

PROCEEDINGS  
OF THE  
BOARD OF SUPERVISORS  
WYOMING COUNTY  
NEW YORK

2007

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

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# 2008 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 Off. 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 Off. 237-2241
Pike	LARRY ROGERS P.O. Box 82, Pike, NY 14130-0082	493-5737 Off. 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 Off. 786-2800
Wethersfield	JOHN COPELAND 5888 Sheppard Rd., Bliss, NY 14024	322-8800

# Wyoming County Board of Supervisors 2007 Standing Committees

Effective January 2, 2007

**FINANCE COMMITTEE:**

Davis, Rogers, Gozelski, Knab, Kushner, Meeder, Patti, Smith, Totline

**AUDIT COMMITTEE:**

Bush, Davis, Kushner, Smith, Totline

**HUMAN RESOURCE COMMITTEE:**

Meeder, Kushner, Brick, Copeland, Grant, Fleischman, May, Totline

**HUMAN SERVICES COMMITTEE:**

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

**PUBLIC HEALTH COMMITTEE:**

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

**PLANNING COMMITTEE:**

Fleischman, Grant, Brick, Copeland, Davis, Gozelski, May, Meeder, Rogers

**AGRICULTURE COMMITTEE:**

Gozelski, Brick, Copeland, Davis, Grant, May, Meeder, Rogers

**PUBLIC WORKS COMMITTEE:**

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

**PUBLIC SAFETY COMMITTEE:**

Rogers, Copeland, Brick, Bush, Fleischman, Knab, Patti, Smith

**GREEN ENERGY SUB-COMMITTEE:**

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

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

# Officers for Wyoming County - 2007

Congressmen, 27 <sup>th</sup> District	Thomas M. Reynolds	Williamsville
Senator, 59 <sup>th</sup> District	Dale M. Volker	Depew
Assemblyman, 147 <sup>th</sup> 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.		vacant
Election Commissioners	James Schlick, Rep.	Bennington
	Anna Mae Balmas, Dem.	Strykersville
Fire & Emergency Management Dir.	Anthony Santoro	Attica
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	Andrea Aldinger	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	Andrea Aldinger	Attica

**ANNUAL ORGANIZATIONAL MEETING  
TUESDAY, JANUARY 2, 2007  
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. Cheryl Ketchum, called the meeting to order and introduced Wyoming County Veteran, Mr. Jean Miller Davis to lead in the Pledge of Allegiance to the Flag:

**JEAN MILLER DAVIS**

Mr. Davis's service to his country comes while serving with the United States Navy during World War II. He enlisted in the Navy at the age of 17. After completing Basic Training at Sampson Naval Training Station he then completed Advanced Training at the Solomon Islands Amphibious Training Base in Maryland. Mr. Davis spent the next year aboard the newly commissioned L.C.I. 509 (Landing Craft Infantry) which was used to deliver infantry troops ashore. While aboard the L.C.I. 509 he became part of a 98-ship convoy bound for the North African Theater. Thirteen days later the L.C.I. 509 and Mr. Davis were diverted to England, where the L.C.I. and its crew trained with British Troops. On June 5, 1944, Mr. Davis and the crew of the L.C.I. 509 delivered some of the first Canadian Troops in the landing at Junau Beach as part of the "D-Day Operation". Mr. Davis, as part of the crew of the L.C.I. 509, then spent the next 8 days delivering U.S. troops to Omaha Beach. The L.C.I. 509 was also used to transport wounded allied soldiers and prisoners of war back to England. Mr. Davis returned to the United States only to be reassigned to the USS Signal 142 in the West Caroline Islands of the Pacific. The U.S.S. Signal was a refueling tanker carrying 100,000 barrels of fuel oil in support of the Pacific Fleet. This assignment included refueling the fleet as part of the invasion of the Philippines. Mr. Davis and the U.S.S. Signal refueled ships for about a month following the end of the War at which point they were directed to the Naval Port at Mobile, Alabama, where the U.S.S. Signal was de-commissioned. Mr. Davis was sent to Lido Beach on Long Island, New York, where he was Honorably discharged at the rank of Boatsman Mate 2<sup>nd</sup> Class on March 5, 1946.

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

**THE AMERICAN THEATER MEDAL  
THE WORLD WAR II VICTORY MEDAL  
THE EUROPEAN THEATER MEDAL W/1 STAR  
THE ASIATIC-PACIFIC MEDAL**

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**THE PHILIPINE LIBERATION MEDAL**

Following the War, Mr. Davis returned to this area and took advantage of the GI Bill by enrolling at the State University College at Cortland with a major in Physical Education in July of 1946. He was an active athlete, participating in football, baseball, wrestling, and track. Mr. Davis became coach of the freshman team in his senior year. He was in an accelerated academic program and was able to complete his Bachelors Degree in 3 years, graduating in the summer of 1949. Mr. Davis's first position was at Warsaw Central School as the Physical Education Teacher and Football Coach. The athletic department of Warsaw, under the guidance of Mr. Davis became so popular that soccer and wrestling were added to the curriculum. Mr. Davis was also very instrumental in the formation of the first Student Council at Warsaw Central, a program that is still very active by the Student Body. In 1961, Mr. Davis became the High School Principal. Mr. Davis held this position for 5 1//2 years until being offered a position as an education consultant for ALL High Schools of Western New York and then as the Assistant Dean at SUNY Cortland. Mr. Davis excelled in every position he held, but truly missed working with the younger students. When offered the opportunity to return to Warsaw Central, Mr. Davis returned to the Physical Education Department, again coaching in football and tennis. Mr. Davis then migrated to the Elementary Level and held this position until his retirement in 1990. Before leaving, however, he helped organize the first Elementary "Field Day" athletic competition of all classes of the Elementary School. He retired with 41 years of dedicated service to the education of both body and mind of countless numbers of students of all ages.

Mr. Davis has been active in the community as well. He is a past member of the Junior Chamber of Commerce, an active member of Kiwanis Club of Warsaw. He is a past member of S.P.E.B.S.Q.U.A (*The Society for the Preservation & Encouragement of Barbershop Quartet Singing in America*), and a very active member of the Trinity Episcopal Church of Warsaw, where he is presently a Lay Reader, Lector, and Chalice Bearer.

Mr. Davis, it is my pleasure today to present you with a certificate of appreciation on behalf of the Board of Supervisors. Not only as a thank you for leading us in the pledge today but to extend to you our sincerest appreciation for the sacrifices you made while serving our country.

*The pledge was said by all.*

Director of Veterans' Services, Gary Cousins announced that Mr. Davis was inducted this past year into the Wall of Fame at the Warsaw Central School.

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*Judge Mark Dadd administered the oath of Office to the sixteen Supervisors that make up the Board of Supervisors.*

The Clerk then called for nominations for the Temporary Chairman. Supervisor Patti nominated Supervisor Rogers. Seconded by Supervisor Smith. 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- (1618); Noes- (0); Absent: (0) Abstain: (0)**; 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 2007 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 Grant. 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 2007.

The Oath of Office was administered by Judge Mark Dadd

*Chairman Berwanger introduced his guest Mrs. Maggie Morgan, from the Town of Arcade, to everyone in attendance. Mrs. Morgan held the Bible as the Chairman took his oath of office.*

Chairman Berwanger took this opportunity to ask for a moment of silence in memory of the passing of former Town of Orangeville Supervisor, Kyle Glosser and former President of the United States, Gerald Ford.

Chairman Berwanger called for nominations for Vice-Chairman of the Board. Supervisor Smith nominated Supervisor Davis. Seconded by Supervisor Brick. 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) Abstain: (0)**; Supervisor Davis was declared Vice-Chairman of the Board for the year 2007.

*The Oath of Office was administered by Judge Mark Dadd.*

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Chairman Berwanger called for nominations for Clerk to the Board. Supervisor Totstline nominated Cheryl J. Ketchum. Seconded by Supervisor Davis. As there were no other nominations, Supervisor Davis moved that nominations by 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 2007.

*The Oath of Office was administered by Judge Mark Dadd.*

Chairman Berwanger then invited newly elected District Attorney, Gerald Stout to please come forward and take his oath of office

*The Oath of Office was administered by Judge Mark Dadd.*

Introduction of Guests:

- Newly appointed Director of Aging and Youth – Andrea Aldinger, from Attica
- Newly appointed Director of Fire and Emergency Management (Acting) – William Streicher
- Village of Arcade Trustee – Paul Burkett

Chairman Berwanger asked the Clerk and Deputy Clerk to pass out the Standing Committee assignments for 2007.

At 2:25 PM Chairmen Berwanger called for a short recess for special meetings of the Finance Committee, Human Services Committee, and the Public Safety Committees.

At 2:35 PM the meeting resumed with the following results:

Chairman Berwanger introduced the Assistant County Attorney Jane Monaghan.

#1

**RESOLUTION NO. 07-01  
(January 2, 2007)**

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.

Organizational Meeting

**Proceedings of the Board of Supervisors**

Carried: XXX

Ayes: 1618

Noes:

Absent:

Abstain:

5

#2

**RESOLUTION NO. 07-02  
(January 2, 2007)**

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 Daily News, Batavia, NY; Country Courier, Warsaw, NY; Perry Herald, Perry, NY; and the Arcade Herald, Arcade, 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: 1618

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 2007:

<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

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**Proceedings of the Board of Supervisors***Signed this second day of January 2007.*

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 Totslie</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 2007:

<b><u>Designation</u></b>	<b><u>Publication</u></b>	<b><u>Village of</u></b>
Election notices	Perry Herald	Perry, NY
Sheriff's Proclamation	Perry Herald	Perry, NY
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 canvass	Arcade Herald	Arcade, NY
Constitutional amendments and concurrent resolutions (including tax sales and redemptions)	Arcade Herald	Arcade, NY

*Signed this second day of January 2007:*

s/ <u>Harold Bush</u>	s/ <u>Sally Meeder</u>
s/ <u>James Fleischman</u>	s/ <u>John Knab</u>

**RESOLUTION NO. 07-03  
(January 02, 2007)**

By Chairman of Human Services Committee:

**ANDREA ALDINGER APPOINTED DIRECTOR OF AGING  
AND YOUTH**

**BE IT RESOLVED,** That Andrea Aldinger, 1139 Townline Rd., Attica NY 14011 is hereby appointed as the Director of Aging and Youth to serve a two-year term effective January 02, 2007 through December 31, 2008.

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

**#4**

**RESOLUTION NO. 07-04  
(January 02, 2007)**

By Chairman of Public Safety Committee:

**CREATE ONE POSITION OF DIRECTOR OF FIRE AND  
EMERGENCY MANAGEMENT (ACTING) (.75 fte) IN THE  
DEPARTMENT OF EMERGENCY SERVICES**

**BE IT RESOLVED,** That one position of Director of Fire and Emergency Management (Acting) (.75 fte) be created in the Department of Emergency Services effective December 18, 2006 to be placed on Salary Schedule "D."

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

January 2, 2007

**RESOLUTION NO. 07-05  
(January 02, 2007)**

By Chairman of Public Safety Committee:

**WILLIAM STREICHER APPOINTED  
DIRECTOR OF FIRE AND EMERGENCY MANAGEMENT  
(ACTING)**

**BE IT RESOLVED**, That William Streicher, 486 Sanders Hill Road, Strykersville, NY 14145 is hereby appointed as Director of Fire and Emergency Management (Acting) effective December 18, 2006 until a permanent appointment may be made.

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

#6

**RESOLUTION NO. 07-06  
(January 02, 2007)**

By Chairman of Finance Committee:

**SALARY SCHEDULES “S,” “D,” “I,” AND “F” AMENDED**

**BE IT RESOLVED**, That the Wyoming County Salary Plan which became effective January 1, 1967, as amended, is hereby amended as follows:

Schedules “S,” “D,” “I,” and “F” annexed hereto shall be substituted for the existing Schedules “S,” “D,” “I,” and “F” as adopted on June 13, 2006, as amended. Commencing January 1, 2006, employees in the job titles covered thereby shall be paid the basic salary in accordance with these wage and salary schedules. Commencing January 1, 2007, 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) #7**

**RESOLUTION NO. 07-07  
(January 02, 2007)**

By Chairman of Finance Committee:

**SET PUBLIC HEARING – INTRODUCTORY LOCAL LAW  
NO. A YEAR 2007**

**WHEREAS**, There has been duly presented and introduced at a meeting of this Board of Supervisors of Wyoming County on this 2<sup>nd</sup> day of January, 2007, a proposed local law entitled, “**Local Law Introductory No. A Year 2007, “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 will be held on the said proposed Local Law by this Wyoming County Board of Supervisors on the 13<sup>th</sup> day of February, 2007 at 3:00 PM at the Wyoming County Government Center, Warsaw, New York.

**INTRODUCTION OF PROPOSED LOCAL LAW NO. A - YEAR 2007, County of Wyoming, Providing Salaries for Certain County Officers for the year 2006**

**BE IT ENACTED BY THE BOARD OF SUPERVISORS OF THE  
COUNTY OF WYOMING AS FOLLOWS:**

Section 1. Effective as hereafter provided, the annual salary of the County Clerk shall be increased by \$488.00.

Section 2. Effective as hereafter provided, the annual salary of the Highway Superintendent shall be increased by \$637.00.

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Section 3. Effective as hereafter provided, the annual salary of the Deputy Highway Superintendent shall be increased by \$469.00.

Section 4. Effective as hereafter provided, the annual salary of Community Services Director shall be increased by \$562.00.

Section 5. Effective as hereafter provided, the annual salary of the Planning and Development Director shall be increased by \$587.00.

Section 6. Effective as hereafter provided, the annual salary of the Public Defender shall be increased by \$467.00.

Section 7. Effective as hereafter provided, the annual salary of the Public Health Commissioner shall be increased by \$624.00.

Section 8. Effective as hereafter provided, the annual salary of the Real Property Tax Director shall be increased by \$535.00.

Section 9. Effective as hereafter provided, the annual salary of the County Attorney shall be increased by \$547.00.

Section 10. All salaries set forth herein shall be effective as of January 1, 2006.

Section 11. 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 12. This Local Law is subject to permissive referendum.

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

Fellow Supervisors, Judge Dadd, District Attorney Stout, Treasurer Mayer, Sheriff Heimann, County Clerk Coveny, Residents and Taxpayers of Wyoming County.

First let me begin by thanking my fellow members of the Wyoming County Board of Supervisors for showing their trust and confidence by electing me Chairman of the Board of Supervisors for the seventh consecutive term.

I promise you that I will continue to serve the Board with your direction as my focus. Some months ago there was a letter to the editor where the writer referred to the "Berwanger Administration". I was certainly flattered; however, there is no individuality in Wyoming County Government, our Board works as a

bi-partisan team developing policy and making decisions which affect our departments, programs, and employees, of which the Chairman is directed to implement on behalf of the Board.

In thinking of Wyoming County, it has been the custom for the last several years, to deliver some form of the state of the county message. I will be reviewing what has been accomplished in 2006 and what is hoped to be accomplished in 2007.

In 2006, many changes occurred both in personnel and capital improvements.

Beginning in January, the Board was surprised when the Director of Workers Comp and Insurance, Linda Williams, announced her intention to retire. The decision to replace the Director with Dixie Perkins was made by the Finance Committee. Ms. Perkins is a 29-year employee of the county, working most of that time in the Treasurer's office, handling a multitude of tasks.

January marked the beginning of the administration of County Treasurer Cheryl Mayer. Ms. Mayer has worked diligently with Budget Officer, Paula Parker to offer the most comprehensive financial program possible.

Also in January, we began a search for a new Human Resource Director. Anne Humphrey, former Supervisor from the Town of Perry, was contracted by the Board to fill the position as Acting HR Director and to begin a search for someone permanent. That person turned out to be Brenda Jones, a 30 year Wyoming County Community Hospital employee who has vast experience in the Hospital HR Department. Ms. Jones is working to combine both the hospital and the county HR function under one director and one office and to provide consistency as far as policy for all county departments.

In mentioning the Hospital, with the announcement of the retirement of CEO Lucy Sheedy, who served the county health system for many years with great distinction, the necessity to recruit her successor was begun. After an exhaustive search, Ron Krawiec, former CEO of the Lakeshore Health System, was chosen to succeed Ms. Sheedy as the CEO. Mr. Krawiec comes to Wyoming County highly regarded and recommended. He has been deeply involved in the CAPITAL campaign, which will be integral to the renovation of the hospital. The hospital and the health system continue to be a top priority for the Board of Supervisors, who recognize the need to maintain the Hospital, not only for the obvious reasons, first rate medical care for our residents of our rural area. But also for the economic impact the hospital has on Wyoming County.

Other personnel changes include the appoint of Andrea Aldinger from Attica to serve as the Director of Aging and Youth and Bill Streicher from Strykersville

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has accepted the position of Acting Director of Fire and Emergency Management.

In 2006, the Board has begun a very aggressive plan to reorganize and refurbish several buildings to better fit the county's needs. Along with the planned renovation of the hospital, there are several other renovation projects on the Board of Supervisors' agenda.

The former public health building originally named Thomson Hall is being renovated into an office complex, which will house the re-organized Human Resources department and various administrative offices for the Hospital.

Next, construction of a new records retention center is planned. The building will be built on county property at Mungers Mill Road, adjacent to the newly renovated public health building. The public health department moved to the South Warsaw campus in the fall, uniting all of Public Health under one roof – Public Health Nursing, the CHHA, Men & Women's Health, and the Environmental Unit.

Once the new records retention facility is complete, the present storage building, located in Gainesville will be put up for sale and returned to the tax rolls. The new records retention facility will allow for all county records to be stored in one building and save the county a considerable amount of money in storage and retrieval fees.

Also in 2006, another portion of the Kaplan Building was renovated to accommodate the Office for the Aging and Youth Bureau. The remainder of the floor space in the Kaplan building will now be renovated to accommodate the County Board of Elections office. The building presently occupied by the Board of Elections and Public Defender will also be put up for sale and be returned to the tax rolls.

The Public Defender will move to 18 Linwood, more commonly referred to as the "White House" and join the Bureau of Weights and Measures as the chief occupants.

The final project, completing all of these capital improvement projects will be a new maintenance garage for Buildings and Grounds, which will replace the small storage building presently occupied by this department on the west side of the government center's parking area.

All of these projects have been and will be overseen by the County Superintendent of Buildings and Grounds, Dennis Halstead. On behalf of the Board, I want to take the time to recognize the fine work that Dennis has done in

providing information to the Board so that intelligent and effective decisions can be made regarding these projects and for the preparation and implementation of the plans which have led to a successful completion.

Another important Capital Project that has been approved in 2006 and will be implemented in 2007 and in the ensuing years is the three-phase borrowing for the reconstruction of county roads. A construction project of \$11 million dollars is proposed. The decision to bond for this work had been discussed in the past, however, no decision was made, and the result of the procrastination was that the roads fell into further disrepair and the cost increased.

Phase one will begin in the spring of 2007 with work on Middle Reservation Road, in the towns of Castile and Perry, East Main Street Road and Vernal Road in the towns of Attica and Middlebury. That will be followed by 2 phases of the project, which will continue into the next two years. This should put all county roads in above average conditions.

Now on to the county's finances: Elements which have impacted the county positively in 2006 were a second opportunity to re-secure the tobacco settlement which relieved county debt by 3.4 million dollars leading to the lowest amount of county indebtedness in the last 30 years.

