATTICA, AND 2.60 MILES OF
WYOMING ROAD IN THE TOWNS OF COVINGTON AND
MIDDLEBURY, WYOMING COUNTY, NEW YORK.**

**RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY
OF WYOMING, NEW YORK** (by the favorable vote of not less than two-thirds of the voting strength of said Board) **AS FOLLOWS:**

Section 1. The County of Wyoming, New York is hereby authorized to reconstruct 7.84 miles of Middle Reservation Road in the Town of Castile, 3.40 miles of East Main Street Road in the Town of Attica, and 2.60 miles of Wyoming Road in the Towns of Covington and Middlebury, Wyoming County, New York.

Section 2. Pursuant to Subdivision 11 of the Local Finance Law, the period of probable usefulness shall be fifteen (15) years.

Section 3. The maximum estimated cost of reconstruction of said roads is as follows:

| | Estimated Maximum Cost |
|---|-----------------------------------|
| 7.84 Miles of Middle Reservation Road, Castile, New York | \$3,000,000.00 |
| 3.40 Miles of East Main Street Road, Attica, New York | 775,000.00 |
| 2.60 Miles of Wyoming Road, Covington and Middlebury, New York | 570,000.00 |

Section 4. The estimated maximum cost of the reconstruction of said road is the sum of \$4,345,000.00 and said amount is hereby appropriated therefor. The plan of financing involves the issuance of \$3,345,000.00 in serial bonds of the County of Wyoming to finance the appropriation, and the levy and collection of taxes upon all the taxable real property in the County in an amount sufficient to pay the principal of and interest on said bonds. The remaining \$1,000,000.00 will be generated from Federal funds.

Proceedings of the Board of Supervisors

Section 5. Serial bonds of said County of Wyoming in the principal amount of \$3,345,000.00 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law of the State of New York, to finance the said appropriation.

Section 6. The following additional matters are hereby determined and declared:

a. In accordance with Section 11 of the Local Finance Law, the period of probable usefulness for which said bonds are to be issued is hereinabove set forth for said renovation, such period of probable usefulness being the period of fifteen (15) years. Also, set forth above is the maximum estimated cost for said reconstruction.

Section 7. Each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of such bonds shall contain the recital of validity prescribed by Section 52.00 of said Local Finance Law, and said serial bonds and any notes issued in anticipation of said bonds shall be general obligations of the County payable as to both principal and interest by general tax upon all the taxable real property within the County without limitation of rate or amount. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and provision shall be made annually in the budget of the County by appropriation for (a) the amortization and redemption of the bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 8. Subject to the provisions of this resolution and pursuant to Section 30.00 of the Local Finance Law relative to the authorization of the issuance of bond anticipation notes and of Section 50.00 and Section 56.00 to Section 60.00 of said law, the powers and duties of the Board of Supervisors relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the serial bonds authorized by this resolution and of any notes authorized and issued in anticipation of the sale of said bonds, and the renewals thereof, are hereby delegated to the County Treasurer, as the Chief Fiscal Officer of the County.

Section 9. The validity of the bonds authorized by this resolution and of any notes issued in anticipation of the sale of said bonds may be contested only if: (a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or (b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or (c) such obligations are authorized in violation of the provisions of the constitution.

Section 10. The specific object or purpose of the purchase herein authorized is reconstruction of 7.84 miles of Middle Reservation Road in the Town of Castile, 3.40 miles of East Main Street Road in the Town of Attica, and

2.60 miles of Wyoming Road in the Towns of Covington and Middlebury, Wyoming County, New York.

Section 11. This resolution shall take effect immediately.

Carried: XXX Ayes: 1687 Noes: Absent: Abstain:

Supervisor Patti, Chairman of the Public Works Committee, was asked to give an overview of the highway reconstruction plan just passed by this board. Roads have been identified to establish an order of most in need. A new process will be utilized that was just used to reconstruct East Arcade Road. The county highway employees will not be used for any of the reconstruction. However, they will be utilized to maintain the roads once the reconstruction is complete in order to protect the county's investment.

There being no further business to come before this board Supervisor Bush gave a rap on his desk and the meeting was adjourned at 4:10 PM

Respectfully submitted,

Cheryl J. Ketchum

Clerk to the Board of Supervisors

**REGULAR SESSION
(December 12, 2006)****Tuesday****3:00 PM**

The regular Session of the Wyoming County Board of Supervisors was held at the Wyoming County Government Center in the Board of Supervisors' Chambers located at 143 North Main Street, Warsaw, New York with all Supervisors present. Also present were County Attorney, Eric T. Dadd; Budget Officer, Paula Parker; Clerk to the Board of Supervisors, Cheryl Ketchum and Deputy Clerk to the Board, Brenda Ferrell.

At 3:06 PM Chairman Berwanger, T/Arcade, called the meeting to order.

The Veteran leading the Pledge of Allegiance this month is:

WILLIAM STEELE ADAMS

Mr. Adams' service to his country comes while serving with the United States Marines during both World War II and the Korean War. Mr. Adams enlisted in the Marine Corp at the age of 17, just after graduating from high school. He completed basic training at Parris Island, South Carolina. Then he was assigned to Camp LeJuene, North Carolina for Advanced Individual Training as a Personnel Specialist. Mr. Adams was reassigned to Parris Island as an Admin. Specialist with Base Headquarters until his Discharge from Active Duty on August 30, 1946.

Mr. Adams returned to this area where he became a Lab. Technician for the Dairyman's League and at the same time, continued his career in United States Marine Corp. Reserves. In October of 1950 he answered the call to duty again, when he was activated to serve during the Korean Conflict. He was assigned to the 8th Marines of the 2nd Marine Division at Camp LeJuene as an Admin. Specialist. Mr. Adams served in this position until his discharge from active duty on December 31, 1951 at the rank of Corporal.

For his service to his country, Mr. Adams was awarded:

THE GOOD CONDUCT MEDAL

Mr. Adams again returned to the area in his previous position as a Lab. Tech. for the Dairyman's

December 12, 2006

League until 1953, when he went to work for the Ford Motor Company as a Tool and Die Maker until 1965 when he took on the job as President of United Auto Workers Local 897. Mr. Adams served in this position until 1973 when he became a member of the Bargaining Commission for Local 897 of U.A.W. for the next two years. He again served as President of Local 897 from 1975 and 1976, when he became an International Representative of the United Auto Workers "Skilled Trades Department" Mr. Adams was instrumental in starting apprentice programs within the industry, where he served in this position until his retirement in 1990.

Mr. Adams enjoys gardening and flowers and presently lives in South Wales, New York

The pledge was said by all.

A certificate of appreciation was presented to Mr. Adams in honor of service to his country and also to commemorate his appearance here today.

The Department of Social Services proudly recognizes outstanding employees within the department. The employees are invited and encouraged to learn more about governmental proceedings and the inter-relationship between the Department of Social Services and the Board of Supervisors.

Each month, Commissioner Schmitt, brings an employee of the month to the Human Services Committee meeting to see first hand how Departmental requests are processed by the Board.

The employee of the month for December 2006 is Cheryl Strathearn. She has been with the department since 1982 and presently serves as Principal Program Specialist in our Medical Assistance Unit. Cheryl is being recognized for her assistance in positively resolving a difficult situation with one of our Contractors.

We would like to thank Cheryl for her years of service to the community and to the County of Wyoming.

Please join me in recognizing Cheryl Strathearn.

Communications:

None

Open Public Hearing:

Proceedings of the Board of Supervisors
Adoption of Wyoming County Tentative Budget for the Year 2007
#1

RESOLUTION NO. 06-372
(December 12, 2006)

By Mr. Davis, Chairman of Finance Committee:

FUNDS TRANSFERRED TO VARIOUS 2006 ACCOUNTS

BE IT RESOLVED, That funds are hereby transferred to the various 2006 accounts as follows:

| | | | |
|--|----------------------|------------|-------------------|
| Mental Health | | | |
| From: 01.38.4324.4.40201 Dues 01.38.4324.4.40001 Gas To: 01.38.4324.2.20201 Computers Reason: Transfer of state aid for computer purchases. | \$2,275.00 769.00 | \$3,044.00 | |
| Mental Health Total | | | \$3,044.00 |
| Planning & Development | | | |
| From: 01.42.6421.1.10001 S/D/I Salary To: 01.42.6421.4.41201 Postage Reason: Transfer from the purchase of postage for mass mailing for Solid Waste / Garage program. | \$2,600.00 | 2,600.00 | |
| Planning & Development Total | | | \$2,600.00 |

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#2

RESOLUTION NO. 06-373
(December 12, 2006)

By Mr. Davis, Chairman of Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2006 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2006 accounts as follows:

| | | | |
|---|------------|------------|-------------------|
| Treasurer | | | |
| To: 01.33.1364.4.40301 Professional Service w/01.03.1364.1265 Attorney Fees Reason: to cover 2004 Foreclosure fees. | \$9,640.00 | \$9,640.00 | |
| Treasurer Total | | | \$9,640.00 |

December 12, 2006

| | | | |
|---|--|--|---------------------|
| Information Technology | | | |
| To: 01.34.1680.1.10001 S/D/I Salaries \$18,116.26 01.34.1680.8.82001 Disability Ins. 95.44 01.34.1680.8.83001 FICA 992.97 01.34.1680.8.85001 Medicare FICA 231.57 01.34.1680.8.89001 Hospitalization Ins. 1,699.76 <i>from any funds available</i> Reason: To increase related accounts for additional staff position added in 2006. 21,136.00 | | | |
| Information Technology Total | | | \$21,136.00 |
| General Fund | | | |
| To: 01.52.9950.9.99004 Capital Interfund Transfer \$500,000.00 <i>from any funds available</i> Reason: Increase amount to be transferred to the Capital Fund for various anticipated projects. \$500,000.00 | | | |
| General Fund Total | | | \$500,000.00 |
| Capital Improvement Fund | | | |
| To: 12.61.9950.9.99004 Interfund Transfer \$970,600.00 w/12.13.1620.5031 Interfund Revenues Reason: Increase appropriation and revenues in the Capital Improvement Fund. \$970,600.00 | | | |
| Capital Improvement Fund Total | | | \$970,600.00 |
| Social Services | | | |
| To: 01.39.6010.2.20401 Equipment \$22,578.00 w/01.12.6010.4610 Administration Reason: Food Stamp high performance bonus \$22,578.00 | | | |
| Social Services Total | | | \$22,578.00 |
| Mental Health | | | |
| To: 01.38.4220.4.41510 Educational Materials \$670.95 01.38.4220.4.42476 CCSI 700.00 w/01.03.4220.1289 Other Dept. Revenue Reason: Donation from partner agencies and businesses for staff travel and materials. \$1,370.95 | | | |
| To: 01.38.4250.1.10301 Overtime \$372.00 01.38.4250.8.81001 Retirement 41.00 01.38.4250.8.83001 FICA 23.00 01.38.4250.8.85001 Medicare FICA 6.00 w/01.03.4250.1289 Other Dept. revenue Reason: Increase in reimbursement from WCHHS for billing services. \$442.00 | | | |
| To: 01.38.4310.1.10301 Overtime \$609.00 01.38.4310.8.81001 Retirement 67.00 01.38.4310.8.83001 FICA 37.00 01.38.4310.8.85001 Medicare FICA 8.00 w/01.03.4310.1289 Other Dept. revenue Reason: Increase in reimbursement from WCHHS for billing services. \$721.00 | | | |
| Mental Health Total | | | \$2,533.95 |
| Public Health | | | |
| To: 01.38.4035.2.20001 Furniture \$1,200.00 01.38.4035.4.40406 Employee Mileage 50.00 01.38.4035.4.40801 Contracted Bldg Repair 13,730.00 01.38.4035.4.41004 Computer Supplies 1,000.00 01.38.4035.4.41010 Office Supplies 350.00 01.38.4035.4.41101 Paper 250.00 01.38.4035.4.41204 Advertising 650.00 01.38.4035.4.41214 Supplies Purchased 800.00 01.38.4035.4.41410 Software Purchased 1,570.00 01.38.4035.4.41510 Educational Materials 200.00 01.38.4035.4.41706 Medical Supplies 13,500.00 w/ 01.12.4035.4489 Other Medical Reason: Legislative add-on award for NYSDOH for 1/1/06-12/31/06. \$33,300.00 | | | |
| To: 01.38.4011.4.40301 Professional Svc \$8,000.00 w/01.11.4011.340112 Environmental Grant Program Reason: To appropriate for Water related expenses. \$8,000.00 | | | |
| Public Health Total | | | \$41,300.00 |