Also, the cap on Medicaid, which was supported by our state delegation, Senator Dale Volker and Assemblyman Dan Burling, has reduced the county share by approximately \$1 million dollars. This amount reflected a 5 - 10% reduction of the county contribution to the Medicaid program over the last 12 months.

Negative financial impacts include the continuation of the 11 -15% assessment for pension payments for all county workers. This amounts to approximately 4.3 million dollars. The second negative financial impact is the leveling off of sales tax revenue, which had continued to grow for the last several years. Keep in mind that sales tax revenue offsets the need for county levy. With the county levy at about 10 million dollars, and the sales tax accounting for 12 million, this leveling off of sales tax revenue needs to be carefully monitored by the finance committee of the Board of Supervisors.

On the labor front, three 3-year union contracts have been ratified and the 4th is nearing a vote for ratification following an agreement by labor and the county. With these agreements in place, the county can continue to plan for the future knowing what the cost of labor will definitely be.

Depending on who you talk to, the big news of 2006 was the awarding of the Empire Zone by the NYS Department of Economic Development to Wyoming County. Many thanks again to Senator Volker, Assemblyman Burling and

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Congressman Reynolds for their assistance in making this happen. I know the economic development team, lead by Jim Pierce, Executive Director of the Wyoming County Chamber of Commerce, Mike Heftka, Executive Director of the Wyoming County Industrial Development Agency and Richard Tindell, Director of Planning, helped in securing the Empire Zone.

At this time, the “Zone” Administrative Board has been appointed by the Board of Supervisors, has met, organized, adopted bylaws, and contracted with the Wyoming County Business Center as the Local Development Corporation to provide administrative services for the empire zone. Jim Pierce, who is overseeing the Zone, has assured the Board that the Empire Zone Administrative Board will begin accepting applications for Empire Zone benefits from businesses immediately.

With the Empire Zone and Economic development in 2006 and 2007 comes the wind energy issue from several towns. The Board of Supervisors firmly believes that the issue of land use lies solely with the town in which the projects are located. Any financial arrangements, be they with the town, or as a PILOT agreement with the Wyoming County IDA are just that. We have no interest with being involved in any sort of debate or discussion, pro or con, about wind energy at the town level.

I also want to recognize the new Director of Cornell Cooperative Extension, Mr. William Maddison and welcome him to Wyoming County. In his short time here, Mr. Maddison has proven he is a dynamic leader who is poised to elevate Extension to the next level. Under his leadership, plans for a Dairy Institute, which will be an accredited program through Alfred Tech and Genesee Community College will be located right here in Wyoming County, which is the number one dairy county in NYS. The Board of Supervisors is also supporting the improvements at Camp WYOMOCO and upgrades in the Ag & Consumer Sciences programs.

I would be remiss, not to give acknowledgement to a great youth program in Wyoming County, Cornell Cooperative Extension’s very successful 4-H Program. Every year, hundreds of youth in our county have the opportunity to develop leadership skills, build lifelong friendships, and learn practical skills for life. This program is highly successful because of the tireless efforts of Cooperative Extension’s staff and their volunteers from throughout the County.

As I speak of volunteers, I think it is not only appropriate but also necessary to recognize the efforts of all the volunteers in this county. Too often we take for granted the efforts of the exceptional people in our county.

To mention just a few, we have to begin with the Hospital's CAPITAL Campaign which is a tremendous undertaking especially in these economic times. Community Action's Angel's in Action's efforts to bring a little relief to the disadvantaged, all the local food pantries, volunteers at the Office for the Aging, meal sites, and drivers. All those that sit on the local boards from various agencies, right on down to the boy and girl scouts that sing Christmas Carols at local nursing homes. Because of the efforts of all these fine folks throughout Wyoming County, we are able to provide services and raise the standard of living for all of our residents. My hats off to everyone who volunteers in Wyoming County.

In conclusion, 2006 was an exciting year with much happening at the county level. 2007 promises to be equally exciting and interesting, as this Board of Supervisors continues to move forward with a great working bi-partisan relationship with one common goal: to do the best we can for the residents of Wyoming County.

On behalf of the Wyoming County Board of Supervisors, I would like to thank all the department heads of the various County departments and agencies along with all of the employees who make up our workforce. It has been a successful year and we appreciate your continued efforts on behalf of the residents of Wyoming County. And in closing it is necessary to especially thank the Clerk to the Board, Cheryl Ketchum, and the Deputy Clerk, Brenda Ferrell. This was their first year in these respective positions and they did a great job. I know the Board shares my thoughts in recognizing their commitment, loyalty, and ability.

Good luck to all and God Bless Wyoming County.

There being no further business to come before this Board, Supervisor Bush, as the most senior member of the Board of Supervisors declared the meeting adjourned at 3:00 PM with a rap on his desk.

\*\*\*\*\*

*Respectfully submitted,*

***Cheryl J. Ketchum***  
Clerk to the Board of Supervisors

**REGULAR SESSION  
(January 09, 2007)****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 Fleischman, T/Java. 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 3:05 PM Chairman Berwanger, T/Arcade, called the meeting to order.

The Veteran leading the Pledge of Allegiance this month is:

**CHARLOTTE JUNE HOWLETT GREEN**

Mrs. Green's service to her country comes while serving in the United States Army during World War II. Mrs. Green had graduated from Arcade High School and then completed her training as a Registered Nurse at the Buffalo General School of Nursing. She worked at Buffalo General Hospital as a Registered Nurse until 1942, and then worked for 3 years as a private surgical nurse. In March of 1945, Mrs. Green enlisted in the United States Army as a Registered Nurse. She completed her Basic Training at Fort Sam Houston, Texas, and was then assigned duty as a Registered Nurse at Beaumont General Hospital in El Paso, Texas where she served in the capacity of "Charge Nurse" for orthopedic wards, gastro-intestinal wards, medical and contagion wards. She also served as Duty Nurse for The E.N.T. clinic and women's surgical wards. Mrs. Green served in these positions until her separation from active duty as a 2<sup>nd</sup> Lt. on June 26, 1947.

Mrs. Green returned to this area and went to work at the E.J. Meyer Hospital (now known as E.C.M.C.) as a Registered Nurse, and served in this position for 6 years. In 1952, Mrs. Green moved to California, and worked as a Registered Nurse at the Good Samaritan Hospital in Los Angeles. While in California, Mrs. Green also completed her "OB" (Obstetrics) training at Cedars of Lebanon Hospital and returned to Freedom, N.Y. in 1964 to work at Bertrand Chaffee Hospital in Springville as an "OB Nurse" until 1985. Mrs. Green then worked part-time as a Registered Nurse in Home Health Care in this area during the

summers and as a Registered Nurse in a Nursing Home in Florida, until her retirement in 2000.

Mrs. Green presently lives in Arcade, N.Y. and enjoys knitting and crocheting.

***The pledge was said by all.***

A certificate of appreciation was presented to Mrs. Green in honor of her service to her country and also to commemorate her appearance here today.

Mrs. Green was given the opportunity to address the Board. She thanked them for inviting her to today's 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 January 2007 is Roxanne Warren. Roxanne has been with the department since March 2003 and is a Caseworker in our Services Unit. Roxanne is being recognized for her dedication and commitment to the children and families she works with in Wyoming County.

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

Please join me in recognizing Roxanne Warren.

**Communications:**

**None**

Chairman Berwanger introduced Bill Maddison, Executive Director of Cornell Cooperative Extension of Wyoming County. Mr. Maddison has a proclamation from Governor Pataki declaring Wyoming County the "***Leading Dairy County in New York State,***" that he presented to the Board of Supervisors.

**Open Public Hearing:**

**Local Law Introductory No. D, for the Year 2006, entitled, "A LOCAL LAW PROVIDING FOR THE ADMINISTRATION AND ENFORCEMENT OF THE NEW YORK STATE UNIFORM FIRE PREVENTION AND BUILDING CODE,"** adopted (Local Law No. 1 for the Year 2007)

#1

**RESOLUTION NO. 07-08  
(January 09, 2007)**

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:

<b>Treasurer</b>			
<b>From:</b> 01.51.9748.6.60001 Sr Bond Debt Service <b>To:</b> 01.42.6423.4.40950 IDA Contr. Expense	\$28,698.63		
<b>Reason:</b> Board adjustment to IDA for reduction of principal payment and credit of first quarter interest on LOC per Finance Committee 12/28/06.		\$28,698.63	
<b>Treasurer Total</b>			<b>\$28,698.63</b>

**Carried: XXX Ayes: 1525 Noes: Absent: 93 (Java) Abstain:**

#2

**RESOLUTION NO. 07-09  
(January 09, 2007)**

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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<b>Treasurer</b>			
<b>To:</b> 01.33.1364.4.40301 Professional Service w/01.01.1325.1051 Gain from Sale of Acquired Property increased by same <b>Reason:</b> for 2004 foreclosure expenses.	\$7,953.12	\$7,953.12	
<b>Treasurer Total</b>			<b>\$7,953.12</b>
<b>Mental Health</b>			
<b>To:</b> 01.38.4321.4.42422 Suburban Adult Svcs. w/01.11.4321.3490 Mental Health incr. by the same <b>Reason:</b> Increased state aid allocation for 2006	\$365.00	\$365.00	
<b>To:</b> 01.38.4325.4.42441 Misc. MH Programs w/01.11.4325.3490 Mental Health incr. by the same <b>Reason:</b> Final 2006 state aid allocation for balance of WNY Care Coordination Funding.	\$16,257.00	\$16,257.00	
<b>Mental Health Total</b>			<b>\$16,622.00</b>
<b>Public Health</b>			
<b>To:</b> 01.38.4050.4.41214 Supplies Purchased w/ 01.09.4050.2705 Home Care Donations <b>Reason:</b> To appropriate for donation received by CHHA; funds to be used to purchase supplies needed (2006).	\$ 400.00	\$ 400.00	
<b>Public Health Total</b>			<b>\$400.00</b>

**Carried: XXX Ayes: 1525 Noes: Absent: 93 (Java) Abstain:**

Mr. Bush, T/Gainesville, Chairman of the Audit Committee, presented bills totaling **\$1,493,634.93** for the month of **December 2006**.

**Carried: XXX Ayes: 1525 Noes: Absent: 93 (Java) Abstain:**

*There was a motion by Mrs. Totslie, T/Genesee Falls, to combine resolutions #3 through #6. A voice vote was taken and all voted aye.*

#3

**RESOLUTION NO. 07-10  
(January 09, 2007)**

By Mrs. Totslie, Chairman of Human Services Committee:

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

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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 the following contracts on behalf of the Office for the Aging:

- **WCJW Radio**, PO Box 251 Merchant Road, Warsaw, NY 14569 for the provision of Advertising (Caregiver Information to the 50-plus population in Wyoming County). Said contract is in the amount of five thousand two hundred eighty dollars (\$5,280.00) (reimbursed by NYS Office for the Aging – Title II-E Grant); effective January 01, 2007 through December 31, 2007
- **The Cloisters**, 171 North Main Street, Warsaw, NY 14569 for the provision of Adult Day Care Services (Respite Services) to the Wyoming County residents referred by OFA. Said contract is based on need (reimbursed by the NYS Office for the Aging – Title III-E Grant); effective January 01, 2007 through December 31, 2007.

Contracts are contingent upon the availability of funds.

**Carried: XXX    Ayes: 1525    Noes:    Absent: 93 (Java)    Abstain: #4**

**RESOLUTION NO. 07-11  
(January 09, 2007)**

By Mrs. Totslin, Chairman of Human Services Committee:

**JOHN B. GILBERTSON APPOINTED TO THE  
OFFICE FOR THE AGING ADVISORY COUNCIL**

**BE IT RESOLVED**, That John B. Gilbertson, 5 East Street, P. O. Box 332, Gainesville, NY 14066 is hereby appointed to the Office for the Aging Advisory Council for a term of 3 years effective January 01, 2007 through December 31, 2009.

**Carried: XXX    Ayes: 1525    Noes:    Absent: 93 (Java)    Abstain:**

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**RESOLUTION NO. 07-12  
(January 09, 2007)**

By Mrs. Totstline, Chairman of Human Services Committee:

**MEMBERS APPOINTED / REAPPOINTED TO  
THE WYOMING COUNTY YOUTH BOARD**

**BE IT RESOLVED**, That the following members are hereby appointed / reappointed to the Wyoming County Youth Board:

**Community Members:**

*For a term of 3 years; effective January 01, 2007 through December 31, 2009.*

- Loretta Bacon (Pike), 74 North Water Street, Pike NY 14030
- Paula Knitter (Perry), 3235 Suckerbrook Rd., Perry, NY 14530
- Benjamin Carter (Attica) replacing Cyndy Hickey, 28 Jefferson St., Attica, NY 14011

**Carried: XXX   Ayes: 1525   Noes:   Absent: 93 (Java)   Abstain:  
#6**

**RESOLUTION NO. 07-13  
(January 09, 2007)**

By Mrs. Totstline, Chairman of Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN CONTRACTS  
ON BEHALF OF WYOMING COUNTY 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 following contracts on behalf of the Wyoming County Youth Bureau:

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- Jennifer Rumfola, SLP 12800 Pratham Road, East Concord, NY 14055 to provide Early Intervention Services; effective January 01, 2007 through June 30, 2007. Rates are set by the NYSDOH and the cost will vary depending on caseload.
- Turning Point Therapeutic, 4534 Salisbury Place, Hamburg, NY 14075 to provide Early Intervention Interpreter Services; effective January 01, 2007 through June 30, 2007. Rates are set by the NYSDOH and the cost will vary depending on caseload.
- Therapeutic Link for Children, 6167 West Quaker Road, Orchard Park, NY 14127 to provide Early Intervention Services; effective January 01, 2007 through June 30, 2007. Rates are set by the NYSDOH and the cost will vary depending on caseload.

Contracts are contingent on the availability of funds.

**Carried: XXX    Ayes: 1525    Noes:    Absent: 93 (Java)    Abstain:**

There was a motion by Mr. Kushner, T/Eagle, to combine resolutions #7 through #10. A voice vote was taken and all voted aye.

#7

**RESOLUTION NO. 07-14  
(January 09, 2007)**

By Mr. Kushner, Chairman of Public Health Committee:

**CHAIRMAN AUTHORIZED TO SIGN AMENDED  
CONTRACTS ON BEHALF 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 the following amended contracts on behalf of Mental Health:

- Suburban Adult Services, Inc. to reflect the increased state aid amount of three hundred sixty-five dollars (\$365.00) for 2006 for sheltered workshop services. The total contract amount for SASI for 2006 is one hundred twenty six thousand eight hundred twenty-nine dollars (\$126,829.00).

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- Mental Health Association of Rochester/Monroe for the provision of peer-run program to reflect the increase amount of funding by one thousand six hundred seven dollars (\$1,607.00) bring the total 2006 amount to two hundred nineteen four hundred dollars (\$219,407.00); and be it

**FURTHER RESOLVED**, That resolution number 05-350 be amended to reflect the above revisions to the 2006 contracts.

**Carried: XXX Ayes: 1525 Noes: Absent: 93 (Java) Abstain: #8**

**RESOLUTION NO. 07-15  
(January 09, 2007)**

By Mr. Kushner, Chairman of the Public Health Committee:

**RESOLUTION NUMBER 05-353 AMENDED**

**WHEREAS**, Resolution Number 05-353 provides for various contracts on behalf of Public Health for the year 2006; now therefore

**BE IT RESOLVED**, That Resolution number 05-353 is hereby amended to reflect an increase in the United Business Systems Annual Copier Maintenance Agreement by thirty-five dollars (\$35.00) for a total contract amount of six hundred fifty dollars (\$650.00); effective November 20, 2006 through November 20, 2007.

**Carried: XXX Ayes: 1525 Noes: Absent: 93 (Java) Abstain: #9**

**RESOLUTION NO. 07-16  
(January 09, 2007)**

By Mr. Kushner, Chairman of the Public Health Committee:

**AUTHORIZE CHAIRMAN TO SIGN VARIOUS  
CONTRACTS/AGREEMENTS ON BEHALF OF  
WYOMING COUNTY HEALTH DEPARTMENT AND  
CERTIFIED HOME HEALTH AGENCY 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 following contracts and or agreements on behalf of Wyoming County Health for 2007:

3D Delivery Inc. dba Genesee Delivery Courier Service for specimen transport January 1 – December 31, 2007 budgeted	Per Price List TBD based on usage Not to exceed amount
--	--

Clearpath Diagnostics (formerly Pathology Associates) Laboratory Testing Services January 1 – December 31, 2007 budgeted	Per Price List TBD based on usage Not to exceed amount
---	--

Eastern Laboratory Services Laboratory testing services (Environmental Water Samples, includes courier transport) January 1 – December 31, 2007	Per Price List TBD based on usage Not to exceed amount budgeted
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Erie County Public Health Department – ECPHL	Per Price List
--	----------------

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Laboratory testing services  
(Environmental Water Samples)  
January 1 – December 31, 2007

TBD based on usage  
Not to exceed amount budgeted

Erie County  
Intergovernmental Agreement with Eight Counties of WNY  
(through BT/ Public Health Emergency Preparedness Grant)  
August 31, 2007 – August 30, 2008

\$7,500

Tammy Farnham, NP  
Nurse Practitioner Services  
January 1 – December 31, 2007

\$35.00/hour  
TBD based on usage  
Not to exceed amount budgeted

Freed Maxick and Battaglia, PC  
Audit and Consulting Services  
(MWHS and CHHA)  
January 1 – December 31, 2007

\$17,300

Monroe County Department of Health  
Medical Examiner Services  
January 1 – December 31, 2007 (Multi-year agreement 1/1/05 – 12/31/07)

\$31,424

Quest Diagnostics  
Clinical Laboratory testing services  
(MWHS Clinical Samples)  
January 1 – December 31, 2007

Per Price List  
TBD based on usage  
Not to exceed amount budgeted

Susan Schell, RD  
Registered Dietician Services  
January 1 – December 31, 2007

\$35.00 / hour  
TBD based on usage  
Not to exceed amount budgeted

Scott Treutlein, MD  
Medical Director Services  
January 1 – December 31, 2007

\$ 6,000

United Church of Christ  
Building Use Agreement  
January 1 – December 31, 2007

\$4,800

Wyoming County Interdepartmental Agreement  
Justa Goodell (Animal Control – Rabies related services)  
January 1 – December 31, 2007

\$ 11,825

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Wyoming County Interdepartmental Agreement \$52,900  
 IT Department for provision of computer support services  
 January 1 – December 31, 2007

Buffalo Hospital Supply	Per Bid Price List
Medical Supplies	TBD based on usage
January 1 – December 31, 2007	Not to exceed amount budgeted

Karen Nelson, MSW	\$70.00 / visit (per Schedule B)
Medical Social Worker Services	TBD based on usage
January 1 – December 31, 2007	Not to exceed amount budgeted

Step-by-Step Physical Therapy	\$63.65 / visit
Physical Therapy Services	TBD based on usage
January 1 – December 31, 2007	Not to exceed amount budgeted

**CONTRACTS / AGREEMENTS – CHHA**

Wyoming County Interdepartmental Agreement \$5,000 annually  
 Registered Dietician Services (OFA and Health Department CHHA)  
 January 1 – December 31, 2007

Wyoming County Community Health System	\$64.89 / visit – OT
Discipline Services (OT/PT/Speech)	\$63.65 / visit - PT
January 1 – December 31, 2007	\$73.00 / visit - SP
	TBD based on usage
	Not to exceed amount budgeted

**Carried: XXX Ayes: 1525 Noes: Absent: 93 (Java) Abstain: #10**

**RESOLUTION NO. 07-17  
(January 09, 2007)**

By Mr. Kushner, Chairman of the Public Health Committee:

**AUTHORIZE CHAIRMAN TO SIGN VARIOUS GRANT APPLICATIONS AND/OR RENEWALS ON BEHALF OF WYOMING COUNTY HEALTH DEPARTMENT AND CERTIFIED HOME HEALTH AGENCY 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 following Grant Applications / Award Acceptances for the year 2007 on behalf of Wyoming County Health Department and the Certified Home Health Agency. All amounts reflect the minimum to be received by the Wyoming County Public Health Department.

**\*\*all grant applications and award acceptances will be equal to or greater than the minimum amount indicated\*\***

New York State Department of Health – Basic Services                      \$550,000  
Grant period January 1, 2007 - December 31, 2007

New York State Department of Health –  
Division of Family Health (MWHS)    \$187,649  
Grant period January 1, 2007 - December 31, 2007

New York State Health Department (Lead Grant)  
Grant period April 1, 2007 - March 31, 2008

New York State Department of Health (Immunization Grant)    \$ 47,250  
Grant period April 1, 2007 - March 31, 2008

NYS Department of Health  
(Cancer Services Program - Breast Health Grant)                      \$ 40,286  
Grant period April 1, 2007- March 31, 2008

NYS Department of Health  
 (Cancer Services Program - Colorectal Grant) \$40,000  
 Grant Period January 1, 2007 – December 31, 2007

New York State Department of Health  
 (Water Enhancement Grant) \$ 96,000  
 Grant period April 1, 2007 - March 31, 2008

Diabetes Grant with Lake Plains \$ 3,500  
 Grant period October 1, 2007 – September 30, 2008

Healthy Heart Grant with Lake Plains \$ 8,144  
 Grant period April 1, 2007- March 31, 2008

Health Research, Inc. (Public Health  
 Preparedness/Bioterrorism Grant) \$ 75,000  
 Grant period August 31, 2007 – August 30, 2008

Health Research, Inc. (Breast Health  
 Partnership Patient Services) \$ 8,970  
 Grant period June 30, 2007– June 29, 2008

State of New York Governor's Traffic Safety Board  
 (Child Safety Seat Grant) \$ 6,000  
 Grant period October 1, 2007 – September 30, 2008

New York State Department of Health  
 (Zoonoses Program Grant) \$ 9,000  
 Grant period April 1, 2007 – March 31, 2008

New York State Department of Health  
 (EI Administration Grant) \$ 34,367  
 Grant period October 1, 2007 – September 30, 2008

New York State Department of Health (CSHCN Grant)  
 \$ 17,433  
 Grant period October 1, 2007 – September 30, 2008

**Carried: XXX Ayes: 1525 Noes: Absent: 93 (Java) Abstain:**

*There was a motion by Mr. Rogers, T/Pike, to combine resolutions #11 and #12.  
 A voice vote was taken and all voted aye.*

**RESOLUTION NO. 07-18  
(January 09, 2007)**

By Mr. Rogers, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A GRANT  
APPLICATION AND 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 application and grant acceptance award with the Division of Criminal Justice Service for the 2007 Aid to Prosecution Grant on behalf of the District Attorney's office. Said grant is in the amount of forty thousand three hundred seventy-five dollars (\$40,375.00) for the period April 1, 2006 through March 31, 2008. Approval of this grant is based on grant budget modifications as directed by the Public Safety Committee.

**Carried: XXX Ayes: 1525 Noes: Absent: 93 (Java) Abstain:  
#12**

**RESOLUTION NO. 07-19  
(January 09, 2007)**

By Mr. Rogers, 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, 2007 through December 31, 2007 in the minimum amount of forty-one thousand six hundred dollars (\$41,600.00) (75% Grant Funds/25% Matching Funds).

*There was a motion by Mr. Patti, T/Attica, to combine resolutions #13 through #15. A voice vote was taken and all voted aye.*

#13

**RESOLUTION NO. 07-20  
(January 09, 2007)**

By Mr. Patti, Chairman of Public Works Committee:

**AUTHORIZING THE IMPLEMENTATION, AND  
FUNDING IN THE FIRST INSTANCE 100% OF THE  
STATE MULTI-MODAL PROGRAM-AID (AND STATE  
ADMINISTERED FEDERAL PROGRAM-AID) ELIGIBLE  
COSTS, OF A CAPITAL PROJECT, AND  
APPROPRIATING FUNDS THEREFORE**

**WHEREAS**, a Project for the Reconstruction of East Arcade Road (CR #11); OSC Contract #D027440; Project ID Number: 4MS191.30A (the Project") is eligible for funding (under Title 23 U.S. Code, as amended, and) New York's Multi-Modal Program administered by the NYS Department of Transportation ("NYSDOT"); and

**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 Reconstruction work for the Project or portions thereof; and it is further

**RESOLVED**, That the sum of **one hundred thousand dollars (\$100,000.00)** 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

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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 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 Multi-Modal Program Funding 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 all Project costs 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 required and/or appropriate Agreements executed in connection with the Project between Board of Supervisors and the State of New York; and it is further

**RESOLVED**, this Resolution shall take effect immediately.

**Carried: XXX Ayes: 1525 Noes: Absent: 93 (Java) Abstain: #14**

**RESOLUTION NUMBER: 07-21  
(January 9, 2007)**

By Mr. Patti, Chairman of Public Works Committee:

**AUTHORIZING THE IMPLEMENTATION, AND  
FUNDING IN THE FIRST INSTANCE 100% OF THE  
STATE MULTI-MODAL PROGRAM-AID (AND STATE  
ADMINISTERED FEDERAL PROGRAM-AID) ELIGIBLE  
COSTS, OF A CAPITAL PROJECT, AND  
APPROPRIATING FUNDS THEREFORE**

**WHEREAS**, A Project for the Reconstruction of Middle Reservation Road (CR #06); OSC Contract #D027441; Project ID Number: 4MS192.30A (the Project") is eligible for funding (under Title 23 U.S. Code, as amended,

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and) New York's Multi-Modal Program administered by the NYS Department of Transportation ("NYSDOT"); and

**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 Reconstruction work for the Project or portions thereof; and it is further

**RESOLVED,** That the sum of **fifty thousand dollars (\$50,000.00)** 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 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 Multi-Modal Program Funding 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 all Project costs 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 required and/or appropriate Agreements executed in connection with the Project between Board of Supervisors and the State of New York; and it is further

**RESOLVED,** This Resolution shall take effect immediately.

**Carried: XXX Ayes: 1525 Noes: Absent: 93 (Java) Abstain:**

January 9, 2007

**RESOLUTION NO. 07-22  
(January 09, 2007)**

By Mr. Patti, Chairman of the Public Works Committee:

**CHAIRMAN AUTHORIZED TO SIGN A 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 Road, Silver Springs, NY 14550 on behalf of Buildings and Grounds. Said contract to provide for the Landscape maintenance services for the 2007 season at the following locations:

- Public Health Department, 5362 Mungers Mill Rd. Silver Springs, NY **\$2,081.25**
- Social Services Department -Lower Building, 466 N. Main Street and Upper Building, 4324 Doody Rd. Warsaw, NY **\$3,237.50**
- Fire Training Center, 3651 Wethersfield Rd. Gainesville, NY **\$2,728.75**
- Courthouse/Public Safety Campus, 143-151 N. Main Street Warsaw, NY **\$1,850.00**
- Radio Tower at the Fire Training Center, 3609 Wethersfield Rd. Gainesville, NY **\$647.50**

Contingent upon the availability of funds.

**Carried: XXX    Ayes: 1525    Noes:    Absent: 93 (Java)**  
**Abstain:**

*There was a motion by Ms. Grant, T/Bennington, Chairman of the Planning Committee to combine resolutions #16 through #23. A voice vote was taken and all voted aye.*

**RESOLUTION NO. 07-23  
(January 09, 2007)**

By Mr. Fleischman, Chairman of Planning Committee:

**REVIEW OF AGRICULTURAL DISTRICT No. 5 AND SET  
PUBLIC HEARING**

**WHEREAS**, This Board is conducting a review of Agricultural District No. 5 located in the Towns of Attica, Orangeville, Warsaw, and Middlebury 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. 5; 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 13<sup>th</sup> day of February, 2007 at 3:00 PM regarding Wyoming County Agricultural District No. 5 located in the Towns of Attica, Orangeville, Warsaw, and Middlebury to consider the recommendations of the Agricultural and Farmland Protection Board and the County Planning Board; 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 Town of Perry; and the Soil & Water Office, 31 Duncan Street Ext., Warsaw, NY.

**Carried: XXX    Ayes: 1525    Noes:    Absent: 93 (Java)    Abstain:**

January 9, 2007

**RESOLUTION NO. 07-24  
(January 09, 2007)**

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 six thousand six hundred forty-seven dollars (\$6,647.00) as its share of the Year 2007 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 five hundred thousand dollars (\$500,000.00); 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: 1525 Noes: Absent: 93 (Java) Abstain:**

**RESOLUTION NO. 07-25  
(January 09, 2007)**

By Mr. Fleischman, Chairman of Planning Committee:

**WYOMING COUNTY PLANNING BOARD TRAINING  
REQUIREMENT**

**WHEREAS**, New York State has adopted Chapter 662 of the Laws of 2006, which requires members of a County Planning Board to obtain four hours of training per year effective January 1, 2007; and

**WHEREAS**, Chapter 662 requires the County Board of Supervisors to determine what training courses, providers, and formats are acceptable for County Planning Board members to meet the required minimum annual training; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors recognizes the following training opportunities as being acceptable for County Planning Board members to use in meeting the annual training requirements. Such training must include land use issues or land use decision making and may take the form of traditional classroom style, distance learning, video's, on-site demonstrations and/or self-study, provided appropriate documentation of training completion is submitted. Training provided by these organizations may be limited based upon available funding and shall require prior approval by the County's Director of Planning and Development in order to be reimbursed.

Albany Law School, Government Law Center  
 Association of Towns of the State of New York  
 Cornell Cooperative Extension  
 Wyoming County Department of Planning & Development  
 Wyoming County Soil and Water Conservation District  
 Genesee/Finger Lakes Regional Planning Council  
 New York Municipal Insurance Reciprocal (NYMIR)  
 New York Planning Federation  
 New York State Conference of Mayors and Municipal Officials  
 New York State Department of State  
 New York State Department of Agriculture and Markets  
 New York State Department of Environmental Conservation  
 The Lincoln Institute of Land Use Policy, and

January 9, 2007

**BE IT FURTHER RESOLVED**, That the Wyoming County Board of Supervisors directs the Planning and Development Director to develop and maintain a system of tracking such annual training for County Planning Board members. Such information will be reported to the Clerk of the Board of Supervisors on an annual basis along with recommendations for new and/or revised training opportunities.

**Carried: XXX Ayes: 1525 Noes: Absent: 93 (Java) Abstain: #19**

**RESOLUTION NO. 07-26  
(January 09, 2007)**

By Mr. Fleischman, Chairman of Planning Committee:

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

**WHEREAS**, The County of Wyoming needs to review and re-certify 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 twenty-two thousand dollars (\$22,000.00), effective January 1, 2007 through December 31, 2007; contingent upon the availability of funds.

**Carried: XXX Ayes: 1525 Noes: Absent: 93 (Java) Abstain: #20**

**RESOLUTION NO. 07-27  
(January 09, 2007)**

By Mr. Fleischman, Chairman of Planning Committee:

Proceedings of the Board of Supervisors**AUTHORIZE CHAIRMAN TO SIGN CONTRACT WITH  
GENESEE/FINGER LAKES REGIONAL PLANNING  
COUNCIL FOR GIS MAPPING 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 the Genesee Finger Lakes Regional Planning Council (GFLRPC), City Place, 50 West Main Street, Suite 8107, Rochester, NY 14614 on behalf of Wyoming County Department of Planning & Development. Said contract to provide consulting services to assist in the preparation of information layers and Geographic Information System (GIS) maps for the County; said contract not to exceed five thousand dollars (\$5,000.00); effective January 1, 2007 through December 31, 2007, contingent upon the availability of funds.

**Carried: XXX    Ayes: 1525    Noes: Absent: 93 (Java)    Abstain: #21**

**RESOLUTION NO. 07-28  
(January 09, 2007)**

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 purpose of providing economic and business development services to Wyoming County for an amount not to exceed seventy-four thousand five hundred dollars (\$74,500.00); effective January 1, 2007 through December 31, 2007, contingent upon the availability of funds.

**Carried: XXX    Ayes: 1525    Noes: Absent: 93 (Java)    Abstain: #22**

**RESOLUTION NO. 07-29  
(January 09, 2007)**

By Mr. Fleischman, Chairman of Planning Committee:

January 9, 2007

**CHAIRMAN AUTHORIZED TO SIGN AGREEMENT  
WITH WYOMING COUNTY BUSINESS CENTER**

**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 Business Center, Inc., 6470 Route 20A, Suite 2, Perry, NY 14530-9798 for the purpose of providing funds for Local Development Corporation coordination and administration for an amount not to exceed twenty-five thousand dollars (\$25,000.00); effective January 1, 2007 through December 31, 2007, contingent upon the availability of funds.

**Carried: XXX Ayes: 1525 Noes: Absent: 93 (Java) Abstain:  
#23**

**RESOLUTION NO. 07-30  
(January 09, 2007)**

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 one hundred forty-one thousand dollars (\$141,000) Small Cities grant that will be used by the Wyoming County IDA to provide financial assistance to Mille Fabricators, Arcade, New York, for their continued expansion and building acquisition; 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, 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 one hundred forty-one thousand dollars (\$141,000) 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

**Proceedings of the Board of Supervisors**

**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: 1525 Noes: Absent: 93 (Java) Abstain:**

*There was a motion by Mr. Davis, T/Covington, to combine resolutions #24 through #32. A voice vote was taken and all voted aye.*

#24

**RESOLUTION NO. 07-31  
(January 09, 2007)**

By Mr. Davis, Chairman of Finance Committee:

**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 Board of Supervisors of the County of Wyoming determines that 50-52 South Main Street in the Village and Town of Perry, New York, tax map No. 100.7-8-20, a two-story commercial building which has been condemned by the Code Enforcement Officer for the County of Wyoming 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 is by transfer to the Wyoming County Industrial Development Agency, 6470 Route 20A, Suite 4, Perry, NY 14530. Said transfer is in consideration of \$1.00 for property located in the Town & Village of Perry, 50-52 South Main Street, Tax Map #100.7-8-20 formerly assessed to Jeffery M. VanBuren; now therefore

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

**Carried: XXX Ayes: 1525 Noes: Absent: 93 (Java) Abstain:**

January 9, 2007

**RESOLUTION NO. 07-32  
(January 09, 2007)**

By Mr. Davis, Chairman of Finance Committee:

**INVESTMENT POLICY FOR WYOMING COUNTY  
APPROVED; CHAIRMAN AUTHORIZED TO SIGN  
CUSTODIAL AGREEMENTS TO MAINTAIN PLEDGED  
SECURITIES**

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors hereby approves and adopts the following investment policy:

**INVESTMENT POLICY  
FOR WYOMING COUNTY**

**I. SCOPE**

This investment policy applies to all moneys and other financial resources available for investment on its own behalf or on behalf of any other entity or individual.

**II. OBJECTIVES**

The primary objectives of the local government's investment activities are, in priority order,

- \* to conform with all applicable federal, state and other legal requirements (legal);
- \* to adequately safeguard principal (safety);
- \* to provide sufficient liquidity to meet all operating requirements (liquidity); and
- \* to obtain a reasonable rate of return (yield).

**III. DELEGATION OF AUTHORITY**

The governing board's responsibility for administration of the investment program is delegated to the Chief Fiscal Officer who shall establish written procedures for the operation of the investment program consistent with these investment guidelines. Such procedures shall include and adequate internal control structure to provide a satisfactory level of

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accountability based on a data base or records incorporating description and amounts of investments, transaction dates, and other relevant information and regulate the activities of subordinate employees.

**IV. PRUDENCE**

All participants in the investment process shall seek to act responsibly as custodians of the public trust and shall avoid any transaction that might impair public confidence in the County of Wyoming to govern effectively.

Investments shall be made with judgement and care, under circumstances then prevailing, which persons of prudence discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investments, considering the safety of the principal as well as the probable income to be derived.

All participants involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

**V. DIVERSIFICATION**

It is the policy of the County of Wyoming to diversify its deposits and investments by financial institution, by investment instrument, and by maturity scheduling.

**VI. INTERNAL CONTROLS**

It is the policy of the County of Wyoming for all moneys collected by any officer or employee of the government to transfer those funds to the chief fiscal officer within 7 days of deposit, or within the time period specified in law, whichever is shorter.

The Chief Fiscal Officer is responsible for establishing and maintaining an internal control structure to provide reasonable, but not absolute, assurance that deposits and investments are safeguarded against loss from un-authorized use or disposition, that transactions are executed in accordance with management's authorization and recorded properly, and are managed in compliance with applicable laws and regulations.

**VII. DESIGNATION OF DEPOSITARIES**

The banks and trust companies authorized for the deposit of moneys up to the maximum amounts are:

<u>Depository Name</u>	<u>Maximum Amount</u>	<u>Officer</u>
<u>Five Star Bank</u>	<u>\$ 20,000,000.00</u>	
<u>Bank of Castile</u>	<u>\$ 20,000,000.00</u>	
<u>M &amp; T Bank</u>	<u>\$ 10,000,000.00</u>	
<u>HSBC</u>	<u>\$ 10,000,000.00</u>	

**VIII. COLLATERALIZING OF DEPOSITS**

In accordance with the provisions of General Municipal Law, Sec.10, all deposits of Wyoming County, including certificates of deposit and special time deposits, in excess of the amount insured under the provisions of the Federal Deposit Insurance Act shall be secured:

1. By a pledge of "eligible securities" with an aggregate "market value" as provided by GML Sec. 10, equal to the aggregate amount of deposits from the categories designated in Appendix A to the policy.
2. By an eligible "irrevocable letter of credit" issued by a qualified bank other than the bank with the deposits in favor of the government for a term not to exceed 90 days with an aggregate value equal to 140% of the aggregate amount of deposits and the agreed upon interest, if any. A qualified bank is one whose commercial paper and other unsecured short-term debt obligations are rated in one of the three highest rating categories by at least one nationally recognized statistical rating organizations or by a bank that is in compliance with applicable federal minimum risk-based capital requirements.
3. By an eligible surety bond payable to the government for an amount at least equal to 100% of the aggregate amount of deposits and the agreed upon interest, if any, executed by an insurance company authorized to do business in New York State, whose claims-paying ability is rated in the highest rating category by at least two nationally recognized statistical rating organizations.

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**IX. SAFEKEEPING AND COLLATERALIZATION**

Eligible securities used for collateralizing deposits shall be held by the depository and/or a third party bank or trust company subject to security and custodial agreements.