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| | | | |
|--|------------|------------|-------------------|
| Sheriff | | | |
| To: 01.37.3110.4.40301 Prof Services Contract w/01.12.3110.438903 Homeland Security-Law Enforcement Reason: Rescind Resolution 06-52 | \$5,000.00 | \$5,000.00 | |
| To: 01.37.3110.4.4.41410 Software Purchase w/01.11.3110.308901 State Aid Reason: Grant award for Sex Offender Watch Res. 06-337 | \$4,000.00 | \$4,000.00 | |
| Sheriff Total | | | \$9,000.00 |
| Emergency Services | | | |
| To: 01.37.3640.4.40301 Prof. Service Cont. <i>from any funds available</i> Reason: Bill Streicher's services for the remainder of 2006. | \$1,330.00 | \$1,330.00 | |
| To: 15.64.3020.2.20101 Radio System Equip. w/15.13.3020.5031 Intra Fund Revenues Reason: to pay for electrical service at Pike Tower site not included in original contract with Saia Communications. | \$1,915.25 | \$1,915.25 | |
| Emergency Services Total | | | \$3,245.25 |

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

Mr. Bush, T/Gainesville, Chairman of the Audit Committee, presented bills totaling **\$2,102,740.66** for the month of **November 2006**.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

There was a motion by Mr. Rogers, T/Pike, to combine resolutions #3 through #7. A voice vote was taken and all voted aye.

#3

**RESOLUTION NO. 06-374
(December 12, 2006)**

By Mr. Rogers, Chairman of Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
WITH CATHOLIC FAMILY CENTER ON BEHALF OF
THE OFFICE FOR THE AGING**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with *Catholic Family Center*, 30 North Clinton Street, Rochester, NY 14604 on behalf of Office for the Aging. Said contract is for the provision of *legal advice representation and assisted referral to all elderly residents* in Wyoming County who have a need for the services and whose needs cannot be met by other appropriate services in the community. Said contract is in the amount of eight thousand dollars (\$8,000.00) with 90% reimbursement by NYS Office for the Aging – Title III-B grant; effective **January 01, 2007 through December 31, 2007**; contingent upon the availability of funds.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

December 12, 2006

**RESOLUTION NO. 06-375
(December 12, 2006)**

By Mr. Rogers, Chairman of Human Services Committee:

**MEMBERS APPOINTED TO THE WYOMING COUNTY
YOUTH BOARD**

BE IT RESOLVED, That the following members are hereby appointed / reappointed to the *Wyoming County Youth Board* for the terms listed:

Agency Representative:

***to fill a vacant term of two (2) years 01/01/06 through 12/31/07;
effective immediately***

- Katie George (Probation Department), 143 North Main Street, Warsaw NY 14569

Community Members:

for a term of three (3) years; effective 01/01/07 through 12/31/09

- Susan Wagner, 62 Center Street, Warsaw, NY 14569

Youth Representatives:

for a term of one (1) year; effective 01/01/07 through 12/31/07

- Doni Wagner, 62 Center Street, Warsaw, NY 14569
- Michaela Olin, 3271 Bacon Road, Perry, NY 14530
- Carina Gayhart, 62 Center Street, Warsaw, NY 14569

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#5

**RESOLUTION NO. 06-376
(December 12, 2006)**

By Mr. Rogers, Chairman of Human Services Committee:

Regular Session

Proceedings of the Board of Supervisors**CHAIRMAN / COMMISSIONER AUTHORIZED TO
SIGN VARIOUS 2007 CONTRACTS ON BEHALF OF THE
DEPARTMENT OF SOCIAL SERVICES**

BE IT RESOLVED, That the Chairman of this Board and the Commissioner of Social Services with the approval of the County Attorney are hereby authorized and directed to sign various 2007 contracts on behalf of the Department of Social Services:

- **David H. Nelson** 11 Exchange Street, Attica 14011 (**renewal**) for Resource Recovery effective January 1, 2007 through December 31, 2007 at a cost of \$70.00/ hour, contingent on availability of funding.
- **Eric T. Dadd**, 11 Exchange Street, P. O. Box 238, Attica 14011 (**renewal**) for provision of the Assistant County Attorney to assist in providing legal services to dept. especially in the areas of Child Support & Family Court in an amount not to exceed fifty-four thousand one hundred eight dollars (\$54,108.00) with 66% Federal and 17% State reimbursement; effective January 1, 2007 through December 31, 2007; contingent on availability of funding.
- **MOU with ARA (Wyoming County Mental Health Clinic & Continuing Day Treatment) (new)** for the provision of Court ordered Mental Health evaluations & counseling (MHC), Chemical Abuse & Day treatment sessions for MH recipients (CDT) in the amount of \$180.00 per court ordered MH evaluation and sliding scale/co-pay for counseling and MA rate of \$11.88/ hr for CDT sessions, not to exceed \$2,470-\$3,068 per client annually (CDT), Chemical Abuse(court ordered programs) - max of \$1,741.23 for DVIP program and \$120.00 for anger management program, potential reimbursement of 65% after federal, if a preventive case; effective January 1, 2007 through December 31, 2007; contingent on availability of funding.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#6

**RESOLUTION NO. 06-377
(December 12, 2006)**

By Mr. Rogers, Chairman of Human Services Committee:

December 12, 2006

**CREATE ONE POSITION OF CHILD SUPPORT UNIT
SUPERVISOR (1.00 fte) AND ABOLISH ONE POSITION OF
SUPPORT INVESTIGATOR (1.00 fte) IN THE
DEPARTMENT OF SOCIAL SERVICES**

BE IT RESOLVED, That one position of *Child Support Unit Supervisor (1.00 fte)* be created and one position of *Support Investigator* be *abolished* in the of Department Social Services; and be it

FURTHER RESOLVED, That the Child Support Unit Supervisor position be placed on CSEA Schedule “A,” Grade 15 (\$28,492.00 - \$33,091.00); effective immediately.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#7

**RESOLUTION NO. 06-378
(December 12, 2006)**

By Mr. Rogers, Chairman of Human Services Committee:

**MEMBERS APPOINTED / REAPPOINTED TO THE
OFFICE FOR THE AGING ADVISORY COUNCIL**

BE IT RESOLVED, That the following members are hereby appointed / reappointed to the *Office for the Aging Advisory Council* for the terms listed:

Community Representatives:

for a term of 3 years; effective 01/01/07 through 12/31/09

- John Barret (Cloisters) 170 N. Maple St., Warsaw, NY 14568
- Deb Browne (Home Care & Hospice) 204-206 N. Main St., Perry, NY 14530

County Representatives:

for a term of 3 years; effective 01/01/07 through 12/31/09

- Margaret Ronan – (WCCH) 400 N. Main St., Warsaw, NY 14569

Town Representatives:

for a term of 3 years; effective 01/01/07 through 12/31/09

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- Barbara Fox (Attica) 18 High St., Attica NY 14011
- Joseph Bichler (Bennington) 797 Urf Rd., Cowlesville, NY 14037
- Linda Little (Castile) 42 Park Rd. W., P. O. Box 134., Castile, NY 14427
- Anna Koerner (Pike), RR-1 East Koy Rd., Portageville, NY 14536
- Beatrice Tilton (Warsaw) 55 Maple St., Warsaw, NY 14569

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

There was a motion by Mrs. Totline, T/Genesee Falls, to combine resolutions #8 through #10. A voice vote was taken and all voted aye.

#8

**RESOLUTION NO. 06-379
(December 12, 2006)**

By Mrs. Totline, Chairman of Public Health Committee:

**CHAIRMAN AUTHORIZED TO SIGN 2007 RENEWAL
CONTRACTS ON BEHALF OF MENTAL HEALTH**

BE IT RESOLVED, that the Chairman of this Board, with the approval of the County Attorney and on behalf of the Department of Mental Health, is hereby authorized and directed to sign the following contracts for FY 2007:

- 1) Livingston/Wyoming Arc, contract renewal for Sheltered Workshop Program for the mentally ill population for the period January 1, 2007 through December 31, 2007 for \$53,719.00.

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- 2) Suburban Adult Services, Inc. renewal contract for the period of January 1, 2007 through December 31, 2007 for \$127,390.00
- 3) ARA, Inc. renewal contracts for the period of January 1, 2007 through December 31, 2007:
One contract for Mental Health Services for \$500,864.00
 - A. Mental Health Clinic and Crisis - \$22,406.00
 - B. Adult Case Management/SPOE/SPOA - \$57,009.00
 - C. Child & Youth ICM & Wrap around Funds (3 ICMS) - \$57,768.00
 - D. RIV-POEMS - COPS
 - E. Co-Occurring Disorder Program & Case Management - \$24,529.00
 - F. CSS Programs Continuing Day Tx., CSS Case Management, CSS Transportation for \$27,406.00
 - G. Chemical Abuse Treatment and Prevention Staffing & Men's Group for \$298,840.00.
 - H. Child & Family Clinic Plus for \$12,906.00
- 4) Wyoming County Community Health System - renewal contract for the period of January 1, 2007 through December 31, 2007 for \$34,056.00
 - A. PAO screenings (DSH)
 - C. Forensic case management for \$31,056.00
 - D. Jail based behavioral health services in the jail for \$3,000.00
 - D. MICA/Homeless - Case Management (DSH payment)
 - E. Crisis Outreach Program (DSH payment)
- 5) Mental Health Association of Rochester/Monroe County, Inc. – renewal contract for the period of January 1, 2007 through December 31, 2007: (One contract for \$204,795.00)
 1. Consumer Run Thrift Store - \$32,475.00
 2. Drop-in Center - \$21,494.00
 3. Transportation Program - \$ 43,000.00
 4. MICA & Social Club - \$92,795.00
 5. Peer Advocacy - \$9,673.00
 6. PREP - \$5,358.00
- 7) Hillside Children's Center renewal contract for the period of January 1, 2007 through December 31, 2007 to provide: \$47,562.00

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- A. Crisis respite for children - \$17,200.00
 - B. GLOW Family Support - \$16,578.00
 - C. Home Based Crisis Intervention - \$13,783.00
- 8) Living Opportunities of DePaul renewal contract for the period of January 1, 2007 through December 31, 2007 for: \$171,236.00
- A. Temporary Supportive Housing - \$10,257.00
 - B. Four-bed treatment apartments - \$4,529.00
 - E. Supported Housing (20 SLOTS) - \$156,450.00
- 9) CCSI of Rochester contract renewal for the period of January 1, 2007 through December 31, 2007: \$466,567.00
- a. Service Coordination - \$ 117,187.00
 - b. Dual Diagnosis Coordination - \$70,975.00
 - C. Coordinated Children's Services Initiative - \$65,874.00
 - D. Performance Measurements - \$29,207.00
 - E. Substance Abuse Prevention - \$183,324.00
- 10) Contract with the Children's Mental Health Coalition of WNY, Inc. for Parent Advocate Services for CCSI Program - \$14,650.00
- 11) Contract with the Wyoming County District Attorney's Office, whereas the District Attorney's Office pays Wyoming County Mental Health Department \$10,000.00 in STOP DWI Funds for 2007.
- 12) Contract with an individual to work with Partners for Prevention on the Media Campaign for the Drug Free Communities Grant - \$2,000.00
- 13) Lease with Buzz and Val Properties for the downstairs office space at 108 N. Main Street, Warsaw for the Partners for Prevention program - \$800.00 a month/\$9,600.00 annually