The security agreement shall provide that eligible securities are being pledged to secure local government deposits together with agreed upon interest, if any, and any costs or expenses arising out of the collection of such deposits upon default. It shall also provide the conditions under which the securities may be sold, presented for payment, substituted or released and the events, which will enable the local government to exercise its rights against the pledged securities. In the event that the securities are not registered or inscribed in the name of the local government, such securities shall be delivered in a form suitable for transfer or with an assignment in blank to the County of Wyoming or its custodial bank.

The custodial agreement shall provide that securities held by the bank or trust company, or agent of and custodian for, the local government, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement should also describe that the custodian shall confirm the receipt, substitution or release of the securities. The agreement shall provide for the frequency of revaluation of eligible securities and for the substitution of securities when a change in the rating of a security may cause ineligibility. Such agreement shall include all provisions necessary to provide the local government a perfected interest in the securities.

**X. PERMITTED INVESTMENTS**

As authorized by General Municipal Law, Sec. 11, the County of Wyoming authorizes the Chief Fiscal Officer to invest moneys not required for immediate expenditure for terms not to exceed its projected cash flow needs in the following types of investments:

- \* Special time deposit accounts;
  - \* Certificates of deposit;
  - \* Obligations of the United States of America;
  - \* Obligations guaranteed by agencies of the United States of America where the payment of principal and interest are guaranteed by the United State of America;

- \* Obligations of the State of New York;
- \* Obligations issued pursuant to LFL Sec. 24.00 or 25.00 (with approval of the State Comptroller) by any municipality, school district or district corporation other than the County of Wyoming;
- \* Obligations of public authorities, public housing authorities, urban renewal agencies and industrial development agencies where the general State statutes governing such entities or whose specific enabling legislation authorizes such investments.
- \* Certificates of Participation (COP's) issued pursuant to GML Sec. 109b.
- \* Obligations of this local government, but only with any moneys in a reserve fund established pursuant to GML Sec. 6-c, 6-d, 6-e, 6-g, 6-h, 6-j, 6-k, 6-l, 6-m, or 6-n.

All investment obligations shall be payable or redeemable at the option of the County of Wyoming within such times as the proceeds will be needed to meet expenditures for purposes for which the moneys were provided and, in the case of obligations purchased with the proceeds of bonds or notes, shall be payable or redeemable at the option of the County of Wyoming within two years of the date of purchase.

## **XI. AUTHORIZED FINANCIAL INSTITUTIONS AND DEALERS**

The County of Wyoming shall maintain a list of financial institutions and dealers approved for investment purposes and establish appropriate limits to the amount of investments, which can be made with each financial institution or dealer. All financial institutions with which the local government conducts business must be credit worthy. Banks shall provide their most recent Consolidated Report of Condition (Call Report) at the request of the County of Wyoming. Security dealers not affiliated with a bank shall be required to be classified as reporting dealers affiliated with the New York Federal Reserve Bank, as primary dealers. The Chief Fiscal Officer is responsible for evaluating the financial position and maintaining a listing of proposed depositaries, trading partners and custodians. Such listings shall be evaluated at least annually.

## **XII. PURCHASE OF INVESTMENTS**

The Chief Fiscal Officer is authorized to contract for the purchase of investments:

1. Directly, including through a repurchase agreement, from an authorized trading partner.

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2. By participation in a cooperative investment program with another authorized governmental entity pursuant to Article 5G of the General Municipal Law where such program meets all the requirements set forth in the Office of the State Comptroller Opinion No. 88-46, and the specific program has been authorized by the governing board.

3. By utilizing an ongoing investment program with an authorized trading partner pursuant to a contract authorized by the governing board.

All purchased obligations, unless registered or inscribed in the name of the local government, shall be purchased through, delivered to and held in the custody of a bank or trust company. Such obligations shall be purchased, sold or presented for redemption or payment by such bank or trust company only in accordance with prior written authorization from the officer authorized to make the investment. All such transactions shall be confirmed in writing to the County of Wyoming by the bank or trust company. Any obligation held in the custody of a bank or trust company shall be held pursuant to a written custodial agreement as described in General Municipal Law, Sec. 10.

The custodial agreement shall provide that securities held by the bank or trust company, as agent of and custodian for, the local government, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement shall describe how the custodian shall confirm the receipt and release of the securities. Such agreement shall include all provisions necessary to provide the local government a perfected interest in the securities.

**XIII. REPURCHASE AGREEMENTS**

Repurchase agreements are authorized subject to the following restrictions:

- All repurchase agreements must be entered into subject to a Master Repurchase Agreement.
- Trading partners are limited to banks or trust companies authorized to do business in New York State and primary reporting dealers.
- Obligations shall be limited to obligations of the United States of America and obligations guaranteed by agencies of the United States of America.

- No substitution of securities will be allowed.
- The custodian shall be a party other than the trading partner.

**APPENDIX A**

Schedule of Eligible Securities

\_\_\_ (i) Obligations issued, or fully insured or guaranteed as to the payment of principal and interest, by the United States of America, an agency thereof or a United States government sponsored corporation.

\_\_\_(ii) Obligations issued or fully guaranteed by the International Bank for Reconstruction and Development, the Inter-American Development Bank, and the Asian Development Bank, and the African Development Bank.

\_\_\_ (iii) Obligations partially insured or guaranteed by any agency of the United States of America, at a proportion of the market Value of the obligation that represents the amount of the insurance or guaranty.

\_\_\_ (iv) Obligations issued or fully insured or guaranteed by the State of New York, obligations issued by a municipal corporation, school district or district corporation of such State or obligations of any public benefit corporation, which under a specific State statute may be accepted as security for deposit of public moneys.

\_\_\_ (v) Obligations issued by states (other than the State of New York) of the United States rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.

\_\_\_ (vi) Obligations of Puerto Rico rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.

\_\_\_ (vii) Obligations of counties, cities and other governmental entities of a state other than the State of New York having the power to levy taxes that are backed by the full faith and credit of such governmental entity and rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.

\_\_\_ (viii) Obligations of domestic corporations rated in one of the two highest rating categories by at least one nationally recognized statistical rating organization.

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\_\_\_ (ix) Any mortgage related securities, as defined in the Securities Exchange Act of 1934, as amended, which may be purchased by banks under the limitations established by bank regulatory agencies.

\_\_\_ (x) Commercial paper and banker's acceptances issued by a bank, other than the Bank, rated in the highest short term category by at least one nationally recognized statistical rating organization and having maturities of not longer than 60 days from the date they are pledged.

\_\_\_ (xi) Zero coupon obligations of the United States government marketed as "Treasury strips".

and be it

**FURTHER RESOLVED**, That the Chairman of this Board and/or the County Treasurer, with the approval of the County Attorney, are hereby authorized and directed to sign Custodial Agreements with the different area banks or their agents to maintain pledged securities to cover deposits made by the County of Wyoming.

**Carried: XXX Ayes: 1525 Noes: Absent: 93 (Java) Abstain: #26**

**RESOLUTION NO. 07-33  
(January 09, 2007)**

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 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 one thousand dollars (\$1,000.00) (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 one thousand dollars (\$1,000.00) (RPTL 556 (8) (a)).

**Carried: XXX Ayes: 1525 Noes: Absent: 93 (Java) Abstain:**

January 9, 2007

**RESOLUTION NO. 07-34  
(January 09, 2007)**

By Mr. Davis, Chairman of Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN LETTERS OF  
UNDERSTANDING WITH CONTRACT AGENCIES FOR  
2007**

**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>2007 Expenditures</i>
Wyoming County Soil & Water	\$148,998.00
Pioneer Library System	26,687.00
Wyoming County Fair Association	25,000.00
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	4,000.00
<b>Totals</b>	<b>\$334,229.00</b>

Contingent upon the availability of funds.

**Carried: XXX Ayes: 1525 Noes: Absent: 93 (Java) Abstain:**  
Regular Session

**RESOLUTION NO. 07-35  
(January 09, 2007)**

By Mr. Davis, Chairman of 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 nine thousand dollars (\$9,000.00); effective January 01, 2007 through December 31, 2007; contingent upon the availability of funds.

**Carried: XXX    Ayes: 1525    Noes:    Absent: 93 (Java)    Abstain:  
#29**

**RESOLUTION NO. 07-36  
(January 09, 2007)**

By Mr. Davis, Chairman of Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A MEMORANDUM  
OF AGREEMENT WITH CORNELL COOPERATIVE  
EXTENSION OF WYOMING COUNTY 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 a Memorandum of Agreement with Cornell Cooperative Extension of Wyoming County for the payment of County Appropriations in the amount of three hundred ninety-seven thousand one hundred six dollars (\$397,106.00) to be allocated as follows:

- **\$164,811.98** to fully fund the Agricultural Dept.
- **202,773.17** to fully fund the 4-H Dept.
- **29,520.85** to partially fund the FCS Dept.  
**\$397,106.00**

January 9, 2007

and

- **\$15,000.00** to partially fund the Camp Director at Camp Wyomoco

Effective January 01, 2007 through December 31, 2007; contingent upon the availability of funds.

**Carried: XXX Ayes: 1525 Noes: Absent: 93 (Java) Abstain: #30**

**RESOLUTION NO. 07-37  
(January 09, 2007)**

By Mr. Davis, Chairman of Finance Committee:

**HOME RULE REQUEST TO EXTEND SALES TAX  
INCREASE APPROVED**

**WHEREAS**, the County of Wyoming desires to maintain the additional one percent (1%) to the local sales tax charged to purchases, etc., made within the County under Resolution No. 05-278, passed September 13, 2005, and as amended, now therefore

**BE IT RESOLVED**, That the County of Wyoming hereby requests the New York State Legislature to support and pass legislation necessary to amend Section 1210 of the Tax Law to authorize Wyoming County to continue to add an additional one percent (1%) to the present three (3%) through November 30, 2009; and be it

**FURTHER RESOLVED**, That the Chairman of this Board and the Clerk to the Board are hereby authorized and directed to file the necessary Home Rule Request upon its introduction to the New York State Assembly and Senate.

**Carried: XXX Ayes: 1525 Noes: Absent: 93 (Java) Abstain:**

**RESOLUTION NO. 07-38  
(January 09, 2007)**

By Mr. Davis, Chairman of Finance Committee:

**ONE POSITION OF SECRETARY I (1.00 fte) CREATED  
IN THE DEPARTMENT OF SOCIAL SERVICES**

**BE IT RESOLVED**, That one position of Secretary I (1.00 fte) is hereby created in the Department of Social Services; and be it

**FURTHER RESOLVED**, That said position is placed on Salary Schedule "S" with an annual salary set at \$25,500.00 effective immediately.

**Carried: XXX Ayes: 1525 Noes: Absent: 93 (Java) Abstain:  
#32**

**RESOLUTION NO. 07-39  
(January 09, 2007)**

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 18 (\$19.52 – \$22.09/hr.) effective January 02, 2007; and be it

January 9, 2007

**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: XXX Ayes: 1525 Noes: Absent: 93 (Java) Abstain:**

Mr. Halstead, Superintendent of Buildings and Grounds, commented on the Local Law about to be adopted by stating that this law would provide for the County's ability to fulfill State requirements to inspect all buildings. This Law pertains to all buildings other than 1 and 2 family homes every three years for Fire and Building Code compliance.

Motion made by Supervisor Patti and seconded by Supervisor Brick to close the public hearing

**Public Hearing  
#33**

**RESOLUTION NO. 07-40  
(January 09, 2007)**

By Mr. Rogers, Chairman of the Public Safety Committee:

**Local Law Introductory No. D, for the Year 2006, entitled, "A LOCAL LAW PROVIDING FOR THE ADMINISTRATION AND ENFORCEMENT OF THE NEW YORK STATE UNIFORM FIRE PREVENTION AND BUILDING CODE," adopted (1-2007)**

Be it enacted by the Board of Supervisors for the County of Wyoming, hereby repealing Local Law No. 8 of 1984 and its amendment(s) and supplanting it with this local law as follows:

**SECTION 1. PURPOSE AND INTENT**

This local law provides for the administration and enforcement of the New York State Uniform Fire Prevention and Building Code (the Uniform Code) and the State Energy Conservation Construction Code (the Energy Code) in this County of Wyoming as set forth in Part 1203 of Title 19 of the Official Compilation of Codes, Rules and Regulations of the State of New York. This local law is adopted pursuant to section 10 of the Municipal Home Rule Law.

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Except as otherwise provided in the Uniform Code, other state law, or other section of this local law, all buildings, structures, and premises, regardless of use or occupancy, are subject to the provisions this local law.

**SECTION 2. DEFINITIONS**

In this local law:

“Building Permit” shall mean a permit issued pursuant to section 4 of this local law. The term “Building Permit” shall also include a Building Permit, which is renewed, amended or extended pursuant to any provision of this local law.

“Certificate of Occupancy”/“Certificate of Compliance” shall mean a certificate issued pursuant to subdivision (b) of section 7 of this local law.

“County” shall mean the County of Wyoming.

“Code Enforcement Officer” shall mean the Code Enforcement Officer appointed pursuant to subdivision (b) of section 3 of this local law.

“Code Enforcement Personnel” shall include the Code Enforcement Officer and all Inspectors.

“Compliance Order” shall mean an order issued by the Code Enforcement Officer pursuant to subdivision (a) of section 16 of this local law. “Energy Code” shall mean the State Energy Conservation Construction Code, as currently in effect and as hereafter amended from time to time.

“Inspector” shall mean an inspector appointed pursuant to subdivision (d) of section 3 of this local law.

“Operating Permit” shall mean a permit issued pursuant to section 10 of this local law. The term “Operating Permit” shall also include an Operating Permit, which is renewed, amended or extended pursuant to any provision of this local law.

“Permit Holder” shall mean the Person to whom a Building Permit has been issued.

“Person” shall include an individual, corporation, limited liability company, partnership, limited partnership, business trust, estate, trust, association, or any other legal or commercial entity of any kind or description.

“Stop Work Order” shall mean an order issued pursuant to section 6 of this local law.

“Structure” shall mean structures as defined in Article 18 of the Executive Law, including all commercial and residential structures erected for the purpose of producing electricity, including but not limited to, wind turbines, wind generators, solar panels, solar paneled towers and or other structures built for the same. This shall not apply to “structures” constructed and erected for purpose of the same having of height of 30’ or less measured from “grade” as defined in the New York State Uniform Fire Prevention and Building Code

“Temporary Certificate” shall mean a certificate issued pursuant to subdivision (d) of section 7 of this local law.

“Uniform Code” shall mean the New York State Uniform Fire Prevention and Building Code, as currently in effect and as hereafter amended from time to time.

### **SECTION 3. CODE ENFORCEMENT OFFICER AND INSPECTORS**

(a) The office of Code Enforcement Officer is hereby created. The Code Enforcement Officer shall administer and enforce all the provisions of the Uniform Code, the Energy Code and this local law. The Code Enforcement Officer shall have the following powers and duties:

(1) to receive, review, and approve or disapprove applications for Building Permits, Certificates of Occupancy/Certificates of Compliance, Temporary Certificates and

Operating Permits, and the plans, specifications and construction documents submitted with such applications;

(2) upon approval of such applications, to issue Building Permits, Certificates of Occupancy/Certificates of Compliance, Temporary Certificates and Operating Permits, and to include in Building Permits, Certificates of Occupancy/Certificates of Compliance, Temporary Certificates and Operating Permits such terms and conditions as the Code Enforcement Officer may determine to be appropriate;

(3) to conduct construction inspections, inspections to be made prior to the issuance of Certificates of Occupancy/Certificates of Compliance, Temporary Certificates and Operating Permits, fire safety and property maintenance inspections, inspections incidental to the investigation of complaints, and all other inspections required or permitted under any provision of this local law;

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(4) to issue Stop Work Orders;

(5) to review and investigate complaints;

(6) to issue orders pursuant to subdivision (a) of section 16 (Violations) of this local law;

(7) to maintain records;

(8) to collect fees as set by the Wyoming County Board of Supervisors of this County of Wyoming;

(9) to pursue administrative enforcement actions and proceedings;

(10) in consultation with this County's attorney, to pursue such legal actions and proceedings as may be necessary to enforce the Uniform Code, the Energy Code and this local law, or to abate or correct conditions not in compliance with the Uniform Code, the Energy Code or this local law; and

(11) to exercise all other powers and fulfill all other duties conferred upon the Code Enforcement Officer by this local law.

(b) The Code Enforcement Officer shall be appointed by the Wyoming County Board of Supervisors. The Code Enforcement Officer shall possess background experience related to building construction or fire prevention and shall, within the time prescribed by law, obtain such basic training, in-service training, advanced in-service training and other training as the State of New York shall require for code enforcement personnel, and the Code Enforcement Officer shall obtain certification from the State Fire Administrator pursuant to the Executive Law and the regulations promulgated thereunder.

(c) In the event that the Code Enforcement Officer is unable to serve as such for any reason, an individual shall be appointed by the Wyoming County Board of Supervisors to serve as Acting Code Enforcement Officer. The Acting Code Enforcement Officer shall, during the term of his or her appointment, exercise all powers and fulfill all duties conferred upon the Code Enforcement Officer by this local law.

(d) One or more Inspectors may be appointed by the Wyoming County Board of Supervisors to act under the supervision and direction of the Code Enforcement Officer and to assist the Code Enforcement Officer in the exercise of the powers and fulfillment of the duties conferred upon the Code

Enforcement Officer by this local law. Each Inspector shall, within the time prescribed by law, obtain such basic training, in-service training, advanced in-service training and other training as the State of New York shall require for code enforcement personnel, and each Inspector shall obtain certification from the State Fire Administrator pursuant to the Executive Law and the regulations promulgated thereunder.

(e) The compensation for the Code Enforcement Officer and Inspectors shall be fixed from time to time by the Wyoming County Board of Supervisors of this County of Wyoming.

(f) The Board of Supervisors may, in its discretion, decline to fill any of the positions set forth in this section. Further, the Board of Supervisors, in its discretion, may contract under such terms and conditions as it deems acceptable for any of the services required in connection with the enforcement of the Uniform Code.

(g) Restrictions on Employees. A Code Enforcement Officer, building inspector or an officer or employee of the County shall not engage in any activity inconsistent with his duties, nor shall he, during the term of his employment, be engaged directly or indirectly in any endeavor, which shall constitute a conflict of interest with his official duties.

#### **SECTION 4. BUILDING PERMITS.**

(a) Building Permits Required. Except as otherwise provided in subdivision (b) of this section, a Building Permit shall be required for any work which must conform to the Uniform Code and/or the Energy Code, including, but not limited to, the construction, enlargement, alteration, improvement, removal, relocation or demolition of any building or structure or any portion thereof, and the installation of a solid fuel burning heating appliance, chimney or flue in any dwelling unit. No Person shall commence any work for which a Building Permit is required without first having obtained a Building Permit from the Code Enforcement Officer.