ALL CONTRACTS CONTINGENT UPON THE AVAILABILITY OF FUNDING.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

**RESOLUTION NO. 06-380
(December 12, 2006)**

By Mrs. Totstline, Chairman of Public Health Committee:

**DR. GREGORY COLLINS REAPPOINTED MEDICAL
DIRECTOR OF THE WYOMING COUNTY PUBLIC
HEALTH DEPARTMENT**

BE IT RESOLVED, *Dr. Gregory Collins*, 4820 Darby Rd., Avon, NY 14414 is hereby reappointed as *Medical Director of the Wyoming County Public Health Department* for a *term of one (1) year*; effective *January 01, 2007 through December 31, 2007*.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#10

**RESOLUTION NO. 06-381
(December 12, 2006)**

By Mrs. Totstline, Chairman of Public Health Committee:

**MEMBERS APPOINTED / REAPPOINTED TO VARIOUS
MENTAL HEALTH COMMITTEES AND
SUBCOMMITTEES**

BE IT RESOLVED, That the following members are hereby appointed / reappointed to various *Mental Health Committees and Subcommittees* for the terms listed:

***Community Service Board
At Large Member***

for a term of four (4) years; effective 01/01/07 through 12/31/10

- Kay Kilburn, 1379 Bray Rd., Arcade, NY 14009
- Robert A. Kelley, 608 Starr Rd., Wyoming NY 14591

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- Jacqueline Tisdale, 5289 Hardys Rd., Gainesville, NY 14066

Subcommittee Members

for a term of four (4) years; effective 01/01/07 through 12/31/10

- Margaret Meyer (Catholic Charities), 25 Liberty St. Batavia, NY 14020
- Kathy Holmes (Parent), P.O. box 99, Pike, NY 14130
- Dr. Pam Wilkie (School), 5550 School Rd., Gainesville, NY 14066

MR/DD Subcommittee Members

for a four (4) year terms effective January 01, 2007 through December 31, 2010

- Dan Fitzpatrick (Liv./Wyo. Arc), 18 Main Street, Mt. Morris, NY 14510
- Mary Foley (School), P. O. Box 44, Silver Springs, NY 14550
- Jacqueline Tisdale, 5289 Hardys Rd., Gainesville, NY 14066

Alcohol and Substance Abuse Subcommittee

for a term of four (4) years; effective 01/01/07 through 12/31/10

- Gerald Stout (District Attorney), 147 N. Main St., Warsaw, NY 14569
- Robert A. Kelley (Community At Large), 608 Starr Rd., Wyoming NY 14591

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

There was a motion by Mr. Kushner, T/Eagle, to combine resolutions #11 through #19. A voice vote was taken and all voted aye.

Before the roll was called Chairman Berwanger asked Supervisor Kushner to comment on the contract the county enters into with Robert Jae. Supervisor Kushner stated that with the unique \$1M radio/communications project that the county is currently engaged in Mr. Jae's knowledge has proven to be invaluable in the completion of this project. The county is provided with state of the art radio equipment to enable our emergency services personnel a more dependable means of communication.

Also, Supervisor Kushner commented on the excellent service provided by Dr. Collins and by Steve Tarbell as the Medical Director for Pre-Hospital Care Agencies and the Stop DWI Coordinator, respectively.

#11

**RESOLUTION NO. 06-382
(December 12, 2006)**

December 12, 2006

By Mr. Kushner, Chairman of Public Safety Committee:

**DR. GREGORY COLLINS REAPPOINTED MEDICAL
DIRECTOR FOR PRE – HOSPITAL CARE AGENCIES**

BE IT RESOLVED, That *Dr. Gregory Collins*, 4820 Darby Rd., Avon, NY 14414 is hereby reappointed as *Medical Director for Pre - Hospital Care Agencies* for a *term of one (1) year* effective *January 01, 2007 through December 31, 2007*.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#12

**RESOLUTION NO. 06-383
(December 12, 2006)**

By Mr. Kushner, Chairman of Public Safety Committee:

**STEPHEN TARBELL REAPPOINTED
WYOMING COUNTY STOP DWI COORDINATOR**

BE IT RESOLVED, That *Stephen Tarbell*, 4270 Fairview Rd., Castile NY 14427, is hereby appointed *Wyoming County Stop DWI Coordinator* for a *term of one (1) year*; effective *January 01, 2007 through December 31, 2007*.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#13

**RESOLUTION NO. 06-384
(December 12, 2006)**

By Mr. Kushner, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
WITH ROBERT JAE ON BEHALF OF THE SHERIFF'S
DEPARTMENT**

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BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with ***Robert Jae***, 227 Route 20A, Varysburg, New York 14167 on behalf of the Sheriff's Department. Said contract is for the provision of consulting services regarding the ***improvement of public safety response*** through more effective and efficient interoperable wireless communications in the amount of five thousand dollars (\$5,000.00); effective ***November 01, 2006 through December 31, 2007***.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#14

RESOLUTION NO. 06-385
(December 12, 2006)

By Mr. Kushner, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
 WITH THE TOWN OF COVINGTON ON BEHALF OF THE
 SHERIFF'S DEPARTMENT**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with the ***Town of Covington*** on behalf of the Sheriff's Department. Said contract to provide ***additional traffic enforcement on Route 63*** for the period of ***January 1, 2007 through December 31, 2007*** and the cost is 100% reimbursed by the Town of Covington.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#15

RESOLUTION NO. 06-386
(December 12, 2006)

By Mr. Kushner, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
 WITH THE NEW YORK STATE SHERIFF'S
 ASSOCIATION ON BEHALF OF THE SHERIFF'S
 DEPARTMENT**

December 12, 2006

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with the *New York State Sheriff's Association* on behalf of the Sheriff's Department. Said contract is for the *STEP grant* in the amount of six thousand five hundred dollars (\$6,500.00); effective *October 1, 2006 through September 30, 2007*.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#16

**RESOLUTION NO. 06-387
(December 12, 2006)**

By Mr. Kushner, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
WITH THE ONEIDA COUNTY SHERIFF'S OFFICE ON
BEHALF OF THE SHERIFF'S DEPARTMENT**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with the *Oneida County Sheriff's Office* on behalf of the Sheriff's Department. Said contract is for *Central New York Psychiatric Center services* at the current rate of \$125.00 per day, per inmate; effective *January 1, 2007 through December 31, 2007*.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#17

**RESOLUTION NO. 06-388
(December 12, 2006)**

By Mr. Kushner, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
WITH WYOMING COUNTY COMMUNITY HOSPITAL
ON BEHALF OF EMERGENCY SERVICES**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a

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contract with *Wyoming County Community Hospital* on behalf of Emergency Services. Said contract is for the provision of *Medical Director for Pre-Hospital Care Agencies services* in the amount of six thousand dollars (\$6,000.00); effective *January 1, 2007 through December 31, 2007*.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#18

**RESOLUTION NO. 06-389
(December 12, 2006)**

By Mr. Kushner, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A GRANT
ACCEPTANCE AWARD WITH THE NEW YORK STATE
DEPARTMENT OF CRIMINAL JUSTICE SERVICE ON
BEHALF OF EMERGENCY SERVICES**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a grant acceptance award with the *New York State Department of Criminal Justice Service*, 4 Tower Place, Albany, NY 12203-3762 on behalf of Emergency Services. Said grant in a minimum amount of fifty thousand dollars (\$50,000.00) with County match of sixteen thousand six hundred sixty-seven dollars (\$16,667.00) for the purchase of two Emergency Response Vehicles; effective *October 30, 2006 through April 1, 2007*.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#19

**RESOLUTION NO. 06-390
(December 12, 2006)**

By Mr. Kushner, Chairman of Public Safety Committee:

**SET PUBLIC HEARING – INTRODUCTORY LOCAL LAW
NO. D YEAR 2006**

WHEREAS, There has been duly presented and introduced at a meeting of this Board of Supervisors of Wyoming County on this 12th day of December, 2006 a proposed local law entitled, “**Local Law Introductory No. D Year 2006, “PROVIDING FOR THE ADMINISTRATION AND**

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ENFORCEMENT OF THE NEW YORK STATE UNIFORM FIRE PREVENTION AND BUILDING CODE,” and

WHEREAS, the County of Wyoming has previously enacted Local Law No. 8 of the year 1984 providing for the administration and enforcement of the New York State Uniform Fire Prevention and Building Code with the County of Wyoming; and

WHEREAS, said Local Law No. 8 of the year 1984 was amended on July 13, 1999 by Resolution No. 99-189; and

WHEREAS, Part 1203 of Title 19 of the Office Compilation of Codes, Rules and Regulations of the State of New York will be repealed as of January 1, 2007 and a revised Title 19 of the Official Compilation of Codes, Rules and Regulations of the State of New York will become effective on January 1, 2007; and

WHEREAS, it is necessary for the County of Wyoming to rescind Local Law No. 8 of the year 1984 and its amendment and to enact a new local law in connection with the revised Title 19 of the Official Compilation of Codes, Rules and Regulations of the State of New York which will become effective on January 1, 2007; and

WHEREAS, Subdivision 5, Section 20 of the Municipal Home Rule Law requires a public hearing to be held on such local law; now therefore

BE IT RESOLVED, that a public hearing is to be held on the said proposed Local Law by this Wyoming County Board of Supervisors on the 9th day of January, 2007 at 3:00 PM at the Wyoming County Government Center, Warsaw, New York.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

There was a motion by Mrs. Meeder, T/Middlebury, to combine resolutions #20 through #23. A voice vote was taken and all voted aye.

#20

**RESOLUTION NO. 06-391
(December 12, 2006)**

By Mrs. Meeder, Chairman of Human Resource Committee:

DONATION OF BENEFIT TIME POLICY APPROVED

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BE IT RESOLVED, That the Wyoming County Board of Supervisors hereby approves the Donation of Benefit Time Policy for Wyoming County Employees effective immediately.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

**Wyoming County
ADMINISTRATIVE POLICY AND PROCEDURE**

| | | |
|---------------------------------------|---|---|
| Effective Date: | Reviewed by: | Department: Wyoming County Human Resource |
| Date Developed: 11/1/06 | Department Head's Signature: | Supersedes: |
| Department Manager's Signature: | PREPARED BY: Brenda Jones HR Director | REFERENCE: |

Donation of Benefit Time

POLICY: Procedure for Wyoming County employees to voluntarily donate benefit time to another Wyoming county employee with serious health conditions or family related serious health conditions within the employee's county department.

PURPOSE: To provide Wyoming County employees a means of donating time to co-workers on a voluntary basis who are experiencing serious health issues or a family member for which they are a care giver.

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PROCEDURE:

- 1) A written request must be submitted to the department manager on behalf of the employee experiencing the serious health issue (or family member for which employee is the care giver).
- 2) The employee experiencing the serious health issue must have a negative benefit balance in order to be eligible to receive donated benefit time.
- 3) The written request must be presented to the Human Resource Committee for review and approval.
- 4) Upon approval, employees wishing to donate time will sign a donation form and indicate the amount of time in hours that they wish to donate. Vacation benefit time will be the only type of benefit time that may be donated. The form will indicate that the vacation benefit time that is being donated is voluntary and will not be re-paid to the employee making the donation.
- 5) Upon receipt of the benefit time, it will be removed from the employee donating the time and placed in the account of the employee receiving the donation. This procedure will be handled by the Payroll Department, Government Center or Information System Department of the hospital.
- 6) The time will be distributed per payroll based on the employees' FTE status until the employee has returned to work or the donated benefit time has been exhausted.
- 7) If the situation has not been rectified and further donations are needed another request shall be presented to the County

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Human Resource Committee for further consideration.

- 8) A copy of the donation forms must be forwarded to the County Payroll Department, the Human Resource Department and the Human Resource Director.

#21

**RESOLUTION NO. 06-392
(December 12, 2006)**

By Mrs. Meeder, Chairman of Human Resource Committee:

**SECRETARY TO THE HUMAN RESOURCE DIRECTOR
POSITION REASSIGNED**

BE IT RESOLVED, That the position of *Secretary to the Human Resource Director* is hereby reassigned to *Wyoming County Community Hospital* from the Civil Service Department effective *January 01, 2007*.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#22

**RESOLUTION NO. 06-393
(December 12, 2006)**

By Mrs. Meeder, Chairman of Human Resource Committee:

**AUTHORIZE CHAIRMAN TO SIGN A CONTRACT
WITH ERIC T. DADD FOR COUNTY ATTORNEY OFFICE
SPACE**

BE IT RESOLVED, That Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a renewal contract with *Eric T. Dadd*, 11 Exchange Street, Attica, NY 14011. Said contract is to provide for a *lease agreement for County Attorney Office space and certain office supplies* in the amount of four thousand eight hundred dollars (\$4,800.00)

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to be paid in quarterly installments of one thousand two hundred dollars (\$1,200.00) each; effective ***January 01, 2007 through December 31, 2007***; contingent upon the availability of funds.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#23

**RESOLUTION NO. 06-394
(December 12, 2006)**

By Mrs. Meeder, Chairman of Human Resource Committee:

**MEMBERS APPOINTED TO THE
WYOMING COUNTY RECORDS ADVISORY BOARD**

BE IT RESOLVED, That the following members are hereby appointed to the ***Wyoming County Records Advisory Board*** for ***indefinite terms***:

Member

- WCCCH Administrator (Ron Krawiec – replacing Lucy Sheedy)
- County Treasurer (Cheryl D. Meyer – replacing John Edwards)

Supervisor Member

for a one (1) year term effective January 01, 2007 through December 31, 2007.

- Sally Meeder – Town of Middlebury

**Carried: XXX Ayes: 1618 Noes: Absent: Abstain:
Non-Consent
#24**

**RESOLUTION NO. 06-395
(December 12, 2006)**

By Mrs. Meeder, Chairman of Human Resource Committee:

**JAMES SCHLICK REAPPOINTED AS ELECTION
COMMISSIONER (R)**

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BE IT RESOLVED, That *James Schlick*, 1468 Church Road, Darien Center, NY 14040 is hereby reappointed as *Election Commissioner (R)* for a *term of two years* effective *January 01, 2007 through December 31, 2008*.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

There was a motion by Mr. Patti, T/Attica, to combine resolutions #25 through #26. A voice vote was taken and all voted aye.

#25

**RESOLUTION NO. 06-396
(December 12, 2006)**

By Mr. Patti, Chairman of Public Works Committee:

HIGHWAY EQUIPMENT BID AWARDED

BE IT RESOLVED, That the purchase of a Link Belt 330LX tier III Hydraulic Track Mounted Excavator, in the amount of two hundred seven thousand five hundred ninety-five dollars (\$207,595.00) less twenty-five thousand (\$25,000.00) Trade allowance for the #28 County Excavator for a net price after trade allowance of one hundred eighty-two thousand five hundred ninety-five dollars (\$182,595.00) is hereby awarded to *George and Swede*, 7155 Big Tree Road, Pavilion, New York 14525.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#26

**RESOLUTION NO. 06-397
(December 12, 2006)**

By Mr. Patti, Chairman of Public Works Committee:

**AUTHORIZE CHAIRMAN TO SIGN RENEWAL
CONTRACT WITH STATE OF NEW YORK UNIFIED
COURT SYSTEM ON BEHALF OF WYOMING COUNTY
BUILDINGS AND GROUNDS**

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BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney is hereby authorized and directed to sign a contract with the *State of New York - Unified Court System, 8th Judicial District, 110 Franklin St., 2nd Floor, Buffalo, NY 14202* on behalf of Buildings and Grounds. This contract will *provide reimbursement of Court facility maintenance expenses and minor repairs* in the maximum amount of eighty-two thousand three hundred seventy-six dollars (\$82,376.00) or as actually claimed; effective *April 01, 2006 through March 31, 2007*.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

There was a motion by Mr. Fleischman, T/Java, to combine resolutions #27 through #31. A voice vote was taken and all voted aye.

#27

**RESOLUTION NO. 06-398
(December 12, 2006)**

By Mr. Fleischman, Chairman of Planning Committee:

**WILLIAM MADDISON APPOINTED TO GLOW
ADVISORY COMMITTEE**

BE IT RESOLVED, That *William Maddison*, (Cornell Cooperative Ext.), 401 North Main Street, Warsaw, NY 14569 is hereby appointed to the *Genesee Livingston Orleans Wyoming (GLOW) Advisory Committee* as an *Agency Representative* for a *term of one (1) year* effective *January 01, 2007 through December 31, 2007*.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#28

**RESOLUTION NO. 06-399
(December 12, 2006)**

By Mr. Fleischman, Chairman of Planning Committee:

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Proceedings of the Board of Supervisors**RICHARD TINDELL REAPPOINTED TO THE GLOW
ADVISORY COMMITTEE**

BE IT RESOLVED, That *Richard Tindell* (Planning & Development Director) 56 Mt. View Ave., Warsaw, NY 14569 is hereby reappointed to the *Genesee Livingston Orleans Wyoming (GLOW) Advisory Committee* as the *Planning and Development Representative* for a term of one (1) year; effective *January 01, 2007 through December 31, 2007*.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#29

**RESOLUTION NO. 06-400
(December 12, 2006)**

By Mr. Fleischman, Chairman of Planning Committee:

**RICHARD TINDELL REAPPOINTED TO
THE GLOW PLANNING COMMITTEE**

BE IT RESOLVED, That *Richard Tindell* (Planning & Development Director) 56 Mt. View Ave., Warsaw, NY 14569 is hereby reappointed to the *Genesee Livingston Orleans Wyoming (GLOW) Planning Committee* as the *Planning and Development Representative* for a term of one (1) year; effective *January 01, 2007 through December 31, 2007*.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#30

**RESOLUTION NO. 06-401
(December 12, 2006)**

By Mr. Fleischman, Chairman of Planning Committee:

**TOM JACOBS APPOINTED TO THE COUNTY PLANNING
BOARD**

December 12, 2006

BE IT RESOLVED, That *Tom Jacobs* (Eagle) 6665 Centerville Rd., Bliss, NY 14024 is hereby appointed to the ***County Planning Board*** as a ***Town Representative*** for a term of *three (3) years*; effective *January 01, 2007* through *December 31, 2009*.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#31

**RESOLUTION NO. 06-402
(December 12, 2006)**

By Mr. Fleischman, Chairman of Planning Committee:

**MEMBERS APPOINTED/REAPPOINTED TO
THE WYOMING COUNTY PLANNING BOARD**

BE IT RESOLVED, That the following members are appointed or reappointed to the Wyoming County Planning Board for *terms of three (3) years*, said terms to *expire December 31, 2009*

| TOWN | REPRESENTATIVE | ADDRESS |
|--------------------|----------------|--|
| Town of Arcade | David Dutton | 136 Liberty Street Arcade, NY 14009 |
| Town of Covington | Robert Taylor | 864 Route 246 Pavilion, NY 14525 |
| Town of Bennington | Walter Stevens | 67 Clinton St. Alden, NY 14004 |

and be it;

FURTHER RESOLVED, That the following alternate at large members are reappointed to the Wyoming County Planning Board for *terms of one (1) year*, said terms to *expire December 31, 2007*.

| ALTERNATE | REPRESENTATIVE | ADDRESS |
|--------------|-------------------|--------------------------------------|
| Alternate #1 | David Reckahn | 508 Dale Rd., Dale, NY 14039 |
| Alternate #2 | Gerald R. Pfeifer | 39 Mt. View Ave. Warsaw, NY 14569 |

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

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There was a motion by Mr. Gozelski, T/Castile, to combine resolutions #32 through #34. A voice vote was taken and all voted aye.

#32

**RESOLUTION NO. 06-403
(December 12, 2006)**

By Mr. Gozelski, Chairman of Agriculture Committee:

ORDER OF PROTECTION FOR DEER APPROVED

WHEREAS, The Wyoming County Department of Animal Control has indicated that there is a potential for unnecessary loss to the white tailed deer population within the County of Wyoming due to anticipated weather conditions; now therefore

BE IT RESOLVED, That this Board hereby orders and requires that all dogs in the County of Wyoming shall be securely confined for the period of November 1, 2006 through April 1, 2007, under Article 7, Section 122 of the New York State Agriculture and Markets Law; and be it

FURTHER RESOLVED, That notice of this Order has been given publication in the following newspapers of general circulation within the County of Wyoming:

***Perry Herald, Perry NY
Daily News, Batavia NY***

and be it

FURTHER RESOLVED, That the Clerk of this Board shall file a certified copy of this Order in the Office of each Town Clerk and Village Clerk in the County and with the Commissioner of the Department of Agriculture and Markets of the State of New York.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#33

**RESOLUTION NO. 06-404
(December 12, 2006)**

By Mr. Gozelski, Chairman of Agriculture Committee:

December 12, 2006

**CONFINEMENT OF DOGS IN WYOMING COUNTY
AUTHORIZED**

BE IT RESOLVED, That this Board hereby orders and requires that all dogs in the County of Wyoming shall be securely confined between sunset and one hour after sunrise for the period January 1, 2007 through Midnight, December 31, 2007, under Article 7, Section 122 of the New York State Agriculture and Markets Law; and be it

FURTHER RESOLVED, that notice of this Order shall be given publication in the following newspapers of general circulation within the County of Wyoming:

Perry Herald, Perry NY
Daily News, Batavia NY

and be it

FURTHER RESOLVED, That the Clerk of this Board shall file a certified copy of this Order in the office of each Town Clerk and Village Clerk in the County and with the Commissioner of the Department of Agriculture and Markets of the State of New York.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#34

**RESOLUTION NO. 06-405
(December 12, 2006)**

By Mr. Gozelski, Chairman of Agriculture Committee:

**GREG McKURTH REAPPOINTED TO THE SENECA
TRAIL RESOURCE CONSERVATION AND
DEVELOPMENT COUNCIL**

BE IT RESOLVED, That *Gregory McKurth*, Wyoming County Soil & Water, 31 Duncan St. Ext., Warsaw, NY 14569 is hereby appointed to the *Seneca Trail Resource Conservation & Development Council* as a *Soil & Water Member* for a *term of three (3) years*; effective *January 01, 2007 through December 31, 2009*.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

Regular Session

Proceedings of the Board of Supervisors

Supervisor Davis requested that resolution office number 47 be withdrawn and returned to Public Health for further review.

There was a motion by Mr. Davis, T/Covington, to combine resolutions #35 through #52. A voice vote was taken and all voted aye.