(b) Exemptions. No Building Permit shall be required for work in any of the following categories:

(1) construction or installation of one story detached structures associated with one- or two-family dwellings or multiple single-family dwellings (townhouses) which are used for tool and storage sheds, playhouses or similar uses, provided the gross floor area does not exceed 144 square feet (13.88 square meters);

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(2) installation of swings and other playground equipment associated with a one- or two-family dwelling or multiple single-family dwellings (townhouses);

(3) installation of swimming pools associated with a one- or two-family dwelling or multiple single-family dwellings (townhouses) where such pools are designed for a water depth of less than 24 inches and are installed entirely above ground;

(4) installation of fences, which are not part of an enclosure surrounding a swimming pool;

(5) construction of retaining walls unless such walls support a surcharge or impound Class I, II or IIIA liquids;

(6) construction of temporary motion picture, television and theater stage sets and scenery;

(7) installation of window awnings supported by an exterior wall of a one- or two-family dwelling or multiple single-family dwellings (townhouses);

(8) installation of partitions or movable cases less than 5'-9" in height;

(9) painting, wallpapering, tiling, carpeting, or other similar finish work;

(10) installation of listed portable electrical, plumbing, heating, ventilation or cooling equipment or appliances;

(11) replacement of any equipment provided the replacement does not alter the equipment's listing or render it inconsistent with the equipment's original specifications; or

(12) repairs, provided that such repairs do not involve (i) the removal or cutting away of a load bearing wall, partition, or portion thereof, or of any structural beam or load bearing component; (ii) the removal or change of any required means of egress, or the rearrangement of parts of a structure in a manner which affects egress; (iii) the enlargement, alteration, replacement or relocation of any building system; or (iv) the removal from service of all or part of a fire protection system for any period of time.

(c) **Exemption not Deemed Authorization to Perform Non-Compliant Work.** The exemption from the requirement to obtain a building permit for

work in any category set forth in subdivision (b) of this section shall not be deemed an authorization for work to be performed in violation of the Uniform Code or the Energy Code.

(d) Applications for Building Permits. Applications for a Building Permit shall be made in writing on a form provided by or otherwise acceptable to the Code Enforcement Officer. The application shall be signed by the owner of the property where the work is to be performed or an authorized agent of the owner. The application shall include such information as the Code Enforcement Officer deems sufficient to permit a determination by the Code Enforcement Officer that the intended work complies with all applicable requirements of the Uniform Code and the Energy Code. The application shall include or be accompanied by the following information and documentation:

(1) a description of the proposed work;

(2) the tax map number and the street address of the premises where the work is to be performed;

(3) the occupancy classification of any affected building or structure;

(4) where applicable, a statement of special inspections prepared in accordance with the provisions of the Uniform Code; and

(5) at least 2 sets of construction documents (drawings and/or specifications) which (i) define the scope of the proposed work; (ii) are prepared by a New York State registered architect or licensed professional engineer where so required by the Education Law; (iii) indicate with sufficient clarity and detail the nature and extent of the work proposed; (iv) substantiate that the proposed work will comply with the Uniform Code and the Energy Code; and (v) where applicable, include a site plan that shows any existing and proposed buildings and structures on the site, the location of any existing or proposed well or septic system, the location of the intended work, and the distances between the buildings and structures and the lot lines.

(e) Construction Documents. Construction documents will not be accepted as part of an application for a Building Permit unless they satisfy the requirements set forth in paragraph (5) of subdivision (d) of this section. Construction documents, which are accepted as part of the application for a Building Permit shall be marked as accepted by the Code Enforcement Officer

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in writing or by stamp. One set of the accepted construction documents shall be retained by the Code Enforcement Officer, and one set of the accepted construction documents shall be returned to the applicant to be kept at the work site so as to be available for use by the Code Enforcement Personnel. However, the return of a set of accepted construction documents to the applicant shall not be construed as authorization to commence work, nor as an indication that a Building Permit will be issued. Work shall not be commenced until and unless a Building Permit is issued.

(f) **Issuance of Building Permits.** An application for a Building Permit shall be examined to ascertain whether the proposed work is in compliance with the applicable requirements of the Uniform Code and Energy Code. The Code Enforcement Officer shall issue a Building Permit if the proposed work is in compliance with the applicable requirements of the Uniform Code and Energy Code.

(g) **Building Permits to be Displayed.** Building permits shall be visibly displayed at the work site and shall remain visible until the authorized work has been completed.

(h) **Work to be in Accordance with Construction Documents.** All work shall be performed in accordance with the construction documents, which were submitted with and accepted as part of the application for the Building Permit. The Building Permit shall contain such a directive. The Permit Holder shall immediately notify the Code Enforcement Officer of any change occurring during the course of the work. The Building Permit shall contain such a directive. If the Code Enforcement Officer determines that such change warrants a new or amended Building Permit, such change shall not be made until and unless a new or amended Building Permit reflecting such change is issued.

(i) **Time Limits.** Building Permits shall become invalid unless the authorized work is commenced within six (6) months following the date of issuance. Building Permits shall expire twelve (12) months after the date of issuance. A Building Permit which has become invalid or which has expired pursuant to this subdivision may be renewed upon application by the Permit Holder, payment of the applicable fee, and approval of the application by the Code Enforcement Officer.

(j) **Revocation or Suspension of Building Permits.** If the Code Enforcement Officer determines that a Building Permit was issued in error because of incorrect, inaccurate or incomplete information, or that the work for which a Building Permit was issued violates the Uniform Code or the Energy Code, the Code Enforcement Officer shall revoke the Building Permit or

suspend the Building Permit until such time as the Permit Holder demonstrates that (1) all work then completed is in compliance with all applicable provisions of the Uniform Code and the Energy Code and (2) all work then proposed to be performed shall be in compliance with all applicable provisions of the Uniform Code and the Energy Code.

(k) Fee. The fee specified in or determined in accordance with the provisions set forth in section 17 (Fees) of this local law must be paid at the time of submission of an application for a Building Permit, for an amended Building Permit, or for renewal of a Building Permit.

## **SECTION 5. CONSTRUCTION INSPECTIONS.**

(a) Work to Remain Accessible and Exposed. Work shall remain accessible and exposed until inspected and accepted by the Code Enforcement Officer or by an Inspector authorized by the Code Enforcement Officer. The Permit Holder shall notify the Code Enforcement Officer when any element of work described in subdivision (b) of this section is ready for inspection.

(b) Elements of Work to be Inspected. The following elements of the construction process shall be inspected made, where applicable:

- (1) work site prior to the issuance of a Building Permit;
- (2) footing and foundation;
- (3) preparation for concrete slab;
- (4) framing;
- (5) building systems, including underground and rough-in;
- (6) fire resistant construction;
- (7) fire resistant penetrations;
- (8) solid fuel burning heating appliances, chimneys, flues or gas vents;
- (9) Energy Code compliance; and

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(10) a final inspection after all work authorized by the Building Permit has been completed.

(c) **Inspection Results.** After inspection, the work or a portion thereof shall be noted as satisfactory as completed, or the Permit Holder shall be notified as to where the work fails to comply with the Uniform Code or Energy Code. Work not in compliance with any applicable provision of the Uniform Code or Energy Code shall remain exposed until such work shall have been brought into compliance with all applicable provisions of the Uniform Code and the Energy Code, reinspected, and found satisfactory as completed.

(d) **Fee.** The fee specified in or determined in accordance with the provisions set forth in section 17 (Fees) of this local law must be paid prior to or at the time of each inspection performed pursuant to this section.

**SECTION 6. STOP WORK ORDERS.**

(a) **Authority to Issue.** The Code Enforcement Officer is authorized to issue Stop Work Orders pursuant to this section. The Code Enforcement Officer shall issue a Stop Work Order to halt:

(1) any work that is determined by the Code Enforcement Officer to be contrary to any applicable provision of the Uniform Code or Energy Code, without regard to whether such work is or is not work for which a Building Permit is required, and without regard to whether a Building Permit has or has not been issued for such work, or

(2) any work that is being conducted in a dangerous or unsafe manner in the opinion of the Code Enforcement Officer, without regard to whether such work is or is not work for which a Building Permit is required, and without regard to whether a Building Permit has or has not been issued for such work, or

(3) any work for which a Building Permit is required which is being performed without the required Building Permit, or under a Building Permit that has become invalid, has expired, or has been suspended or revoked.

(b) **Content of Stop Work Orders.** Stop Work Orders shall (1) be in writing, (2) be dated and signed by the Code Enforcement Officer, (3) state the reason or reasons for issuance, and (4) if applicable, state the conditions which must be satisfied before work will be permitted to resume.

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(c) Service of Stop Work Orders. The Code Enforcement Officer shall cause the Stop Work Order, or a copy thereof, to be served on the owner of the affected property (and, if the owner is not the Permit Holder, on the Permit Holder) personally or by certified mail. The Code Enforcement Officer shall be permitted, but not required, to cause the Stop Work Order, or a copy thereof, to be served on any builder, architect, tenant, contractor, subcontractor, construction superintendent, or their agents, or any other Person taking part or assisting in work affected by the Stop Work Order, personally or by certified mail provided, however, that failure to serve any Person mentioned in this sentence shall not affect the efficacy of the Stop Work Order.

(d) Effect of Stop Work Order. Upon the issuance of a Stop Work Order, the owner of the affected property, the Permit Holder and any other Person performing, taking part in or assisting in the work shall immediately cease all work, which is the subject of the Stop Work Order.

(e) Remedy not Exclusive. The issuance of a Stop Work Order shall not be the exclusive remedy available to address any event described in subdivision (a) of this section, and the authority to issue a Stop Work Order shall be in addition to, and not in substitution for or limitation of, the right and authority to pursue any other remedy or impose any other penalty under section 16 (Violations) of this local law or under any other applicable local law or State law. Any such other remedy or penalty may be pursued at any time, whether prior to, at the time of, or after the issuance of a Stop Work Order.

## **SECTION 7. CERTIFICATES OF OCCUPANCY/CERTIFICATES OF COMPLIANCE**

(a) Certificates of Occupancy/Certificates of Compliance Required. A Certificate of Occupancy/Certificate of Compliance shall be required for any work which is the subject of a Building Permit and for all structures, buildings, or portions thereof, which are converted from one use or occupancy classification or subclassification to another. Permission to use or occupy a building or structure, or portion thereof, for which a Building Permit was previously issued shall be granted only by issuance of a Certificate of Occupancy/Certificate of Compliance.

(b) Issuance of Certificates of Occupancy/Certificates of Compliance. The Code Enforcement Officer shall issue a Certificate of Occupancy/Certificate of Compliance if the work which was the subject of the Building Permit was completed in accordance with all applicable provisions of the Uniform Code and Energy Code and, if applicable, that the structure, building or portion thereof that was converted from one use or occupancy classification or subclassification

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to another complies with all applicable provisions of the Uniform Code and Energy Code. The Code Enforcement Officer or an Inspector authorized by the Code

Enforcement Officer shall inspect the building, structure or work prior to the issuance of a Certificate of Occupancy/Certificate of Compliance. In addition, where applicable, the following documents, prepared in accordance with the provisions of the Uniform Code by such person or persons as may be designated by or otherwise acceptable to the Code Enforcement Officer, at the expense of the applicant for the Certificate of Occupancy/Certificate of Compliance, shall be provided to the Code Enforcement Officer prior to the issuance of the Certificate of Occupancy/Certificate of Compliance:

(1) a written statement of structural observations and/or a final report of special inspections, and

(2) flood hazard certifications.

(c) Contents of Certificates of Occupancy/Certificates of Compliance. A Certificate of Occupancy/Certificate of Compliance shall contain the following information:

(1) the Building Permit number, if any;

(2) the date of issuance of the Building Permit, if any;

(3) the name, address and tax map number of the property;

(4) if the Certificate of Occupancy/Certificate of Compliance is not applicable to an entire structure, a description of that portion of the structure for which the Certificate of Occupancy/Certificate of Compliance is issued;

(5) the use and occupancy classification of the structure;

(6) the type of construction of the structure;

(7) the assembly occupant load of the structure, if any;

(8) if an automatic sprinkler system is provided, a notation as to whether the sprinkler system is required;

(9) any special conditions imposed in connection with the issuance of the Building Permit; and

(10) the signature of the Code Enforcement Officer issuing the Certificate of Occupancy/Certificate of Compliance and the date of issuance.

(d) Temporary Certificate. The Code Enforcement Officer shall be permitted to issue a Temporary Certificate allowing the temporary occupancy of a building or structure, or a portion thereof, prior to completion of the work, which is the subject of a Building Permit. However, in no event shall the Code Enforcement Officer issue a Temporary Certificate unless the Code Enforcement Officer determines (1) that the building or structure, or the portion thereof covered by the Temporary Certificate, may be occupied safely, (2) that any fire- and smoke-detecting or fire protection equipment which has been installed is operational, and (3) that all required means of egress from the building or structure have been provided. The Code Enforcement Officer may include in a Temporary Certificate such terms and conditions as he or she deems necessary or appropriate to ensure safety or to further the purposes and intent of the Uniform Code. A Temporary Certificate shall be effective for a period of time, not to exceed 6 months, which shall be determined by the Code Enforcement Officer and specified in the Temporary Certificate. During the specified period of effectiveness of the Temporary Certificate, the Permit Holder shall undertake to bring the building or structure into full compliance with all applicable provisions of the Uniform Code and the Energy Code.

(e) Revocation or Suspension of Certificates. If the Code Enforcement Officer determines that a Certificate of Occupancy/Certificate of Compliance or a Temporary Certificate was issued in error because of incorrect, inaccurate or incomplete information, and if the relevant deficiencies are not corrected to the satisfaction of the Code Enforcement Officer within such period of time as shall be specified by the Code Enforcement Officer, the Code Enforcement Officer shall revoke or suspend such certificate.

(f) Fee. The fee specified in or determined in accordance with the provisions set forth in section 17 (Fees) of this local law must be paid at the time of submission of an application for a Certificate of Occupancy/Certificate of Compliance or for Temporary Certificate.

## **SECTION 8. NOTIFICATION REGARDING FIRE OR EXPLOSION.**

The chief of any fire department providing fire fighting services for a property within this County shall promptly notify the Code Enforcement Officer

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of any fire or explosion involving any structural damage, fuel burning appliance, chimney or gas vent.

**SECTION 9. UNSAFE BUILDING AND STRUCTURES**

Unsafe structures and equipment in this County shall be identified and addressed in accordance with resolution adopted by the Board of Supervisors as now in effect or as hereafter amended from time to time.

**SECTION 10. OPERATING PERMITS.**

(a) Operation Permits Required. Operating Permits shall be required for conducting the activities or using the categories of buildings listed below:

(1) manufacturing, storing or handling hazardous materials in quantities exceeding those listed in Tables 2703.1.1(1), 2703.1.1(2), 2703.1.1(3) or 2703.1.1(4) in the publication entitled "Fire Code of New York State" and incorporated by reference in 19 NYCRR section 1225.1;

(2) hazardous processes and activities, including but not limited to, commercial and industrial operations which produce combustible dust as a byproduct, fruit and crop ripening, and waste handling;

(3) use of pyrotechnic devices in assembly occupancies;

(4) buildings containing one or more areas of public assembly with an occupant load of 100 persons or more; and

(5) buildings whose use or occupancy classification may pose a substantial potential hazard to public safety, as determined by resolution adopted by the Board of Supervisors of this County.

Any person who proposes to undertake any activity or to operate any type of building listed in this subdivision (a) shall be required to obtain an Operating Permit prior to commencing such activity or operation.

(b) Applications for Operating Permits. An application for an Operating Permit shall be in writing on a form provided by or otherwise acceptable to the Code Enforcement Officer. Such application shall include such information as the Code Enforcement Officer deems sufficient to permit a determination by the Code Enforcement Officer that quantities, materials, and activities conform to the requirements of the Uniform Code. If the Code Enforcement Officer

determines that tests or reports are necessary to verify conformance, such tests or reports shall be performed or provided by such person or persons as may be designated by or otherwise acceptable to the Code Enforcement Officer, at the expense of the applicant.

(c) Inspections. The Code Enforcement Officer or an Inspector authorized by the Code Enforcement Officer shall inspect the subject premises prior to the issuance of an Operating Permit.

(d) Multiple Activities. In any circumstance in which more than one activity listed in subdivision (a) of this section is to be conducted at a location, the Code Enforcement Officer may require a separate Operating Permit for each such activity, or the Code Enforcement Officer may, in his or her discretion, issue a single Operating Permit to apply to all such activities.

(e) Duration of Operating Permits. Operating Permits shall remain in effect until reissued, renewed, revoked, or suspended.

(f) Revocation or Suspension of Operating Permits. If the Code Enforcement Officer determines that any activity or building for which an Operating Permit was issued does not comply with any applicable provision of the Uniform Code, such Operating Permit shall be revoked or suspended.

(g) Fee. The fee specified in or determined in accordance with the provisions set forth in section 17 (Fees) of this local law must be paid at the time submission of an application for an Operating Permit, for an amended Operating Permit, or for reissue or renewal of an Operating Permit.

## **SECTION 11. FIRE SAFETY AND PROPERTY MAINTENANCE INSPECTIONS**

(a) Inspections Required. Fire safety and property maintenance inspections of buildings and structures shall be performed by the Code Enforcement Officer or an Inspector designated by the Code Enforcement Officer at the following intervals:

(1) Fire safety and property maintenance inspections of buildings or structures, which contain an area of public assembly, shall be performed at least once every twelve (12) months.

(2) Fire safety and property maintenance inspections of buildings or structures being occupied as dormitories shall be performed at least once every twelve (12) months.

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(3) Fire safety and property maintenance inspections of all multiple dwellings not included in paragraphs (1) or (2) of this subdivision, and all non-residential buildings, structures, uses and occupancies not included in paragraphs (1) or (2) of this subdivision, shall be performed at least once every 36 months.

(b) Inspections Permitted. In addition to the inspections required by subdivision (a) of this section, a fire safety and property maintenance inspection of any building, structure, use, or occupancy, or of any dwelling unit, may also be performed by the Code Enforcement Officer or an Inspector designated by the Code Enforcement Officer at any time upon:

(1) the request of the owner of the property to be inspected or an authorized agent of such owner;

(2) receipt by the Code Enforcement Officer of a written statement alleging that conditions or activities failing to comply with the Uniform Code or Energy Code exist; or

(3) receipt by the Code Enforcement Officer of any other information, reasonably believed by the Code Enforcement Officer to be reliable, giving rise to reasonable cause to believe that conditions or activities failing to comply with the Uniform Code or Energy Code exist;

provided, however, that nothing in this subdivision shall be construed as permitting an inspection under any circumstances under which a court order or warrant permitting such inspection is required, unless such court order or warrant shall have been obtained.

(c) OFPC Inspections. Nothing in this section or in any other provision of this local law shall supersede, limit or impair the powers, duties and responsibilities of the New York State Office of Fire Prevention and Control (“OFPC”) and the New York State Fire Administrator under Executive Law section 156-e and Education Law section 807-b.

(d) Fee. The fee specified in or determined in accordance with the provisions set forth in section 17 (Fees) of this local law must be paid prior to or at the time each inspection performed pursuant to this section. This subdivision shall not apply to inspections performed by OFPC.