#35

**RESOLUTION NO. 06-406
(December 12, 2006)**

By Mr. Davis, Chairman of Finance Committee:

RECYCLING FEES LEVIED

BE IT RESOLVED, That the Clerk of this Board is hereby authorized and directed to levy the recycling fees for the year 2007 as indicated in the amount of one million one hundred thirty-four thousand five hundred forty dollars (\$1,134,540.00):

| VILLAGE | UNITS | TOTAL |
|----------------|--------------|---------------------------|
| Castile | 1,140 152 | \$191,611.20 12,774.08 |
| Gainesville | 814 17 | 136,817.12 1,428.68 |
| Genesee Falls | 186 11 | 31,262.88 924.44 |
| Middlebury | 592 9 | 99,503.36 756.36 |
| Orangeville | 464 28 | 77,989.12 2,353.12 |
| Perry | 1,818 6 | 305,569.44 504.24 |
| Pike | 126 1 | 21,178.08 84.04 |

December 12, 2006

| | | |
|------------------------|--------------|---------------------------|
| Sheldon | 882 11 | 148,246.56 924.44 |
| Warsaw | 608 5 | 102,192.64 420.20 |
| TOTAL | 6,630 240 | 1,114,370.40 20,169.60 |
| GRAND TOTAL | | 1,134,540.00 |

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#36

**RESOLUTION NO. 06-407
(December 12, 2006)**

By Mr. Davis, Chairman of Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
WITH ELDREDGE, FOX, AND PORRETTI, LLP ON
BEHALF OF THE COUNTY TREASURER'S OFFICE**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney is hereby authorized and directed to sign a contract with the **Eldredge, Fox, & Porretti, LLP, 180 Canal View Blvd., Suite 100, Rochester, NY 14623** on behalf of the County Treasurer's Office. Said contract is for the provision of Audit Services not to exceed twenty-nine thousand seven hundred dollars (\$29,700.00) with a yearly increase capped at 3%; effective *January 01, 2007 through December 12, 2011*.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#37

**RESOLUTION NO. 06-408
(December 12, 2006)**

By Mr. Davis, Chairman of Finance Committee:

Regular Session

2006 ELECTION EXPENSES APPORTIONED

BE IT RESOLVED, That pursuant to Section 4-136 of the Election Laws of the State of New York, the following election expenses for the County of Wyoming for 2006 are accepted and the Clerk of this Board is hereby directed to apportion the same to the Townships with Wyoming County as follows:

| TOWNS | NO. ENROLLED VOTERS | AMOUNT OF LEVY | SPECIAL ELECTION |
|---------------|---------------------------|--------------------|---------------------|
| ARCADE | 2265 | \$1,277.00 | \$0.00 |
| ATTICA | 2360 | 1,331.00 | 0.00 |
| BENNINGTON | 2123 | 1,197.00 | 0.00 |
| CASTILE | 1847 | 1,042.00 | 0.00 |
| COVINGTON | 731 | 412.00 | 0.00 |
| EAGLE | 770 | 434.00 | 0.00 |
| GAINESVILLE | 1494 | 843.00 | 0.00 |
| GENESEE FALLS | 300 | 169.00 | 0.00 |
| JAVA | 1324 | 747.00 | 0.00 |
| MIDDLEBURY | 946 | 534.00 | 0.00 |
| ORANGEVILLE | 783 | 442.00 | 0.00 |
| PERRY | 2744 | 1,548.00 | 0.00 |
| PIKE | 603 | 340.00 | 0.00 |
| SHELDON | 1603 | 904.00 | 0.00 |
| WARSAW | 3197 | 1,803.00 | 0.00 |
| WETHERSFIELD | 546 | 308.00 | 0.00 |
| TOTAL | 23,636 | \$13,331.00 | \$ 0.00 |

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#38

**RESOLUTION NO. 06-409
(December 12, 2006)**

By Mr. Davis, Chairman of Finance Committee:

**LIFT THE 2007 EQUALIZATION TABLE, AMEND, AND
ADOPT**

BE IT RESOLVED, That the 2007 Equalization Table, which was tabled on November 14, 2006, be lifted from the table, and be it

December 12, 2006

FURTHER RESOLVED, That the 2007 Equalization Table is hereby amended to reflect revised assessments in the Towns of Bennington and Perry; and be it

FURTHER RESOLVED, That the said following Equalization Table sets forth the percentage of County Tax to be paid by each Town for 2007 is hereby adopted as amended.

| ADVISORY | TOWN | TAXABLE ASSESSED | FULL VALUE | % OF CO. TAX | TAXABLE |
|----------------|-------------------|----------------------|----------------------|--------------------|----------------------|
| EQUALIZ | | VALUE WITH PARTIAL | AT | TO BE PAID | ASSESSED |
| RATES | | EXEMPTIONS ADDED | STATE RATES | BY EACH TOWN | VALUE |
| 90.00% | ARCADE | 178,324,054 | 198,137,838 | 0.113409136 | 178,292,104 |
| 100.00% | ATTICA | 156,312,093 | 156,312,093 | 0.089469127 | 156,297,393 |
| 53.00% | BENNINGTON | 108,888,471 | 205,449,945 | 0.117609474 | 108,851,442 |
| 100.00% | CASTILE | 181,472,492 | 181,472,492 | 0.103870309 | 181,447,492 |
| 100.00% | COVINGTON | 54,087,229 | 54,087,229 | 0.030958175 | 54,071,529 |
| 100.00% | EAGLE | 42,225,133 | 42,225,133 | 0.024168609 | 42,217,833 |
| 100.00% | GAINESVILLE | 72,197,343 | 72,197,343 | 0.041323951 | 72,182,693 |
| 100.00% | GENESEE FALLS | 21,963,247 | 21,963,247 | 0.012571212 | 21,952,747 |
| 100.00% | JAVA | 107,645,297 | 107,645,297 | 0.061613472 | 107,637,797 |
| 100.00% | MIDDLEBURY | 72,620,735 | 72,620,735 | 0.041566290 | 72,617,235 |
| 100.00% | ORANGEVILLE | 67,251,544 | 67,251,544 | 0.038493099 | 67,249,644 |
| 100.00% | PERRY | 158,752,985 | 158,752,985 | 0.090877878 | 158,733,535 |
| 100.00% | PIKE | 42,035,396 | 42,035,396 | 0.024060008 | 42,030,396 |
| 100.00% | SHELDON | 123,307,709 | 123,307,709 | 0.070578244 | 123,277,609 |
| 100.00% | WARSAW | 205,133,346 | 205,133,346 | 0.117413189 | 205,130,346 |
| 100.00% | WETHERSFIELD | 38,290,280 | 38,290,280 | 0.021916397 | 38,275,080 |
| | TOTALS | 1,630,507,354 | 1,746,882,612 | 1.00 | 1,630,264,875 |

T= Town Taxable Assessed Value

Average Rate of Equalization

for county

21-Nov-06

FINANCE COMMITTEE

| | |
|-----------------|----------------|
| Jerry Davis | Joseph Kushner |
| Larry Rogers | Sally Meeder |
| Jim Fleischman | Doug Patti |
| Joseph Gozelski | Jean Totstline |

Carried: XXX Ayes: 1618

Noes: Absent:

Abstain:

Regular Session

**RESOLUTION NO. 06-410
(December 12, 2006)**

By Mr. Davis, Chairman of Finance Committee:

SEMI-ANNUAL REVENUE SHARING FOR THE TOWNS

BE IT RESOLVED, That the Chairman of the Finance Committee, presented the Semi-Annual Revenue Sharing Report for the period of April 1, 2006 through September 30, 2006 and moved that the Clerk draw warrants on the County Treasurer for the various amounts therein.

To: Cheryl D. Mayer, County Treasurer of Wyoming County, NY

You are hereby authorized and directed to distribute the Semi-Annual Revenue Sharing amounts totaling twenty-nine thousand eight hundred eighty-five dollars and ninety-one cents (\$29,885.91) to the sixteen towns of Wyoming County, in accordance with the report filed with the Clerk of the Board of Supervisors, as follows:

| TOWNS | REVENUE SHARING DISTRIBUTED |
|---------------|--|
| Arcade | \$5,206.67 |
| Attica | \$2,479.83 |
| Bennington | \$3,675.07 |
| Castile | \$2,894.42 |
| Covington | \$1,170.64 |
| Eagle | \$749.25 |
| Gainesville | \$899.36 |
| Genesee Falls | \$406.38 |
| Java | \$1,685.79 |
| Middlebury | \$797.22 |
| Orangeville | \$1,078.05 |
| Perry | \$2,981.90 |
| Pike | \$678.57 |

December 12, 2006

Proceedings of the Board of Supervisors

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| | |
|----------------------|--------------------|
| Sheldon | \$1,853.54 |
| Warsaw | \$3,175.99 |
| Wethersfield | \$153.23 |
| Grand Totals: | \$29,885.91 |

Let this be your Warrant for Such Payment: **\$29,885.00** (Twenty nine thousand eight hundred eighty-five dollars and ninety-one cents) IN WITNESS WHEREOF, I have hereunto set my hand and seal of the Board of Supervisors this 12th day of December, 2006.

s/*Cheryl J. Ketchum*, Clerk
Board of Supervisors

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#40

**RESOLUTION NO. 06-411
(December 12, 2006)**

By Mr. Davis, Chairman of Finance Committee:

3 COPIES OF ANNUAL REPORTS REQUESTED

BE IT RESOLVED, That the Public Officials of this County present at least three (3) copies of their annual report, in writing, to the Clerk of this Board not later than March 31, 2007, said annual reports to contain a financial summary of the department, and be it

FURTHER RESOLVED, That any supervisor may request any official to present an oral report in addition to a written report.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#41

**RESOLUTION NO. 06-412
(December 12, 2006)**

By Mr. Davis, Chairman of Finance Committee:

Proceedings of the Board of Supervisors**AUTHORIZE CHAIRMAN AND CLERK TO SIGN TAX WARRANTS**

WHEREAS, Section 904 of the Real Property Tax Law provides that the Collectors' Warrants in said Tax Rolls should be executed by said Board of Supervisors under the seal of the Board signed by the Chairman and/or Clerk of the Board, and

WHEREAS, The Chairman/Clerk of the Board has presented the Annual Tax Rolls, with extensions therein, for the approval of this Board, now therefore

BE IT RESOLVED, That the Tax Rolls, as extended, are hereby in all things approved and the Chairman or Clerk are hereby authorized and directed to execute and sign the warrants attached in said Rolls: warrants to be returned on or before April 1, 2007.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#42

**RESOLUTION NO. 06-413
(December 12, 2006)**

By Mr. Davis, Chairman of Finance Committee:

DATE SET FOR ANNUAL ORGANIZATIONAL MEETING

WHEREAS, the Rules of Procedure of the Board of Supervisors has been suspended by unanimous consent for the purpose recited in this resolution;

BE IT RESOLVED, That the Annual Organization Meeting of the Wyoming County Board of Supervisors will be set for Tuesday, January 2, 2007, at **2:00 PM**, to be held at 143 North Main Street, Town of Warsaw, Warsaw, New York in the Government Center Supervisor's Chambers.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#43

**RESOLUTION NO. 06-414
(December 12, 2006)**

December 12, 2006

By Mr. Davis, Chairman of the Finance Committee

**RESOLUTION OF THE BOARD OF SUPERVISORS
LEVYING TAXES AND ASSESSMENTS REQUIRED FOR
PURPOSE OF ANNUAL BUDGET OF TOWNS OF
WYOMING COUNTY**

WHEREAS, There has been presented to this Board of Supervisors a duly certified copy of the annual budget of each of the several Towns in the County of Wyoming for the fiscal year beginning January 1, 2007; now therefore

BE IT RESOLVED, That there shall be and hereby is assessed and levied upon and collected from the taxable real property situated in the following named Towns outside of the incorporated Villages, wholly or partially located therein, the amounts indicated below for Highway Outside Village, for purposes included with General Outside Village or to be spread with Highway Outside, as specified in the budgets of the respective Towns as follows:

| NAME OF TOWN | GENERAL FUND OUTSIDE | HIGHWAY OUTSIDE | TOTAL |
|---------------|-------------------------|--------------------|--------------|
| ARCADE | \$ 25,750.00 | \$ 252,236.00 | \$277,986.00 |
| ATTICA | \$ 0.00 | \$ 190,000.00 | \$190,000.00 |
| BENNINGTON | \$ 0.00 | \$ 0.00 | \$ 0.00 |
| CASTILE | \$9,780.00 | \$ 190,394.00 | \$200,174.00 |
| COVINGTON | \$ 0.00 | \$ 0.00 | \$ 0.00 |
| EAGLE | \$ 0.00 | \$ 0.00 | \$ 0.00 |
| GAINESVILLE | \$ 9,750.00 | \$ 113,992.00 | \$123,742.00 |
| GENESEE FALLS | \$ 0.00 | \$ 0.00 | \$ 0.00 |
| JAVA | \$ 0.00 | \$ 0.00 | \$ 0.00 |
| MIDDLEBURY | \$ 18,350.00 | \$ 212,250.00 | \$230,600.00 |
| ORANGEVILLE | \$ 0.00 | \$ 0.00 | \$ 0.00 |

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| NAME OF TOWN | GENERAL FUND OUTSIDE | HIGHWAY OUTSIDE | TOTAL |
|----------------|-------------------------|-----------------------|-----------------------|
| PERRY | \$ 12,000.00 | \$ 160,000.00 | \$172,000.00 |
| PIKE | \$ 4,940.00 | \$ 125,523.00 | \$130,463.00 |
| SHELDON | \$ 0.00 | \$ 0.00 | \$ 0.00 |
| WARSAW | \$ 10,970.00 | \$ 291,200.00 | \$302,170.00 |
| WETHERSFIELD | \$ 0.00 | \$ 0.00 | \$ 0.00 |
| TOTALS: | \$91,540.00 | \$1,535,595.00 | \$1,627,135.00 |

and be it

FURTHER RESOLVED, That there shall be and hereby is assessed and levied upon and collected from real property liable therefor within the respective fire protection, lighting, recycling and water districts in the following towns, as listed below, the following respective budgets:

| TOWN | FIRE DISTRICT | FIRE PROTECTION | LIGHT | UNPAID WATER/SEWER & RECYCLE FEE | TOTAL |
|---------------|---------------|--|------------------------------|---|--------------|
| ARCADE | | \$40,200.00 | | ***\$98,500.00 | \$138,700.00 |
| ATTICA | | \$76,327.00 | | | \$76,327.00 |
| BENNINGTON | | B \$81,120.00 C 69,551.00 HC 20,900.00 V 5,075.00 | \$1,580.00 | | \$178,226.00 |
| CASTILE | | \$57,700.00 | \$5,400.00 | *\$21,115.79 | \$84,215.79 |
| COVINGTON | | PA \$48,942.00 WY 9,331.00 PE 3,700.00 | | \$350.00 | \$62,323.00 |
| EAGLE | | \$46,998.00 | \$6,000.00 | *\$5,641.42 \$7,000.00 | \$65,639.42 |
| GAINESVILLE | | G \$27,000.00 SS \$10,000.00 C \$1,000.00 | | | \$38,000.00 |
| GENESEE FALLS | | \$31,000.00 | \$8,000.00 | | \$39,000.00 |
| JAVA | NJ \$2,516.33 | NJ \$26,831.25 S \$63,618.00 | NJ \$2,500.00 JC \$300.00 | \$13,842.50 *\$4,094.45 | \$113,702.53 |
| MIDDLEBURY | | F1\$57,585.00 F2\$11,150.00 | | | \$68,735.00 |
| ORANGEVILLE | | V \$28,395.00 O \$13,600.00 | L3 \$350.00 | | \$42,345.00 |

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| TOWN | FIRE DISTRICT | FIRE PROTECTION | LIGHT | UNPAID WATER/SEWER & RECYCLE FEE | TOTAL |
|---------------|--------------------|--|---|---|------------------------|
| PERRY | F3 \$860.00 | F4 \$27,000.00 | PC \$1,600.00 | \$15,580.00 ****\$16,000.00 | \$61,040.00 |
| PIKE | | \$19,500.00 | | | \$19,500.00 |
| SHELDON | V \$5,620.00 | ST \$35,517.00 NJ 5,489.01 V 19,970.00 SH 40,000.00 HC 20,900.00 | L1 \$4,200.00 L2 \$2,900.00 L3 \$ 750.00 L9 \$1,400.00 | *\$778.04 | \$137,524.05 |
| WARSAW | | \$46,700.00 | | \$5,209.00 | \$51,909.00 |
| WETHERSFIELD | | G \$8,800.00 NJ \$14,261.00 B \$4,000.00 | | | \$27,061.00 |
| TOTAL: | \$ 8,996.33 | \$ 972,160.26 | \$ 34,980.00 | \$ 188,111.20 | \$ 1,204,247.79 |

* = UNPAID WATER BILLS **Relieved Recycling ***Recycling
 ****Sewer

and be it

FURTHER RESOLVED, That the amounts to be raised by tax for all other purposes, as specified in the said several budgets are presented to this Board and which are on file in the office of the Clerk hereof, shall be and hereby are assessed and levied upon and collected from all the taxable property in the Towns as indicated below, except otherwise provided by Law, namely:

| NAME OF TOWN | GENERAL FUND TOWN WIDE | HIGHWAY FUND TOWN WIDE | TOTAL |
|---------------|---------------------------|---------------------------|--------------|
| ARCADE | \$ 125,827.00 | \$ 189,795.00 | \$315,622.00 |
| ATTICA | \$ 130,400.00 | \$ 212,030.00 | \$342,430.00 |
| BENNINGTON | \$ 106,524.00 | \$ 567,558.00 | \$674,082.00 |
| CASTILE | \$ 152,470.00 | \$ 169,202.00 | \$321,672.00 |
| COVINGTON | \$ 134,855.00 | \$ 246,855.00 | \$381,710.00 |
| EAGLE | \$ 0.00 | \$ 0.00 | \$ 0.00 |
| GAINESVILLE | \$ 131,996.00 | \$ 93,492.00 | \$225,488.00 |
| GENESEE FALLS | \$ 84,800.00 | \$ 170,449.00 | \$255,249.00 |

Regular Session

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| | | | |
|--------------|-----------------------|-----------------------|-----------------------|
| JAVA | \$ 108,820.00 | \$ 318,550.30 | \$427,370.30 |
| MIDDLEBURY | \$ 134,157.00 | \$ 234,050.00 | \$368,207.00 |
| ORANGEVILLE | \$ 103,207.00 | \$ 410,361.00 | \$513,568.00 |
| PERRY | \$ 235,958.00 | \$ 190,000.00 | \$425,958.00 |
| PIKE | \$ 130,587.00 | \$ 72,277.10 | \$202,864.10 |
| SHELDON | \$ 194,833.00 | \$ 528,695.00 | \$723,528.00 |
| WARSAW | \$ 223,900.00 | \$ 307,104.00 | \$531,004.00 |
| WETHERSFIELD | \$ 111,183.00 | \$ 207,798.00 | \$318,981.00 |
| TOTAL | \$2,109,517.00 | \$3,918,216.40 | \$6,027,733.40 |

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#44

**RESOLUTION NO. 06-415
(December 12, 2006)**

By Mr. Davis, Chairman of Finance Committee:

**RESOLUTION URGING THE FEDERAL GOVERNMENT
TO CHANGE THE THRESHOLD ON THE TAX PLACED
ON SOCIAL SECURITY INCOME**

WHEREAS, Social Security was one of the greatest successes of the 20th century creating a critical foundation of income for retired and disabled workers; and

WHEREAS, For one-third of Americans over the age of 65, Social Security benefits constitute 90% of their total income; and

WHEREAS, In 1993 the Social Security Administration's Office of the Actuary estimated that, if pension tax rules were applied to Social Security the ratio of total employee Social Security payroll taxes to expected benefits for current recipients would be 4% or 5%; and

December 12, 2006

WHEREAS, As part of President William Clinton's proposed 1994 budget the portion of Social Security benefits subject to taxation be increased from 50% to 85%; and

WHEREAS, When the budget package was negotiated with the House and the Senate, they raised the thresholds to \$34,000 (single) and \$44,000 (married couple); and

WHEREAS, It has been thirteen years since the income threshold has been changed and seniors are having a hard time making their financial commitments because of rising fuel prices and the increasing cost of living; now therefore

BE IT RESOLVED, That this Board of Supervisors believes that the threshold on social security income tax be raised to \$75,000 for a single person and \$100,000 for a married couple; and be it

FURTHER RESOLVED, That the Clerk of the Board is hereby directed to transmit copies of this resolution to President George W. Bush, Congressman Tom Reynolds, Senator Dale Volker, Assemblyman Daniel Burling, and Inter-County of Western New York.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#45

**RESOLUTION NO. 06-416
(December 12, 2006)**

By Mr. Davis, Chairman of Finance Committee:

**THOMSON HALL CAPITAL IMPROVEMENT PROJECT
APPROVED**

WHEREAS, The Wyoming County Public Works Committee, Planning Committee, and Finance Committee have identified the need for renovations to the building located at 338 North Main Street, Warsaw previously utilized as the Public Health Building. Said renovations are in order to accommodate offices for the County's Human Resource Department along with various other county administrative offices; and

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WHEREAS, Project Plans have been reviewed by the Wyoming County Public Works Committee, Planning Committee, and Finance Committee, and

WHEREAS, In 1953 the Public Health Building was constructed as a dormitory for Nursing School students and was dedicated by the Wyoming County Community Hospital Board of Managers in honor of the hospital's founder, Dr. W. Ross Thomson as Thomson Hall; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors, on the recommendation of the above committees hereby establishes the ***Thomson Hall Capital Improvement Project*** in an amount not to exceed three hundred thirty thousand dollars (\$330,000.00); and be it

FURTHER RESOLVED, That the following transfer is hereby approved:

From: 12.61.9950.9.99004 Interfund Transfer
\$330,000.00

To: 12.61.1620.2.20016 Thomson Hall Bldg. Project
330,000.00

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#46

**RESOLUTION NO. 06-417
(December 12, 2006)**

By Mr. Davis, Chairman of Finance Committee:

**POSITIONS CREATED IN THE DEPARTMENT OF
SOCIAL SERVICES**

BE IT RESOLVED, That the following positions are hereby created in the Department of Social Services:

- **Caseworker (Temporary)** – effective for up to one year from date of appointment. Salary to be set at \$28,235.00 - \$32,599.00/annually with only those benefits mandated by law.

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- **Community Services Aide (Per Diem)** – effective immediately. To be placed on CSEA Salary Schedule “A” Grade 3 (\$22,139.00 - \$24,214.00/annually) with only those benefits mandated by law.

Carried: XXX Ayes: 1618

Noes: Absent:

Abstain:

Withdrawn

#47

**RESOLUTION NO. 06-
(December 12, 2006)**

By Mr. Davis, Chairman of Finance Committee:

**ONE POSITION OF SUPERVISING PUBLIC HEALTH NURSE (1.00 fte)
CREATED AND ONE POSITION OF PUBLIC HEALTH NURSE (1.00
fte) ABOLISHED IN THE PUBLIC HEALTH DEPARTMENT**

BE IT RESOLVED, That one position of *Supervising Public Health Nurse (1.00 fte)* be created in the Public Health Department to be placed on CSEA Salary Schedule “A,” Grade 17 (\$33,838.00 – \$38,282.00/annually) effective January 02, 2007; and be it

FURTHER RESOLVED, That one position of *Public Health Nurse (1.00 fte)* in the Public Health Department be hereby abolished effective January 02, 2007.

Carried: Ayes: Noes: Absent: Abstain:

Resolution pulled by Finance Chair Davis and returned to Public Health Committee.