**SECTION 12. COMPLAINTS**

The Code Enforcement Officer shall review and investigate complaints which allege or assert the existence of conditions or activities that fail to comply

with the Uniform Code, the Energy Code, this local law, or any other local law or regulation adopted for administration and enforcement of the Uniform Code or the Energy Code. The process for responding to a complaint shall include such of the following steps as the Code Enforcement Officer may deem to be appropriate:

(a) performing an inspection of the conditions and/or activities alleged to be in violation, and documenting the results of such inspection;

(b) if a violation is found to exist, providing the owner of the affected property and any other Person who may be responsible for the violation with notice of the violation and opportunity to abate, correct or cure the violation, or otherwise proceeding in the manner described in section 16 (Violations) of this local law;

(c) if appropriate, issuing a Stop Work Order;

(d) if a violation which was found to exist is abated or corrected, performing an inspection to ensure that the violation has been abated or corrected, preparing a final written report reflecting such abatement or correction, and filing such report with the complaint.

**SECTION 13. RECORD KEEPING.**

(a) The Code Enforcement Officer shall keep permanent official records of all transactions and activities conducted by all Code Enforcement Personnel, including records of:

(1) all applications received, reviewed and approved or denied;

(2) all plans, specifications and construction documents approved;

(3) all Building Permits, Certificates of Occupancy/Certificates of Compliance, Temporary Certificates, Stop Work Orders, and Operating Permits issued;

(4) all inspections and tests performed;

(5) all statements and reports issued;

(6) all complaints received;

(7) all investigations conducted;

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(8) all other features and activities specified in or contemplated by sections 4 through 12, inclusive, of this local law, including; and

(9) all fees charged and collected.

(b) All such records shall be public records open for public inspection during normal business hours. All plans and records pertaining to buildings or structures, or appurtenances thereto, shall be retained for at least the minimum time period so required by State law and regulation.

**SECTION 14. PROGRAM REVIEW AND REPORTING**

(a) The Code Enforcement Officer shall annually submit to the Board of Supervisors of this County a written report and summary of all business conducted by the Code Enforcement Officer and the Inspectors, including a report and summary of all transactions and activities described in section 13 (Record Keeping) of this local law and a report and summary of all appeals or litigation pending or concluded.

(b) The Code Enforcement Officer shall annually submit to the Secretary of State, on behalf of this County, on a form prescribed by the Secretary of State, a report of the activities of this County relative to administration and enforcement of the Uniform Code.

(c) The Code Enforcement Officer shall, upon request of the New York State Department of State, provide to the New York State Department of State, from the records and related materials this County is required to maintain, excerpts, summaries, tabulations, statistics and other information and accounts of the activities of this County in connection with administration and enforcement of the Uniform Code.

**SECTION 15: WIND GENERATION, TURBINES**

No building permit shall be required or issued by the County of Wyoming for any commercial or residential wind energy-generating device, including wind turbines or other wind generators. However, the erection of any structure in connection with wind energy generation shall be subject to the provisions of this local law if the host municipal corporation/town fails to require a professional engineering certification that such wind generating structure is constructed in conformance with the Uniform Code and the Energy

Code as well as constructed consistent with industry standards and custom usage for construction and erection of such wind generating structures. The Code Enforcement Officer is hereby authorized and empowered to review the professional engineering certification required by this section and determine whether such certification is in compliance with this local law so as to determine whether this local shall apply to such construction.

**SECTION 16: VIOLATIONS**

(a) Compliance Orders. The Code Enforcement Officer is authorized to order in writing the remedying of any condition or activity found to exist in, on or about any building, structure, or premises in violation of the Uniform Code, the Energy Code, or this local law. Upon finding that any such condition or activity exists, the Code Enforcement Officer shall issue a Compliance Order. The Compliance Order shall (1) be in writing; (2) be dated and signed by the Code Enforcement Officer; (3) specify the condition or activity that violates the Uniform Code, the Energy Code, or this local law; (4) specify the provision or provisions of the Uniform Code, the Energy Code, or this local law which is/are violated by the specified condition or activity; (5) specify the period of time which the Code Enforcement Officer deems to be reasonably necessary for achieving compliance; (6) direct that compliance be achieved within the specified period of time; and (7) state that an action or proceeding to compel compliance may be instituted if compliance is not achieved within the specified period of time. The Code Enforcement Officer shall cause the Compliance Order, or a copy thereof, to be served on the owner of the affected property personally or by certified mail. The Code Enforcement Officer shall be permitted, but not required, to cause the Compliance Order, or a copy thereof, to be served on any builder, architect, tenant, contractor, subcontractor, construction superintendent, or their agents, or any other Person taking part or assisting in work being performed at the affected property personally or by certified mail; provided, however, that failure to serve any Person mentioned in this sentence shall not affect the efficacy of the Compliance Order.

(b) Appearance Tickets. The Code Enforcement Officer and each Inspector are authorized to issue appearance tickets for any violation of the Uniform Code. However, the Code Enforcement Office and any Inspector is not required to issue appearance tickets and may elect to enforce this local law through other means as provided herein.

(c) Civil Penalties. In addition to those penalties proscribed by State law, any Person who violates any provision of the Uniform Code, the Energy Code or this local law, or any term or condition of any Building Permit, Certificate of Occupancy/Certificate of Compliance, Temporary Certificate,

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Stop Work Order, Operating Permit or other notice or order issued by the Code Enforcement Officer pursuant to any provision of this local law, shall be liable to a civil penalty of not more than \$200 for each day or part thereof during which such violation continues. The civil penalties provided by this subdivision shall be recoverable in an action instituted in the name of this County.

(d) Injunctive Relief. An action or proceeding may be instituted in the name of this County, in a court of competent jurisdiction, to prevent, restrain, enjoin, correct, or abate any violation of, or to enforce, any provision of the Uniform Code, the Energy Code, this local law, or any term or condition of any Building Permit, Certificate of Occupancy/Certificate of Compliance, Temporary Certificate, Stop Work Order, Operating Permit, Compliance Order, or other notice or order issued by the Code Enforcement Officer pursuant to any provision of this local law. In particular, but not by way of limitation, where the construction or use of a building or structure is in violation of any provision of the Uniform Code, the Energy Code, this local law, or any Stop Work Order, Compliance Order or other order obtained under the Uniform Code, the Energy Code or this local law, an action or proceeding may be commenced in the name of this County, in the Supreme Court or in any other court having the requisite jurisdiction, to obtain an order directing the removal of the building or structure or an abatement of the condition in violation of such provisions. No action or proceeding described in this subdivision shall be commenced without the appropriate authorization from the Department Head of Fire & Building Codes of this County.

(e) Remedies Not Exclusive. No remedy or penalty specified in this section shall be the exclusive remedy or remedy available to address any violation described in this section, and each remedy or penalty specified in this section shall be in addition to, and not in substitution for or limitation of, the other remedies or penalties specified in this section, in section 6 (Stop Work Orders) of this local law, in any other section of this local law, or in any other applicable law. Any remedy or penalty specified in this section may be pursued at any time, whether prior to, simultaneously with, or after the pursuit of any other remedy or penalty specified in this section, in section 6 (Stop Work Orders) of this local law, in any other section of this local law, or in any other applicable law. In particular, but not by way of limitation, each remedy and penalty specified in this section shall be in addition to, and not in substitution for or limitation of, the penalties specified in subdivision (2) of section 381 of the Executive Law, and any remedy or penalty specified in this section may be pursued at any time, whether prior to, simultaneously with, or after the pursuit of any penalty specified in subdivision (2) of section 381 of the Executive Law.

**SECTION 17: FEES**

A fee schedule has been established by resolution of the Board of Supervisors of this County (attached). Such fee schedule may thereafter be amended from time to time by like resolution. The fees set forth in, or determined in accordance with, such fee schedule or amended fee schedule shall be charged and collected for the submission of applications, the issuance of Building Permits, amended Building Permits, renewed Building Permits, Certificates of Occupancy/Certificates of Compliance, Temporary Certificates, Operating Permits, fire safety and property maintenance inspections, and other actions of the Code Enforcement Officer described in or contemplated by this local law.

**SECTION 18. INTERMUNICIPAL AGREEMENTS**

The Board of Supervisors of this County may, by resolution, authorize the Chairman of the Board of this County to enter into an agreement, in the name of this County, with other governments to carry out the terms of this local law, provided that such agreement does not violate any provision of the Uniform Code, the Energy Code, Part 1203 of Title 19 of the NYCRR, or any other applicable law.

**SECTION 19. ABATEMENT OF VIOLATION.**

Appropriate action and proceedings may be taken at law or in equity to prevent unlawful construction or to restrain, correct or abate a violation or to prevent illegal occupancy of a building, structure or premises or to prevent illegal acts, conduct a business in or about any premises and these remedies shall be in addition to penalties otherwise prescribed by law.

**SECTION 20. INSURANCE.**

The Board of Supervisors may, in its discretion, contract at the expense of the County for insurance indemnifying the County and its agents and employees against any loss arising from injuries to persons or property in connection with the administration and enforcement of the Uniform Fire Prevention and Building Code.

**SECTION 21. REQUESTS FOR VARIANCE.**

Requests for variance from any provision or requirement of the Uniform Code shall be made to the State Board of Review as provided in Article 18 of the Executive Law Section 381(1)(f) and 19 NYCRR 440.

**SECTION 22. PARTIAL INVALIDITY**

If any section of this local law shall be held unconstitutional, invalid, or ineffective, in whole or in part, such determination shall not be deemed to affect, impair, or invalidate the remainder of this local law.

**SECTION 23. EFFECTIVE DATE**

This local law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with section 27 of the Municipal Home Rule Law.

**Carried: XXX Ayes: 1525 Noes: Absent: 93 (Java) Abstain:**

*There being no further business to come before this board Supervisor Bush adjourned the meeting at 3:30 PM with a rap on his desk.*

\*\*\*\*\*

*Respectfully submitted,*

**Cheryl J. Ketchum**  
Clerk to the Board of Supervisors

**REGULAR SESSION  
(February 13, 2007)**

**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 Gozelski, T/Castile and Supervisor Rogers T/Pike. 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 3:04 PM Chairman Berwanger, T/Arcade, called the meeting to order.

The Veteran leading the Pledge of Allegiance this month is:

**WARREN CHARLES MCCOLLUM**

Mr. McCollum's service to his country comes while serving during the Vietnam War. He was attending school in Pennsylvania when he answered the call to arms by the United States Army on the 16<sup>th</sup> of November 1967. Mr. McCollum completed Basic Training at Fort Gordon, Georgia; then was assigned duty at Fort Sill, Oklahoma where he completed his Advanced Training as a 13A10 Gunner. After completing Advanced Training, Mr. McCollum was assigned duties with an Artillery Unit in the Republic of Vietnam as a Gunner on a 155 mm Howitzer self-propelled Artillery Piece, surviving numerous "fire Fights" including the "TET Offensive" in 1968 and after completing his tour in Vietnam, Mr. McCollum returned to the United States and was honorably discharged in Oakland, California on the 15<sup>th</sup> of January 1970, after attaining the rank of Specialist 5<sup>th</sup> Class.

For service to his Country, he was awarded:

**THE NATIONAL DEFENSE SERVICE MEDAL  
THE VIETNAM SERVICE MEDAL  
THE VIETNAM CAMPAIGN MEDAL**

After the service, Mr. McCollum relocated to the Livingston County area and worked for a large Dairy Farm in Livonia for several years. At about the same time, he also started working as a mechanic on area golf courses. This became Mr. McCollum's true vocation, as he stayed employed as a golf course mechanic for the next 32 years, the last 14 years of which has been at the Livingston County Country Club, where he is still employed. Mr. McCollum enjoys

hunting and fishing. He has been married for 40 years to his wife Dawn and they live in Wyoming, N.Y.

*The pledge was said by all.*

A certificate of appreciation was presented to Mr. McCollum in honor of his service to his country and also to commemorate his appearance here today.

Mr. McCollum was given the opportunity to address the Board. He thanked them for inviting him to today's 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 February 2007 is Kathy Smith. Kathy has been with the department since October 1993 and is a part of the clerical staff. Her duties include those of handling the transportation schedule for our Medicaid Department and clients. Kathy is being recognized for her hard work in achieving a timely and efficient process not only in the scheduling of transportation but also with the processing of payments.

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

Please join me in recognizing Kathy Smith.

Chairman Berwanger invited the two (2) Wyoming County Community Hospital Employees of the Year along with Hospital CEO, Ron Krawiec to join him at the podium.

Each month through 2006 the Wyoming County Community Health Care System had an employee of the month. Each year one of the 12 is chosen by the Employee Enhancement Committee as "Employee of the Year.

This year for the first time, the results ended in a tie.

Valerie Kenny of Warsaw has worked at WCCH for 14 years as a nurse in the Emergency Room and in ICU. She resides with her husband Francis and has

two girls Erin and Brittany. Valerie enjoys the guitar and reading books. Her co-workers say Val goes above and beyond her duties and is kind and caring to her patients as well as her co-workers. Valerie says she enjoys working in the Emergency Room and her co-workers are her friends and she feels that they are very supportive and that they all work well together.

A Certificate of Appreciation was presented to Ms. Kenny.

Carol Felski resides in Strykersville and has worked at WCCH for 17 years with most of that time spent on the 4th floor. Carol's co-workers say she is a hard worker and is always willing to help out. They say she is always pleasant even when she is pulled to other floors to help out.

Carol says she enjoys her job and loves working with the moms –to-be, the new moms and the newborn babies. She said one of her reasons for working at WCCH are her many co-workers, her WCCH family.

A Certificate of Appreciation was presented to Ms. Felski.

Mr. Krawiec shared his appreciation with the Board for Ms. Kenny and Ms. Felski.

**Communications:**

None

**Open Public Hearings:**

**#1 – Local Law Introductory No. A (2) Year 2007, “Local Law Providing Salaries for Certain County Officers for the Year 2006”**

**#2 – Finding to Modify Agricultural District #5**

**#1**

**RESOLUTION NO. 07-41  
(February 13, 2007)**

By Mr. Davis, Chairman of Finance Committee:

**FUNDS TRANSFERRED TO VARIOUS 2007 ACCOUNTS**

**BE IT RESOLVED**, That funds are hereby transferred to the various 2007 accounts as follows:

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<b>Buildings &amp; Grounds / CIP</b>			
<b>From:</b> 12.61.9950.9.99004 Interfund transfers	\$790,000.00	\$53,000.00	
<b>To:</b> 12.61.1620.2.21017 Board of Elections		86,000.00	
12.61.1620.2.21018 Public Defender			
12.61.1620.2.21019 Records Retention		551,000.00	
12.61.1620.2.21020 Buildings & Grounds			
<b>Reason:</b> Set up budgets for approved capital projects.		100,000.00	
<b>Buildings &amp; Grounds / CIP Total</b>			<b>\$790,000.00</b>
<b>Social Services</b>			
<b>From:</b> 01.34.1681.2.20201 Computers	\$1,500.00		
<b>To:</b> 01.39.6010.2.20201 Computers		1,500.00	
<b>Reason:</b> To purchase new server for DSS (total cost of project is \$6,000 of which 75% - \$4,500 will be covered by DSS state and federal aid).			
<b>Social Services Total</b>			<b>\$1,500.00</b>

**Carried: XXX Ayes: 1445 Noes: Absent: 127 (Castile) Abstain:**  
**46 (Pike)**  
**173**

#2

**RESOLUTION NO. 07-42  
 (February 13, 2007)**

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:

<b>Treasurer</b>			
<b>To:</b> 01.42.6420.4.40901 Tourism Bed Tax	\$6,436.83		
w/01.02.1325.1113 Hotel Occupancy Tax increased by same		\$6,436.83	
<b>Reason:</b> To expend additional revenues minus 5% admin fee.			
<b>To:</b> 01.33.1364.4.40301 Professional Service	\$7,953.12		
w/01.01.1325.1051 Gain from Sale of Acquired Property increased by same.		\$7,953.12	
<b>Reason:</b> Gain from 2004 foreclosure expenses. <i>*(Duplicate - per Budget Office) Appropriation done 1/9/07                  Do not reappropriate.</i>			
<b>Treasurer Total</b>			<b>\$14,389.95</b>
<b>Training Center / CIP</b>			
<b>To:</b> 25.72.3640.4.40301 Professional Services	\$75,000.00		
w/ 25.13.3640.5031 Interfund Revenues increased by same		\$75,000.00	
<b>Reason:</b> To appropriate funds for the continuing training facility remediation project.			
<b>Training Center / CIP Total</b>			<b>\$75,000.00</b>
<b>Mental Health</b>			
<b>To:</b> 01.38.4250.1.10001 Salaries Fixed	\$1,060.00		
01.38.4250.8.81001 Retirement	483.00		
W/01.12.4250.4490 Federal Aid increased by		\$1,543.00	
<b>Reason:</b> Increased allocation of 2006 Federal Salary Sharing funding.			
<b>Mental Health Total</b>			<b>\$1,543.00</b>

<b>Public Defender</b>			
<b>To:</b> 01.32.1171.4.40902 Legal Services (paid to Attica Legal Aid)	\$6,042.38		
w/01.11.1171.3089 Other State Aid – IPP Program increased by same.		\$6,042.38	
<b>Reason:</b> To appropriate balance of the Indigent Parolee Program funding for 2006 fiscal year / State program year 06/2006 to 09/2007. Revenues in the same amount are also appropriated. Program will terminate when funds run out.			
<b>Public Defender Total</b>			<b>\$6,042.38</b>

**Carried: XXX Ayes: 1445 Noes: Absent: 127 (Castile) Abstain:**  
**46 (Pike)**  
**173**

**#3**

**RESOLUTION NO. 07-43  
 (February 13, 2007)**

By Mr. Davis, Chairman of Finance Committee:

**FUNDS APPROPRIATED TO VARIOUS 2007 ACCOUNTS**

**BE IT RESOLVED**, That funds are hereby appropriated to the various  
 2007 accounts as follows:

<b>Highway</b>			
<b>From:</b> 17.66.5112.2.24001 Middle Reservation Road	\$3,000,000.00		
17.66.5112.2.24002 E. Main St. Road	775,000.00		
17.66.5112.2.24003 Wyoming Road	570,000.00		
<b>To:</b> 17.12.5112.4089 Federal Aid		\$1,000,000.0	
17.14.5112.5730 BAN Proceeds		0	
<b>Reason:</b> To appropriate funds for the first phase of the Road Improvement Project as outlined by Resolution No. 06-371		3,345,000.00	
<b>Highway Total</b>			<b>\$4,345,000.00</b>
<b>District Attorney</b>			
<b>To:</b> 01.32.1168.2.20201 Computer Equipment	\$4,200.00		
01.32.1168.4.40301 Professional Services	1,684.01		
01.32.1168.4.40402 Conferences/Conventions	2,500.00		
w/01.11.1168.3089 State Aid increased by		\$8,384.01	
<b>Reason:</b> Reallocate unexpended grant funds from the 04/01/05 to 03/31/07 year to be spent by 03/31/07.			
<b>To:</b> 01.32.1166.4.40301 Prof. Services Contract	\$7,354.48		
01.32.1166.4.40401 Training / Education	182.34		
01.32.1166.4.41010 Misc. Supplies	140.25		
w/01.12.1166.4389 Federal Grant Rev. incr. by		\$7,677.07	
<b>Reason:</b> Appropriate remaining unspent funds for the Byrne Grant Program (Federal) from year end			

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<b>To:</b> 01.32.1167.1.10101 S/D/I Salary 01.32.1167.8.81001 Retirement 01.32.1167.4.41010 Misc. Office Supplies 01.32.1167.4.40402 Conferences / Conventions 01.32.1167.8.83001 FICA 01.32.1167.8.85001 Medicare / FICA 01.32.1167.8.89001 Medical/Hosp. Ins. w/01.12.1167.4389 Federal Aid – VAW Grant <b>Reason:</b> Appropriate remainder from 2006 Grant Yr. to 2007	\$2,770.52 333.00 63.13 568.26 172.00 41.00 199.28	\$4,147.19	
<b>To:</b> 01.32.1165.1.10604 Bonus Award – Salary 01.32.1165.8.81001 NYS Retirement 01.32.1165.8.83001 FICA 01.32.1165.8.85001 FICA/Medicare w/ <b>01.11.1165.308904 Other State Aid DA</b> <b>Reason:</b> Appropriate funds for new grant program for 2007 for DA's recruitment and retention.	\$3,343.08 401.17 207.28 48.47	\$4,000.00	
<b>District Attorney Total</b>			<b>\$24,208.27</b>
<b>Sheriff</b>			
<b>To:</b> 01.37.3110.2.23001 Cars w/ 01.13.3110.5031 Interfund Transfer increased by same <b>Reason:</b> Allow for CIP funds to be transferred and new patrol cars to be purchased.	\$125,000.00	\$125,000.00	
<b>To:</b> 01.37.3110.4.40301 Prof Serv Contract 01.37.3110.2.20401 Misc Equipment w/ 01.12.3110.438903 Homeland Security-Law Enforcement increased by same (roll over bal of grant to 2007 year)	\$1,619.74 10,000.00	\$11,619.74	
<b>To:</b> 15.64.3020.2.20101 Radio Comm. Project w/ 15.13.3020.5031 Interfund Revenues increased by same. <b>Reason:</b> SAlA Communications change order for additional equipment upgrade and installation for ham radio operators and other needs.	\$41,837.50	\$41,837.50	
<b>Sheriff Total</b>			<b>\$178,457.24</b>
<b>Probation</b>			
<b>To:</b> 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 Aid incr. by 01.04.3141.1515 Alt. To Incarceration Fees <b>Reason:</b> To appropriate for the purchase of computers and upgrade software to web-based version. NOTE: \$11,734.26 will be taken from dedicated reserved funds (account #01.0889.03) for enhancement of Alternatives to Incarceration program. State approved this use of reserved funds.	\$1,000.00 7,514.26 4,220.00	1,000.00 11,734.26	
<b>Probation Total</b>			<b>\$12,734.26</b>
<b>Emergency Services</b>			
<b>To:</b> 01.37.3640.2.23001 Vehicles w/01.12.3640.438914 Byrne Grant <i>any funds available</i> <b>Reason:</b> To facilitate the purchase of two Emergency Vehicles using Byrne Grant Funds.	\$66,667.00	50,000.00 16,667.00	
<b>Emergency Services Total</b>			<b>\$66,667.00</b>

Carried: XXX Ayes: 1445 Noes: Absent: 127 (Castile) Abstain:  
46 (Pike)  
173

February 13, 2007

Mr. Bush, T/Gainesville, Chairman of the Audit Committee, presented bills totaling **\$1,502,301.99** for the month of **January 2007**.

**Carried: XXX Ayes: 1445 Noes: Absent: 127 (Castile) Abstain:**  
**46 (Pike)**  
**173**

*There was a motion by Mr. Patti, T/Attica, to combine resolutions #4 and #5. A voice vote was taken and all voted aye.*

**#4**

**RESOLUTION NO. 07-44**  
**(February 13, 2007)**

By Mr. Patti, Chairman of Public Works Committee:

**PAVEMENT MARKINGS BID EXTENDED**

**WHEREAS**, Resolution number 06-172 provides for the approval of various highway material bids; and

**WHEREAS**, M & S Striping, 73 Industrial Park Blvd., Elmira, NY 14901 was awarded the Pavement Markings contract; effective May 01, 2006 through April 01, 2007; now therefore

**BE IT RESOLVED**, That the above mentioned pavement markings bid is hereby extended per an optional renewal clause for one year; effective May 01, 2007 through April 01, 2008.

Contingent upon the availability of funds.

**Carried: XXX Ayes: 1445 Noes: Absent: 127 (Castile) Abstain:**  
**46 (Pike)**  
**173**

**#5**

**RESOLUTION NO. 07-45**  
**(February 13, 2007)**

By Mr. Patti, Chairman of Public Works Committee:

Regular Session

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT  
WITH EARTH DIMENSIONS, INC. 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 Earth Dimensions Inc., 1091 Jamison Rd., Elma, NY 14059 for soils testing at the future Records Center in an amount not to exceed four thousand fifty-two dollars (\$4,052.00) (required for engineering). Contingent upon the availability of funds.

**Carried: XXX Ayes: 1445 Noes: Absent: 127 (Castile) Abstain:**  
**46 (Pike)**  
**173**

*There was a motion by Mrs. Totslin, T/Genesee Falls, to combine resolutions #6 through #8. A voice vote was taken and all voted aye.*

#6

**RESOLUTION NO. 07-46  
(February 13, 2007)**

By Mrs. Totslin, Chairman of Human Services Committee:

**MEMBERS APPOINTED / REAPPOINTED TO  
THE WYOMING COUNTY YOUTH BOARD**

**BE IT RESOLVED**, That the following members are hereby appointed / reappointed to the Wyoming County Youth Board:

**Community Member:**

*For a term of 3 years; effective January 01, 2007 through December 31, 2009.*

- **Rena VanOcker**, P.O. Box 5, Bliss, NY 14024

**Agency Member:**

*For a term of 2 years; effective January 01, 2007 through December 31, 2008.*

- **Gordon Lew**, (Wyoming County Department of Social Services) P.O. Box 231 Warsaw, NY 14569

February 13, 2007

Carried: XXX Ayes: 1445 Noes: Absent: 127 (Castile) Abstain:  
46 (Pike)  
173

#7

**RESOLUTION NO. 07-47  
(February 13, 2007)**

By Mrs. Totline, Chairman of Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN CONTRACTS  
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 following contracts on behalf of the Youth Bureau.

- Stephen Tarbell, 4270 Fairview Road, Castile, New York 14427 for Youth Court Services in an amount not to exceed four thousand eight hundred dollars (\$4,800.00) Payable \$400.00/mo.; effective January 01,2007 through December 31, 2007.
- Therapeutic Link for Children, 6167 West Quaker Street, Orchard Park, New York 14127 for Preschool Related Services not to exceed 2007-2009 budget, variable depending on number of services; effective February 01, 2007 through June 30, 2009.

Contracts are contingent upon the availability of funds.

Carried: XXX Ayes: 1445 Noes: Absent: 127 (Castile) Abstain:  
46 (Pike)  
173

**RESOLUTION NO. 07-48  
(February 13, 2007)**

By Mrs. Totslin, Chairman of Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN A LETTER WITH  
THE OFFICE OF TEMPORARY & DISABILITY  
ASSISTANCE ON BEHALF OF WYOMING COUNTY  
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 New York State Office of Temporary & Disability Assistance (OTDA), Bureau of Financial Services, 40 N. Pearl St. 14-C, Albany, NY 12243, for the purchase of a replacement server for Sydney On Sequel (SOS). Purchase to include Server, new software and 3 yrs maintenance on server and software in an amount not to exceed six thousand two hundred seventy-one dollars and twenty-six cents (\$6,271.26) County's share approx. 25% = \$1,568 after intercept, effective January 01, 2007 through December 31, 2009. Contracts are contingent upon the availability of funds.

**Carried: XXX Ayes: 1445 Noes: Absent: 127 (Castile) Abstain:**  
**46 (Pike)**  
**173**

*There was a motion by Mr. Kushner, T/Eagle, to combine resolutions #9 through #14. A voice vote was taken and all voted aye.*

#9

**RESOLUTION NO. 07-49  
(February 13, 2007)**

By Mr. Kushner, Chairman of Public Health Committee:

**CHAIRMAN AUTHORIZED TO SIGN AGREEMENT  
WITH COMMUNITY CARE dba HOMECARE & HOSPICE  
ON BEHALF OF WYOMING COUNTY PUBLIC HEALTH  
CERTIFIED HOME HEALTH AGENCY**

February 13, 2007

**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 of Western New York, Inc., dba Homecare & Hospice, 1225 West State Street, Olean NY 14760 for the provision of Home Health Aide Services for patients of the CHHA for January 01, 2007 through December 31, 2008 according to fee schedule, not to exceed amount budgeted. Contingent upon the availability of funds.

**Carried: XXX Ayes: 1445 Noes: Absent: 127 (Castile) Abstain:**  
**46 (Pike)**  
**173**

**#10**

**RESOLUTION NO. 07-50  
(February 13, 2007)**

By Mr. Kushner, Chairman of Public Health Committee:

**RESOLUTION NUMBER 06-379 AMENDED**

**WHEREAS**, Resolution Number 06-379 provides for various 2007 Mental Health contracts; now therefore

**BE IT RESOLVED**, That Resolution number 06-379 is hereby amended to reflect an increase in the Suburban Adult Services, Inc. (SASI) contract to reflect additional state aid in the amount of one thousand five hundred twenty-one dollars (\$1,521.00) for a total contract amount not to exceed one hundred twenty-eight thousand nine hundred eleven dollars (\$128,911.00); effective January 01, 2007 through December 31, 2007.

Contract contingent upon the availability of funding.

**Carried: XXX Ayes: 1445 Noes: Absent: 127 (Castile) Abstain:**  
**46 (Pike)**  
**173**

**#11**

**RESOLUTION NO. 07-51  
(February 13, 2007)**

**Proceedings of the Board of Supervisors**

By Mr. Kushner, 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 Resolution number 05-350, as amended by resolutions number 06-108, 06-192, and 06-333 is hereby further amended to reflect an increase in the Coordinated Care Services, Inc. (CCSI), 1099 Jay Street, Building J., Rochester, NY 14611-1153 contract to provide for increased funding for the Substance Abuse Prevention program by an amount not to exceed \$7,000.00. The increase reflects increases to employee mileage, staff trainings, and conferences. This amount is covered in the 2006 budget and is state aid funds.

Contract contingent upon the availability of funding.

**Carried: XXX Ayes: 1445 Noes: Absent: 127 (Castile) Abstain:**  
**46 (Pike)**  
**173**

#12

**RESOLUTION NO. 07-52  
(February 13, 2007)**

By Mr. Kushner, Chairman of Public Health Committee:

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

**BE IT RESOLVED**, That **Jean Totsline**, 6949 River Rd. Portageville, NY 14536 is hereby reappointed to the **Wyoming County Board of Health** as the **Supervisor Member** for a term of one year effective January 01, 2007 through December 31, 2007.

**Carried: XXX Ayes: 1445 Noes: Absent: 127 (Castile) Abstain:**  
**46 (Pike)**  
**173**

**RESOLUTION NO. 07-53  
(February 13, 2007)**

By Mr. Kushner, Chairman of Public Health Committee:

**JEAN TOTSLINE REAPPOINTED TO THE  
WYOMING COUNTY MENTAL HEALTH  
COMMUNITY SERVICES BOARD**

**BE IT RESOLVED**, That **Jean Totsline**, 6949 River Rd. Portageville, NY 14536 is hereby reappointed to the **Wyoming County Mental Health Community Services Board** for a term of one year effective January 01, 2007 through December 31, 2007.

**Carried: XXX Ayes: 1445 Noes: Absent: 127 (Castile) Abstain:**  
**46 (Pike)**  
**173**

#14

**RESOLUTION NO. 07-54  
(February 13, 2007)**

By Mr. Kushner, Chairman of Public Health Committee:

**JEAN TOTSLINE REAPPOINTED TO  
THE WYOMING COUNTY MENTAL HEALTH  
SUBCOMMITTEE**

**BE IT RESOLVED**, That **Jean Totsline**, 6949 River Rd. Portageville, NY 14536 is hereby reappointed to the **Wyoming County Mental Health Subcommittee** for a one year term effective January 01, 2007 through December 31, 2007.

**Carried: XXX Ayes: 1445 Noes: Absent: 127 (Castile) Abstain:**  
**46 (Pike)**  
**173**



**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 (contract #T838862) from NYS Office of Homeland Security, 1220 Washington Ave., Building 1A, 7<sup>th</sup> Floor, Albany, NY 12226 on behalf of the Sheriff's Department. Said grant is for the provision of funds for the radio project consultant and additional equipment needed for the project in a minimum amount of fourteen thousand eight hundred dollars (\$14,800.00); effective July 01, 2006 through June 30, 2008, or upon project completion.

**Carried: XXX Ayes: 1445 Noes: Absent: 127 (Castile) Abstain:**  
**46 (Pike)**  
**173**

**#17**

**RESOLUTION NO. 07-57**  
**(February 13, 2007)**

By Mr. Rogers, 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 project contract with Saia Communications, 100 Stradtman Street, Buffalo, NY 14206. This change order will provide updated equipment necessary for the completion of the project in an amount not to exceed forty-one thousand eight hundred thirty-seven dollars and fifty cents (\$41,837.50); and be it

**FURTHER RESOLVED**, That resolution number 05-228, as amended by resolution number 06-282 be further amended to reflect this change order.

**Carried: XXX Ayes: 1445 Noes: Absent: 127 (Castile) Abstain:**  
**46 (Pike)**  
**173**

**#18**

**RESOLUTION NO. 07-58**  
**(February 13, 2007)**

Regular Session

Proceedings of the Board of Supervisors

By Mr. Rogers, 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 Company, Inc., 495 N. French Rd., Amherst, NY 14228 on behalf of the Sheriff's Department. Said contract is to provide for uniforms for Sheriff and Jail personnel at current level pricing or lower; contract effective March 01, 2007 through February 29, 2008. This is the second and final extension for this bid.

**Carried: XXX Ayes: 1445 Noes: Absent: 127 (Castile) Abstain:**  
**46 (Pike)**  
**173**

#19

**RESOLUTION NO. 07-59  
(February 13, 2007)**

By Mr. Rogers, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT  
WITH ALLEGANY COUNTY SHERIFF'S OFFICE  
ON BEHALF OF WYOMING COUNTY SHERIFFS'  
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 Allegany County Sheriff's Office, 4884 Route 195, Belmont, NY on behalf of the Sheriff's Department. Said contract to provide for inmate housing at an amount not to exceed \$85/day per inmate; effective January 24, 2007 through December 31, 2007; contingent upon the availability of funds.

**Carried: XXX Ayes: 1445 Noes: Absent: 127 (Castile) Abstain:**  
**46 (Pike)**  
**173**

February 13, 2007

**RESOLUTION NO. 07-60  
(February 13, 2007)**

By Mr. Rogers, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A LEASE  
AGREEMENT WITH HOSELTON AUTOMALL ON  
BEHALF OF THE DEPARTMENT 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 three year lease agreement with Hoselton Automall, 909 Fairport Road, East Rochester, NY 14445 on behalf of the Department of Fire and Building Codes. Said lease agreement will provide for a 2007 Jeep Liberty, 4x4 in the amount of three thousand six hundred sixteen dollars (\$3,616.00) annually. Total cost of lease agreement not to exceed ten thousand five hundred twenty-six dollars and ninety-two cents (\$10,526.92); effective April 01, 2007 through March 31, 2010; contingent on the availability of funds.

**Carried: XXX Ayes: 1445 Noes: Absent: 127 (Castile) Abstain:**  
**46 (Pike)**  
**173**

#21

**RESOLUTION NO. 07-61  
(February 13, 2007)**

By Mr. Rogers, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A GRANT  
ACCEPTANCE WITH NEW YORK STATE OFFICE OF  
HOMELAND SECURITY 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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Grant Acceptance with NYS Office of Homeland Security, Weapons of Mass Destruction Task Force, State Office Campus, 1220 Washington Ave., Suite 610, Albany, NY 12242 on behalf of Emergency Services. Said grant is to provide funds to support planning, equipment, training & exercise needs associated with preparedness and prevention activities for terrorist events in a minimum amount of sixteen thousand seven hundred dollars (\$16,700.00); effective July 01, 2006 through June 30, 2008, or when grant funds are expended.

**Carried: XXX Ayes: 1445 Noes: Absent: 127 (Castile) Abstain:**  
**46 (Pike)**  
**173**

#22

**RESOLUTION NO. 07-62**  
**(February 13, 2007)**

By Mr. Rogers, Chairman of Public Safety Committee:

**LARRY ROGERS APPOINTED TO**  
**THE MERCY FLIGHT CITIZENS ADVISORY**  
**COMMITTEE**

**BE IT RESOLVED**, That **Larry Rogers**, P.O. Box 82, Pike, NY 14130-0082 is hereby appointed to the **Mercy Flight Citizens Advisory Committee** as the **Supervisor Member** for a term of one year effective January 01, 2007 through December 31, 2007.

**Carried: XXX Ayes: 1445 Noes: Absent: 127 (Castile) Abstain:**  
**46 (Pike)**  
**173**

*There was a motion by Mrs. Meeder, T/Middlebury, to combine resolutions #23 through #26. A voice vote was taken and all voted aye.*

**RESOLUTION NO. 07-63  
(February 13, 2007)**

By Mrs. Meeder, Chairman of Human Resource 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 2007 through March 2008 for necessary expenses in carrying out the provisions of Article 11 of the New York State Tax Law.

**Carried: XXX Ayes: 1445 Noes: Absent: 127 (Castile) Abstain:**  
**46 (Pike)**  
**173**

#24

**RESOLUTION NO. 07-64  
(February 13, 2007)**

By Mrs. Meeder, Chairman of Human Resource Committee:

**DONATION OF BENEFIT TIME POLICY AMENDED**  
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**BE IT RESOLVED**, That the Wyoming County Board of Supervisors has approved revisions to the Donation of Benefit Time Policy for Wyoming County Employees as adopted by resolution number 06-391, as amended and annexed hereto; effective immediately.

**Carried: XXX Ayes: 1445 Noes: Absent: 127 (Castile) Abstain:**  
**46 (Pike)**  
**173**

#25

**RESOLUTION NO. 07-65**  
**(February 13, 2007)**

By Mrs. Meeder, Chairman of 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 and annexed hereto; effective immediately.

**Carried: XXX Ayes: 1445 Noes: Absent: 127 (Castile) Abstain:**  
**46 (Pike)**  
**173**

#26

**RESOLUTION NO. 07-66**  
**(February 13, 2007)**

By Mrs. Meeder, Chairman of Human Resource Committee:

**WYOMING COUNTY CSEA, UNIT 9250**  
**LOCAL 1000 CONTRACT APPROVED**

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors hereby approves a bargaining unit agreement, effective January 01, 2006 through December 31, 2008, with the Wyoming County CSEA, Unit 9250, 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

February 13, 2007

**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: 1445 Noes: Absent: 127 (Castile) Abstain:**  
**46 (Pike)**  
**173**

*There was a motion by Mr. Fleischman, T/Java, to combine resolutions #27 through #35. A voice vote was taken and all voted aye.*

**#27**

**RESOLUTION NO. 07-67  
(February 13, 2007)**

By Mr. Fleischman, Chairman of Planning Committee:

**AUTHORIZE CHAIRMAN TO SUBMIT APPLICATION  
AND SIGN EMPIRE STATE DEVELOPMENT CONTRACT  
FOR EMPIRE ZONE FUNDS**

**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 Department of Economic Development, 30 South Pearl Street, Albany, NY, 12245 for the provision of financial support in an amount up to fifteen thousand dollars (\$15,000.00) to assist with the administrative expenses of the Wyoming County Empire Zone Administrative Board, effective July 01, 2006 through June 30, 2007.