#48

**RESOLUTION NO. 06-418
(December 12, 2006)**

By Mr. Davis, Chairman of Finance Committee:

**ONE POSITION OF BUILDING INSPECTOR (1.00 fte)
CREATED IN THE DEPARTMENT OF FIRE AND
BUILDING CODE ENFORCEMENT**

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BE IT RESOLVED, That one position of Building Inspector (1.00 fte) be hereby created in the Department of Fire and Building Code Enforcement effective January 01, 2007; and be it

FURTHER RESOLVED, That the Wyoming County Salary Schedule “S” be amended to include a Building Inspector (1.00 fte) with a salary set at \$29,999/annually; effective January 01, 2007.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#49

**RESOLUTION NO. 06-419
(December 12, 2006)**

By Mr. Davis, Chairman of Finance Committee:

CAPITAL IMPROVEMENT PROJECTS APPROVED

WHEREAS, The existing Wyoming County Records Center located at 13 S. Main Street, Gainesville, NY was constructed in 1965; and

WHEREAS, The Wyoming County Human Resource Committee, Public Works Committee, Planning Committee, and Finance Committee have identified the need for expansion of the Records Center to accommodate the growing archive needs of the county; and

WHEREAS, Project Plans have been reviewed by the Wyoming County Human Resource Committee, Public Works Committee, Public Safety Committee, Planning Committee, and Finance Committee, now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors, on the recommendation of the above committees hereby establishes the ***Records Center Capital Improvement Project*** to include the following construction:

- Construction of an 80’ x 140’ (11,200 sq. ft.) building to be utilized as the Records Retention Center on property currently owned by Wyoming County on Mungers Mill Road, Warsaw, NY in the amount of \$551,000.00 (five hundred fifty one thousand dollars).
- Renovations to 18 Linwood Ave., Warsaw in the amount of \$86,000.00 (eighty six thousand dollars) to be utilized by the Public Defender’s Office.

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- Renovations to the balance of space at 6 Perry Ave., Warsaw (Kaplan Building) to be utilized by the Board of Elections, Office for the Aging and the Youth Bureau in the amount of \$53,000.00 (fifty three thousand dollars).
- Construction of a new Maintenance Garage to be utilized by Buildings and Grounds currently located on Linwood Ave., Warsaw to replace a storage garage currently on that site in the amount of \$100,000.00

Total Project cost of \$790,000.00

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#50

**RESOLUTION NO. 06-420
(December 12, 2006)**

By Mr. Davis, Chairman of Finance Committee:

HIPAA OFFICERS REAPPOINTED

BE IT RESOLVED, That the following persons are hereby reappointed to the following HIPAA Officer Positions, for a term of one (1) year, said term to expire December 31, 2007:

- **Anne Herod** (Probation Director) – *Privacy Officer*
- **Todd MacConnell** (Information Technology Director) – *IT Security Officer*
- **Sally Meeder** (T/Middlebury Supervisor) - *Corporate Compliance Officer*

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#51

**RESOLUTION NO. 06-421
(December 12, 2006)**

By Mr. Davis, Chairman of Finance Committee:

Proceedings of the Board of Supervisors
MEMBERS REAPPOINTED TO INTER-COUNTY OF
WESTERN NEW YORK

BE IT RESOLVED, That the following members are hereby reappointed to Inter-County of Western New York for a one (1) year term effective January 01, 2007 through December 31, 2007:

- **Jerry Davis**, 7414 Court Street, Town of Covington, Pavilion, NY 14525
- **Larry Rogers**, P.O. Box 82, Town of Pike, Pike NY 14130-0082
- **John Knab**, 2246 Thomas Road, Town of Sheldon, Varysburg, NY 14167

and be it

FURTHER RESOLVED, That the following members are hereby appointed/reappointed to Inter-County of Western New York as alternate members for a term of one (1) year effective January 01, 2007 through December 31, 2007:

- **Douglas Berwanger**, 6608 East Arcade Road, Town of Arcade, NY 14009
- **Joseph Kushner**, 3468 E. Main Street, Town of Eagle, Bliss, NY 14024

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#52

RESOLUTION NO. 06-422
(December 12, 2006)

By Mr. Davis, Chairman of Finance Committee:

CAROLE L. BUTLER REAPPOINTED OTB DIRECTOR

BE IT RESOLVED, That *Carole L. Butler* of 44 State Street, Warsaw, NY 14569, is hereby reappointed as *Director* to represent Wyoming County on the Board of Directors of the *Western Region Off-Track Betting Corporation* for a *two (2) year term*. Term to be effective *January 01, 2007 through December 31, 2008*, upon the approval of the New York State Racing and Wagering Board.

December 12, 2006

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

County Attorney Dadd offered a brief explanation for a 2/3 majority vote on resolutions of the county authorizing borrowing.

**2/3 Majority
#53**

**RESOLUTION NO. 06-423
(December 12, 2006)**

By Mr. Davis, Chairman of Finance Committee:

**BOND RESOLUTION OF THE COUNTY OF WYOMING,
NEW YORK, DATED DECEMBER 12, 2006, FOR THE
ISSUANCE AND SALE OF BONDS OF THE COUNTY OF
WYOMING, NEW YORK, IN THE AMOUNT OF
\$750,000.00 FOR THE ACQUISITION OF HOSPITAL
EQUIPMENT FOR COUNTY PURPOSES.**

**RESOLVED BY THE BOARD OF SUPERVISORS OF
THE COUNTY OF WYOMING, NEW YORK** (by the favorable vote of not
less than two-thirds of the voting strength of said Board) **AS FOLLOWS:**

Section 1. The County of Wyoming, New York is hereby
authorized to acquire by purchase the following equipment for Wyoming
County Community Hospital.

Item

**Estimated Maximum
Cost**

Equipment:

| | |
|---|------------|
| Spy ware Software for Network Computer Assoc. (100) | \$1,629.00 |
| Upgrade AS 400 tape drive, hard drive & memory XSide upgrade | 7,400.00 |
| Pentium 4 Computer System – For IS Staff (10) | 15,000.00 |
| Replace file Server with Microsoft Windows Server | 57,000.00 |
| HP Laser Jet Printer (1) | 900.00 |

| | |
|--|-----------|
| Replacement of Laser vault Electronic Storage Corp. (1) | 2,250.00 |
| PFT Machine (1) | 51,000.00 |
| Rehab Trainer for Pulmonary Rehab (1) | 1,275.00 |
| NK BRQ Exercise Table (1) | 1,196.00 |
| Electric Hi-lo Stand in Table (1) | 4,349.00 |
| Total Body Conditioner (1) | 3,600.00 |
| Sci Fit PRO 2 Adjustable Posting Upper Body Rotor Excise (1) | 3,250.00 |
| Pro-Fitter Physio Kit (1) | 529.00 |
| Sci-Fit RST 7000 Recumbent "All Body" Stepper & Arm extensions (1) | 3,450.00 |
| Whirlpool Replacement (1) | 3,500.00 |
| Voice/Speech Software (1) | 2,400.00 |
| Accutorr Monitoring System TPR BP O2 capable (3) | 12,264.00 |
| ERCP Refurbished (1) | 18,100.00 |
| Apnea Monitor (1) | 5,000.00 |
| Nursery CPAP Infants (1) | 8,360.00 |
| Acutor plus Vital sign Machine (1) | 3,894.00 |
| Acutor plus Vital sign Machine (1) | 3,894.00 |
| Mattress Replacement for Labor & Delivery (2) | 4,000.00 |
| Port PFT Machine (1) | 2,300.00 |
| Pentium 4 Computer System (1) | 1,200.00 |

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| | |
|---|-----------|
| CO2 Laser (1) | 10,000.00 |
| Hysteroscopy (Inst used for GYN) (ACMI) (1) | 8,166.00 |
| Rigid Scope Urology (1) | 15,000.00 |
| Portable Pulse Oximeter (Nellcor N-30) (3) | 3,450.00 |
| Osillating Power Saw (1) | 25,500.00 |
| Vision Screener (1) | 1,700.00 |
| Trio Monitor Acutor plus EKG (1) | 4,958.00 |
| Enlarge ASU Bathroom to room for patient assistance | 1,500.00 |
| Bili Meter Non-Invasive Testing (1) | 4,060.00 |
| Suction Heads (34) | 13,388.00 |
| Strucker Beds (10) | 45,060.00 |
| Strucker Beds (4) | 18,024.00 |
| Model 450 Vander-Lift (1) | 3,920.00 |
| Bio Z by Signlman (1) | 45,000.00 |
| Puritan Bennett Spiromery System (1) | 2,200.00 |
| Microprocessor Audiometer (1) | 1,105.00 |
| Holtor Monitor(s) (2) | 4,000.00 |
| Pentium 4 Computer System (2) | 3,000.00 |
| Pentium 4 Computer System (1) | 1,500.00 |
| 50 lb Gas Dryer Wascomat TD50 GAS (1) | 1,726.00 |
| Narcotic Assistant Software (1) | 2,500.00 |
| Packaging Machine (1) | 3,000.00 |

| | |
|---|-----------|
| Replace remaining O2 and Vacuum Outlets (1) | 10,000.00 |
| Upgrade Boiler Controls on Boiler #2 (1) | 7,000.00 |
| Statement of Conditions (1) | 10,000.00 |
| Nurse Call Station Nursing Home 4th floor (1) | 60,000.00 |
| Courier Vehicles (2) | 45,000.00 |
| Deblsitering Machine (1) | 1,400.00 |
| Blood Gel Station (1) | 3,700.00 |
| 2 Way Radios (5) | 1,530.00 |
| Replace Hot Water Tanks (2) | 30,000.00 |
| Holding Cabinet Tray Line (1) | 2,400.00 |
| Dish Machine (1) | 75,000.00 |
| SNF Elevator Pump (1) | 5,608.00 |
| Computer Hardware (1) | 5,965.00 |
| Snow Blower 72" (1) | 2,500.00 |
| Replace (80) Eighty SNF Mattresses | 18,400.00 |
| Replace 5 ARJO lifts with Tempo lifts | 29,000.00 |
| Barbaric Bed – For Large Patients (1) | 6,000.00 |

The estimated maximum cost of the acquisition of such equipment is the sum of \$750,000.00 and said amount is hereby appropriated therefor. The plan of financing involves the issuance of \$750,000.00 in serial bonds of the County of Wyoming to finance the appropriation, and the levy and collection of taxes upon all the taxable real property in the County in an amount sufficient to pay the principal of and interest of said bonds.

Section 2. Serial bonds of said County of Wyoming in the principal amount of \$750,000.00 are hereby authorized to be issued pursuant to

the provisions of the Local Finance Law of the State of New York, to finance the said appropriation.

Section 3. The following additional matters are hereby determined and declared:

a. In accordance with Section 11 of the Local Finance Law, the period of probable usefulness for which said bonds are to be issued, is hereinabove set forth in Section 1 for each item or items to be acquired, such period of probable usefulness being the period of five (5) years. Also, set forth for each item is the maximum estimated cost of each item or items.

b. No current funds need be provided because the period of probable usefulness for each item does not exceed five (5) years.

Section 4. Each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of such bonds shall contain the recital of validity prescribed by Section 52.00 of said Local Finance Law, and said serial bonds and any notes issued in anticipation of said bonds shall be general obligations of the County payable as to both principal and interest by general tax upon all the taxable real property within the County without limitation of rate or amount. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and provision shall be made annually in the budget of the County by appropriation for (a) the amortization and redemption of the bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and pursuant to Section 30.00 of the Local Finance Law relative to the authorization of the issuance of bond anticipation notes and of Section 50.00 and Section 56.00 to Section 60.00 of said law, the powers and duties of the Board of Supervisors relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the serial bonds authorized by this resolution and of any notes authorized and issued in anticipation of the sale of said bonds, and the renewals thereof, are hereby delegated to the County Treasurer, as the Chief Fiscal Officer of the County.

Section 6. The validity of the bonds authorized by this resolution and of any notes issued in anticipation of the sale of said bonds may be contested only if: (a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or (b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. The specific object or purpose of the purchase herein authorized is to provide equipment for use at Wyoming County

Proceedings of the Board of Supervisors

Community Hospital, a public general hospital owned and operated by the County of Wyoming.

Section 8. This resolution shall take effect immediately.

Carried: XXX Ayes: 1687 Noes: Absent: Abstain:

Budget Officer Parker delivered the following budget message:

On behalf of Chairman Berwanger and the Wyoming County Board of Supervisors, it is my honor to present the TENTATIVE 2007 BUDGET.

The spending plan before you today represents many hours of work by our department heads, management staff and the committees of the Board of Supervisors. I would like to express my sincere appreciation to all of those involved. Your efforts are very much appreciated.

It is important for us to acknowledge that this recommendation is being presented for public review during a time when County finances continue to be under siege from forces outside the control of the Board.

While the County has seen some needed relief by way of a Medicaid Cap and a slight reduction in the New York State Retirement rates, the State continues to institute new and costly mandates in other areas. Couple these new mandates with the likelihood that our sales tax revenue will be stagnant and the continued financial support needed for the capital improvement and operation of the Wyoming County Community Health System; one can see the financial challenges we continue to face as a County in New York State.

Taxable Valuation Table:

| | 2007 | 2006 | Increase / (Decrease) |
|------------------------------------|----------------------|---------------|-----------------------|
| Taxable Valuation | 1,630,264,875 | 1,540,020,623 | 90,244,252 |
| Taxable Full Valuation | 1,746,882,612 | 1,657,361,924 | 89,520,688 |
| Co. Ave. Tax Rate Full Value/1,000 | 6.51 | 6.37 | \$ 0.14 |
| County Average Tax Rate/1,000 | 6.97 | 6.85 | \$ 0.12 |

In August 2004, the Wyoming County Board of Supervisors approved a new equalization plan (Title 2) based on the proportion of the total full valuation of taxable real property December 12, 2006

in the County. In 2007, the estimated tax rate per thousand for each town with a 100% equalization rate is \$6.51. For those towns at a 100% equalization rate for both the previous fiscal year (2006) and the upcoming year (2007) this represents an increase of \$.14 (fourteen cents) per thousand or 2.2%.

The proposed 2007 budget appropriations total \$101,479,056 reflecting an increase of 1.4% or \$1,477,700 as compared to the 2006 adopted budget at just over \$100,000,000. Estimated revenues in the amount of \$ 87,258,027.02 have been proposed increasing by \$559,359 or .65%; just over one-half of one percent. The proposed General Fund appropriations are \$46,484,572.81, increasing by 3.3% or \$1,490,954.67. General Fund projected revenues, budgeted at \$32,313,543.83, are also up by 1.8% or \$572,614.07. (These numbers are compared to the adopted 2006 budget amounts of \$44,993,618.14 and 31,740,929.76 respectively.) It is anticipated that \$2,850,000 in fund balance will be applied from the General Fund (\$2,800,000) and the Workers Compensation Fund (\$50,000) to further reduce the amount of real property taxes levied.

The proposed 2007 County property tax levy in this budget is reflected at \$11,371,028.98 increasing by 7.76% or \$818,840.60 as compared to the 2006 tax levy of \$10,552,188.38. While the actual tax dollars being raised by the County are increasing at just under 8%; the actual increase in the County average tax rate per one thousand dollars of assessment is increasing at a rate of only 1.77%. For most towns, the 2007 proposed rate per 1,000 is increasing \$.14 (fourteen cents) from a 2006 rate of \$6.37 per 1,000 to \$6.51 per 1,000. However, the County average rate for all towns will reflect an increase of \$.12 (twelve cents) from \$6.85 to \$6.97 or at a rate of 1.75%. So what does this mean to the average tax payer? If your assessment remained unchanged at \$50,000 and you live in a town where the equalization rate for both the current fiscal year and the next fiscal year is at 100% then you could expect to pay \$7.00 (seven dollars) more in 2007 (example: \$318.50 paid in 2006 versus \$325.50 estimated for 2007). It is important to note that these numbers reflect the levy based on the basic County operations budgets only. They do not reflect the additional amounts that will be added for the Board of Elections, the Workers Compensation budgets, or any other re-levies or corrections.

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Estimated sales tax of \$ 12,600,000 is budgeted for 2007 which is up \$500,000 from the 2006 budgeted amount.

For the fourth consecutive year the 2007 budget contains a subsidy to the Wyoming County Community Health System. The estimated amount for 2007 is \$ 2,100,000. This amount is up by 67% from the \$ 1,200,000 in the 2006 budget. It is important to note that of the \$900,000 increased subsidy amount, \$100,000 is for the funding of the joint human resources department.

The County has again worked cooperatively with the Insurance Task Force and has adopted one single health insurance plan for all employees of the County. The County will continue to share a portion of the savings on health insurance premiums with its eligible employees. A portion of the savings will again be passed on to the appropriate employees via Health Reimbursement Accounts. Once again, we would like to thank all the bargaining units and the management staff for their continued commitment.

The following chart illustrates the breakdown of the 2007 tentative budget by fund:

| FUND | EXPENDITURE | % |
|--|-----------------------|----------------|
| General Fund | 46,484,572.81 | 45.80% |
| Hospital Fund | 43,806,742.00 | 43.17% |
| Machinery Fund | 1,278,237.00 | 1.26% |
| Highway Fund | 7,560,155.19 | 7.45% |
| Workers Compensation Fund | 1,935,551.00 | 1.91% |
| Job Training Fund | 413,798.00 | 0.41% |
| Total Budgeted Expenditures | 101,479,056.00 | 100.00% |

The following chart illustrates the breakdown of the major components of the General Fund 2007 tentative budget:

| GENERAL FUND | EXPENDITURE | % |
|---------------------------|--------------------|----------|
| Social Services | 9,546,615.86 | 20.54% |
| Medicaid | 5,000,000.00 | 10.76% |
| Public / Mental Health | 5,984,281.00 | 12.87% |

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| | | |
|------------------------------------|----------------------|----------------|
| Public Safety | 7,270,699.84 | 15.64% |
| Education | 2,614,706.00 | 5.62% |
| County Roads & Bridges | 4,635,494.00 | 9.97% |
| Wyo. Co. Comm. Hospital | 2,100,000.00 | 4.52% |
| All Other | 9,332,776.11 | 20.08% |
| | | |
| Total Budgeted Expenditures | 46,484,572.81 | 100.00% |

This proposed 2007 tentative budget includes modest salary increases for management and elected personnel. The employees represented by the Sheriff Employees' Association and the Deputy Sheriff's Association and the Schedule E CSEA Supervisory unit (WCCH) will be given salary increases as outlined in each of their bargaining agreements. In most funds, no salary increases have been budgeted for the general unit of the CSEA bargaining unit, as negotiations are still in process. The tentative budget also reflects the creation of two new positions – one in the Fire and Building Codes department and one in the Social Services Department.

There are NO capital expenditures budgeted except for those in the Computer Capital Equipment in the Information Technology Department.

County Departments were allowed to budget for modest increases in their contractual line items due to the increase cost of fuel, utilities and other supplies.

Contract agencies were reviewed and budgeted based on the individual needs of the agency. Fifty thousand dollars has been added to the 2007 budget for the administration of the newly formed Empire Zone and the Local Development Agency. These agencies will work together, along with the County Economic Development/Planning Department, the Chamber of Commerce and the Industrial Development Agency to administer the Empire Zone and to facilitate much needed economic growth for our County.

Medicaid costs have decreased by 6.3% or \$315,000 over the 2006 budget amount of \$5,315,000. The 2007 Medicaid expense has been budgeted at \$5,000,000 which represents

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43.97% of the County's proposed 2007 tax levy. This is in contrast to 50.37% (\$5,315,000) in 2006 and 55.33% (\$5,540,000) in 2005. There can be little doubt that the Medicaid Cap instituted by the State of New York has assisted the County in better planning for the ever increasing Medicaid expenses.

Retirement costs are being budgeted at just over 3.4 million dollars for all funds. This amount is very close to the amount approved in the 2006 budget and appears to be stabilizing.

The total indebtedness for Wyoming County as of November 15th, 2006 has been significantly reduced from the 2006 amount of \$9,080,964.56 to \$6,354,726.19. This reduction is primarily due to the tobacco re-securitization bonds completed at the end of 2005. A complete schedule is available in your budget packet.

General Fund Operational Increases:

| | 2007 | 2006 | Dollar Amts | % ± |
|--------------------|---------------|---------------|--------------------|------------|
| General Operations | 6,371,028.98 | 5,237,188.38 | 1,133,840.60 | 21.65% |
| Medicaid | 5,000,000.00 | 5,315,000.00 | -315,000.00 | -5.93% |
| Total Tax Levy | 11,371,028.98 | 10,552,188.38 | 818,840.60 | 7.76% |

The increase in general operations can be identified as follows: Subsidy for Wyoming County Community Health System by far is the largest portion of the increase at \$800,000; new payment for the Radio bond anticipation note principal and interest at \$129,000; new program administration budget for the Local Development Corporation and Empire Zone \$50,000; the remaining \$154,840.60 can easily be attributed to salary and related increases as budgeted by the other departments.

The Finance Committee, Chairman of the Board of Supervisors, Deputy Budget Officer, County Treasurer and I extend our thanks to all who helped in putting this 2007 Tentative County Budget together and it has been my privilege to present it to you for your consideration.

Respectfully submitted,

Paula A. Parker
Budget Officer
Wyoming County

December 12, 2006

Public Comment

Joan Harrison asked for clarification on the Budget and Reimbursement budget.

*Motion was made by Supervisor Patti, second by Mr. Rogers to **Close Public Hearing.***

**Public Hearing
#54**

**RESOLUTION NO. 06-424
(December 12, 2006)**

By Mr. Davis, Chairman of Finance Committee:

**TENTATIVE 2007 BUDGET FOR WYOMING COUNTY
ADOPTED**

BE IT RESOLVED, That the tentative budget for the year 2007, as filed with the Clerk of this Board, is hereby adopted as the county budget for the year 2007, which requires the raising by tax levy the amount of eleven million three hundred seventy-one thousand twenty-eight dollars and ninety-eight cents (\$11,371,028.98); and be it

FURTHER RESOLVED, That the said sum of eleven million three hundred seventy-one thousand twenty-eight dollars and ninety-eight cents (\$11,371,028.98) is hereby levied against the taxable property within the County, as equalized by this Board, and the Chairman and/or Clerk of the Board is hereby directed to apportion and spread said sum against the properties within the County, which are subject to taxation; and be it

FURTHER RESOLVED, That the several amounts specified in such budget in the column entitled “ADOPTED”, and the totals for the several objects set forth below, be appropriated for such objects effective January 1, 2007.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

Chairman Berwanger extended his thanks to the following individuals for all of their help and support during 2006:

Paula Parker, Beth Pond, Cheryl Mayer, and Jerry Davis.

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Looking forward to the Annual Organizational Meeting January 02, 2007 at 2:00 PM.

There being no further business to come before this board Supervisor Bush adjourned the meeting at 4:00 PM with a rap on his desk.

Respectfully submitted,

Cheryl J. Ketchum

Clerk to the Board of Supervisors

December 12, 2006

2

2-1-1

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A

Agriculture

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Appointments

Animal Control

Animal Control Officer

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G.L.O.W

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| Smith, H. Payne, D. Kirsch, | | D. Dutton, R. Taylor, W. | |
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