**Carried: XXX Ayes: 1445 Noes: Absent: 127 (Castile) Abstain:**  
**46 (Pike)**  
**173**



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Carried: XXX Ayes: 1445 Noes: Absent: 127 (Castile) Abstain:  
46 (Pike)  
173

#30

**RESOLUTION NO. 07-70**  
**(February 13, 2007)**

By Mr. Fleischman, Chairman of Planning Committee:

**211 ADVISORY BOARD ESTABLISHED**

**BE IT RESOLVED**, That the following individuals are hereby appointed to the newly created **211 Advisory Board** for an initial term of one year effective January 01, 2007 through December 31, 2007:

- **Marty Mucher**, 208 State St., Batavia NY 14020
- **Ron Smith**, 4553 Route 20A, Warsaw, NY 14569
- **Deborah Schmitt**, 3062 Suckerbrook Rd., Perry, NY 14530

Carried: XXX Ayes: 1445 Noes: Absent: 127 (Castile) Abstain:  
46 (Pike)  
173

#31

**RESOLUTION NO. 07-71**  
**(February 13, 2007)**

By Mr. Fleischman, Chairman of Planning Committee:

**LARRY ROGERS APPOINTED TO THE GLOW**  
**ADVISORY COMMITTEE**

**BE IT RESOLVED**, That **Larry Rogers** (T/Pike), 14 East Koy Rd., P. O. Box 82, Pike, NY 14130-00825 is hereby appointed to the **GLOW Advisory**





Proceedings of the Board of Supervisors  
**THE WYOMING COUNTY TOURIST PROMOTION  
 AGENCY**

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

**Supervisor Member**

*One year term effective 01/01/07 through 12/31/07*

- **James Fleischman**, 5824 Java Lake Rd., Arcade, NY 14009

**Supervisor Member Alternate**

*One year term effective 01/01/07 through 12/31/07*

- **E. Joseph Gozelski**, 6175 E Lake Rd., Silver Springs, NY 14550

**Carried: XXX    Ayes: 1445    Noes: Absent: 127 (Castile)    Abstain:**  
46 (Pike)  
173

#35

**RESOLUTION NO. 07-75  
 (February 13, 2007)**

By Mr. Fleischman, Chairman of Planning Committee:

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

**BE IT RESOLVED**, That **E. Joseph Gozelski**, 6175 E Lake Rd., Silver Springs, NY 14550 is hereby reappointed to the **Business Education Council** as the **Supervisor Member** for a term of one year; effective January 01, 2007 through December 31, 2007.

**Carried: XXX    Ayes: 1445    Noes: Absent: 127 (Castile)    Abstain:**  
46 (Pike)  
173

*There was a motion by Mr. Gozelski, T/Castile, to combine resolutions #36 through #41. A voice vote was taken and all voted aye.*

February 13, 2007

**RESOLUTION NO. 07-76  
(February 13, 2007)**

By Mr. Gozelski, Chairman of Agriculture Committee:

**JAMES BRICK REAPPOINTED TO  
THE COOPERATIVE EXTENSION BOARD OF  
DIRECTORS**

**BE IT RESOLVED**, That **James Brick** (T/Perry), 7618 Route 20A, Perry NY 14530 is hereby reappointed to the **Cooperative Extension Board of Directors** as the **Supervisor Member** for a term of one year; effective January 01, 2007 through December 31, 2007

**Carried: XXX Ayes: 1445 Noes: Absent: 127 (Castile) Abstain:**  
**46 (Pike)**  
**173**

#37

**RESOLUTION NO. 07-77  
(February 13, 2007)**

By Mr. Gozelski, Chairman of Agriculture Committee:

**MEMBERS APPOINTED/REAPPOINTED TO  
THE NEW YORK STATE DEC ADVISORY COMMITTEE**

**BE IT RESOLVED**, That the following individuals are hereby appointed/reappointed to the New York State DEC Advisory Committee:

**Supervisor Member**

*One year term effective January 01, 2007 through December 31, 2007*

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

**Supervisor Member/Alternate**

*One year term effective January 01, 2007 through December 31, 2007*



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- **Jerry Davis** (T/Covington), 7414 Court Rd., P.O. Box 445, Pavilion, NY 14525

**Supervisor Member/Alternate**

*One year term effective January 01, 2007 through December 31, 2007*

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

Carried: XXX Ayes: 1445 Noes: Absent: 127 (Castile) Abstain:  
46 (Pike)  
173

#40

**RESOLUTION NO. 07-80  
(February 13, 2007)**

By Mr. Gozelski, Chairman of Agriculture Committee:

**E. JOSEPH GOZELSKI REAPPOINTED TO THE FOREST  
PRACTICE BOARD**

**BE IT RESOLVED**, That **E. Joseph Gozelski** (T/Castile), 6175 E. Lake Rd., P.O. Box 331, Silver Springs, NY 14550 is hereby reappointed to the **Forest Practice Board** as a **Forest or Farm Woodlands Supervisor Member** for a term of one year; effective January 01, 2007 through December 31, 2007.

Carried: XXX Ayes: 1445 Noes: Absent: 127 (Castile) Abstain:  
46 (Pike)  
173

#41

**RESOLUTION NO. 07-81  
(February 13, 2007)**

By Mr. Gozelski, Chairman of Agriculture Committee:

**Proceedings of the Board of Supervisors**  
**MEMBERS REAPPOINTED TO**  
**THE SOIL & WATER CONSERVATION DISTRICT**  
**BOARD**

**BE IT RESOLVED**, That **E. Joseph Gozelski** (T/Castile), 6175 E. Lake Rd., P.O. Box 331, Silver Springs, NY 14550 and **Sally Meeder** (T/Middlebury), 4631 Gay Rd., Warsaw, NY 14569 are hereby appointed to the Soil & Water Conservation District Board as Supervisor Members for a term of one year; **effective January 01, 2007 through December 31, 2007.**

**Carried: XXX Ayes: 1445 Noes: Absent: 127 (Castile) Abstain:**  
**46 (Pike)**  
**173**

*There was a motion by Mr. Davis, T/Finance, to combine resolutions #42 through #45. A voice vote was taken and all voted aye.*

#42

**RESOLUTION NO. 07-82**  
**(February 13, 2007)**

By Mr. Davis, Chairman of Finance Committee:

**BROKER OF RECORD FOR HEALTH INSURANCE**  
**CONSULTING SERVICES NAMED**

**BE IT RESOLVED**, That Kenneth R. Hutchings of the Anchor Group, LLC, PO Box 200, Marcellus, NY 13108 is hereby named as the Broker of Record for health insurance consulting services at no cost to the county. Payment is made by commission directly from insurance carrier; effective February 01, 2007 until such time as the County of Wyoming wishes to terminate such service.

**Carried: XXX Ayes: 1445 Noes: Absent: 127 (Castile) Abstain:**  
**46 (Pike)**  
**173**

#43

**RESOLUTION NO. 07-83**  
**(February 13, 2007)**

February 13, 2007



**Proceedings of the Board of Supervisors**  
**SALARY SCHEDULE "G" AMENDED**

**BE IT RESOLVED**, That the Wyoming County Salary Plan which became effective January 01, 1967, as amended, is hereby amended to reflect the following changes to Salary Schedule "G":

**Public Health:**

- Water Enhancement Fund (WEF) Clerk \$12.69 per hour retro to April 23, 2006
- Public Health Emergency Preparedness Coordinator \$38,285.00 annual salary retro to August 30, 2006.

**District Attorney:**

*One time stipends payable after April 01, 2007 with Aid to Prosecution Grant funds.*

- (1<sup>st</sup>) Assistant District Attorney \$9,000
- (2<sup>nd</sup>) Assistant District Attorney \$6,000
- Secretary to the District Attorney \$2,000
- Secretary I \$1,000

*\*Once paid salary schedule reverts back to 0*

*One time Recruitment and Retention Award*

- (1<sup>st</sup>) Assistant District Attorney - **\$1,671.54**
- (2<sup>nd</sup>) Assistant District Attorney - **\$1,671.54**

*Effective January 01, 2007*

- Set the salary of the Domestic Violence Coordinator at \$28,000.00 (Reflect retro active increase of \$500 increase for 2006 and retro active increase of \$500 increase for 2007).

**Carried: XXX Ayes: 1445 Noes: Absent: 127 (Castile) Abstain:**  
**46 (Pike)**  
**173**

**Public Comment:**

**No comment from the public**

*The Chairman asked for a motion to close the Public Hearing. Supervisor Knab moved that the public hearing be closed. Supervisor Fleischman seconded the motion.*

**RESOLUTION NO. 07-86**

**(February 13, 2007)**

By Mr. Davis, Chairman of the Finance Committee:

**LOCAL LAW INTRODUCTORY NO. A (2) YEAR 2007,  
ADOPTED**

**WHEREAS**, there was duly presented and introduced at a meeting of this Board, held on the 2<sup>nd</sup> day of January, 2007, a proposed local law of the County, designated as Local Law Introductory No. A, for the year 2007, entitled, **A Local Law of the County of Wyoming, Providing Salaries for Certain County Officers for the year 2006**; and

**WHEREAS**, in accordance with the provisions of Resolution No. 07-07, there was a public hearing held by this Board of Supervisors on this 13<sup>th</sup> day of February, 2007 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 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. A, Year 2007, County of Wyoming, New York, as presented to this Board on the 13<sup>th</sup> day of February, 2007, 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 \$488.00.

Section 2. Effective as hereafter provided, the annual salary of the Highway Superintendent shall be increased by \$637.00.

Section 3. Effective as hereafter provided, the annual salary of the Deputy Highway Superintendent shall be increased by \$469.00.

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Section 4. Effective as hereafter provided, the annual salary of Community Services Director shall be increased by \$562.00.

Section 5. Effective as hereafter provided, the annual salary of the Planning and Development Director shall be increased by \$587.00.

Section 6. Effective as hereafter provided, the annual salary of the Public Defender shall be increased by \$467.00.

Section 7. Effective as hereafter provided, the annual salary of the Public Health Commissioner shall be increased by \$624.00.

Section 8. Effective as hereafter provided, the annual salary of the Real Property Tax Director shall be increased by \$535.00.

Section 9. Effective as hereafter provided, the annual salary of the County Attorney shall be increased by \$547.00.

Section 10. All salaries set forth herein shall be effective as of January 1, 2006.

Section 11. 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 12. This Local Law is subject to permissive referendum.

**Carried: XXX Ayes: 1445 Noes: Absent: 127 (Castile) Abstain:**  
**46 (Pike)**  
**173**

**Public Comment:****No comment from the public**

*The Chairman asked for a motion to close the Public Hearing. Supervisor Brick moved that the public hearing be closed. Supervisor Bush seconded the motion.*

**RESOLUTION NO. 07-87  
(February 13, 2007)**

By Mr. Fleischman, Chairman of Planning Committee:

**FINDING TO MODIFY AGRICULTURAL DISTRICT NO. 5**

**WHEREAS**, This Board has conducted the review of Agricultural District No. 5 located in the Towns of Attica, Orangeville, Warsaw, and Middlebury; and

**WHEREAS**, The review process was 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 District No. 5; and

**WHEREAS**, This Board has received these reports and their recommendation to modify the District and this Board has held the required Public Hearing; and

**WHEREAS**, This Board has reviewed the Review Plan 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 no unique circumstances exist which increase the likelihood of environmental significance and the proposed modification of Wyoming County Agricultural District No. 5 will not have a significant adverse environmental impact; and be it

**FURTHER RESOLVED**, That this Board does hereby make the finding Wyoming County Agricultural District No. 5 should be modified by adding 43 parcels totaling two thousand nine hundred fifty-three (2,953) acres and removing 654 parcels totaling five thousand five hundred fifty-five (5,555) acres as recommended by the County Agricultural and Farmland Protection Board and the County Planning Board; and be it

**FURTHER RESOLVED**, That the 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  
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Board and the Wyoming County Planning Board be forwarded to the Commissioner of Agriculture and Markets for recertification as required by the New York State Agriculture and Markets Law.

**Carried: XXX Ayes: 1445 Noes: Absent: 127 (Castile) Abstain:**  
**46 (Pike)**  
**173**

There being no further business to come before this board Supervisor Bush declared the meeting adjourned at 3:37 PM.

\*\*\*\*\*

*Respectfully submitted,*

*Cheryl J. Ketchum*

**REGULAR SESSION  
(March 13, 2007)**

**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 3:05 PM Chairman Berwanger, T/Arcade, called the meeting to order.

The Veteran leading the Pledge of Allegiance this month is:

**RONALD EDWARD SMITH**

Mr. Smith's service to his country comes while serving in the United States Air Force during the Vietnam War. After graduating from Caledonia-Mumford High School, he enlisted in the United States Air Force in July of 1967. Mr. Smith completed Basic Training at Lackland Air Force Base in Texas and then was assigned to Amarillo Air Force Base, Texas, where he completed his Advance Training as a Personnel Specialist. He was then assigned duties at Bowling Air Force Base in Washington, D.C. During this assignment, he worked as a Personnel Specialist in the "Air Force Data System Design Center" following the "Pueblo Crisis".

During this time, Mr. Smith also attended the University of Maryland with a Major in Business Administration. He was Honorably Discharged from the United States Air Force on 29 January 1971 at the rank of Staff Sergeant.

For his service to His Country, Mr. Smith was awarded:

**THE NATIONAL DEFENSE SERVICE MEDAL  
THE AIR FORCE GOOD CONDUCT MEDAL  
THE SMALL ARMS EXPERT MARKSMANSHIP RIBBON**

After service to his Country, Mr. Smith returned to this area and enrolled at Monroe Community College with a Major in Business Administration. He went to work for the Prudential Insurance Company as a Sales Agent and Regional Representative and held this position for the next 14 years. Mr. Smith and his wife purchased the Amber Lantern and have operated this establishment for the past 20 years.

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Mr. Smith has also been very active in the Community. He coached Little League Baseball for several years and coached both Jr. & Sr. Varsity Football at Warsaw Central School for 10 years. Mr. Smith is an active member and Past President of Warsaw Kiwanis, a member of the Chamber of Commerce both at the Town and County levels, and a member of the Wyoming County Empire Zone Administration Board. He has been a member of the Walter Klein Post 532 of the American Legion in Warsaw for the past 25 years. Mr. Smith is presently serving as the Warsaw Town Supervisor since January 2006. He and his wife Cindy have been married for 38 years and live in the Town of Warsaw.

***The pledge was said by all.***

A certificate of appreciation was presented to Mr. Smith in honor of his 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 March 2007 is Jackie White. Jackie has been with the department since March 2000 and is an Account Clerk in the Finance Unit. Jackie is being recognized for her assistance in working with the Adult Services Unit on the various accounts they deal with for the clients they serve.

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

Please join me in recognizing Jackie White.

**Communications:**

**None**

**RESOLUTION NO. 07-88  
(March 13, 2007)**

By Mr. Davis, Chairman of Finance Committee:

**FUNDS TRANSFERRED TO VARIOUS 2007 ACCOUNTS**

**BE IT RESOLVED**, That funds are hereby transferred to the various 2007 accounts as follows:

<b>Public Defender</b>			
<b>From:</b> 01.34.1681.2.20201 Computers 01.34.1681.4.41410 Software	\$1,624.00 598.00		
<b>To:</b> 01.32.1170.2.20201 Computers 01.32.1170.4.41410 Software		1,624.00 598.00	
<b>Reason:</b> To purchase two new computers for the Public Defender's Office for 2007.			
<b>Public Defender Total</b>			<b>\$2,222.00</b>

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

#2

**RESOLUTION NO. 07-89  
(March 13, 2007)**

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:

<b>Workers Compensation/Health Insurance</b>			
<b>To:</b> 05.58.1720.4.41602 Indemnity Payment w/05.05.1710.2401 Interest Revenue 05.08.1720.2680 Recovery-Special Funds	\$180,309.13	25,611.00 154,698.13	
<b>Reason:</b> To balance 2006 Budget after Actuarial Adjustments.			
<b>Workers Compensation/Health Insurance Total</b>			<b>\$180,309.13</b>

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<b>Buildings &amp; Grounds</b>			
To: 01.34.1620.1.10202 Temporary Salaries w/01.03.1620.1289 Other Departmental Rev <b>Reason:</b> Appropriate funds (both revenues and expenses) to balance the 2006 Budget after completion of Capital Fund Reimbursement for project labor.	\$12,671.53	12,671.53	
<b>Buildings &amp; Grounds Total</b>			<b>\$12,671.53</b>
<b>Public Health</b>			
To: 01.38.4050.1.10101 CSEA Full Time Salaries w/01.04.4050.161004 Medicaid (CHHA) <b>Reason:</b> To appropriate funds (both revenues and expenses) to balance 2006 budget.	\$1,840.82	\$1,840.82	
<b>Public Health Total</b>			<b>\$1,840.82</b>
<b>Mental Health</b>			
To: 01.38.4324.4.40301 Contracted Prof. Services w/01.11.4324.1289 Other Dept. Revenue incr. by same <b>Reason:</b> Increased funding for WNY Peer Family Advisory Group. 100% State Aid. No County Levy.	\$646.00	\$646.00	
<b>Mental Health Total</b>			<b>\$646.00</b>
<b>Public Defender</b>			
To: 01.32.1170.1.10001 S/D/I Salaries 01.32.1170.4.42301 Books/Pub/Subscr 01.32.1170.8.81001 Retirement 01.32.1170.8.83001 FICA 01.32.1170.8.85001 Medicare 01.32.1170.8.89001 Health Insurance w/01.11.1170.3089 State Aid <b>Reason:</b> To balance 2006 Budget.	\$950.00 358.34 1,131.06 230.77 53.58 239.52	\$2,963.27	
<b>Public Defender Total</b>			<b>\$2,963.27</b>
<b>County Clerk</b>			
To: 01.34.1410.1.10001 S/D/I Salaries w/01.03.1410.1255 Clerk Fees <b>Reason:</b> To balance 2006 budget.	\$1,196.89	\$1,196.89	
<b>County Clerk Total</b>			<b>\$1,196.89</b>
<b>Board of Elections</b>			
To: 01.34.1450.1.10001 S/D/I Salaries 01.34.1450.8.89001 Health Insurance w/01.08.1450.2680 Insurance Recovery <b>Reason:</b> To balance 2006 budget.	\$24.00 183.91	\$207.91	
<b>Board of Elections Total</b>			<b>\$207.91</b>

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

**#3**

**RESOLUTION NO. 07-90  
(March 13, 2007)**

By Mr. Davis, Chairman of Finance Committee:

**FUNDS APPROPRIATED TO VARIOUS 2007 ACCOUNTS**

**BE IT RESOLVED**, That funds are hereby appropriated to the various 2007 accounts as follows:

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<b>Emergency Services</b>			
<b>To:</b> 01.37.3645.2.20401 Misc. Equipment	\$12,000.00		
01.37.3645.4.40301 Professional Service	4,000.00		
01.37.3645.4.42102 Safety Expenses	6,780.29		
w/01.12.3645.438901 Federal Aid		\$22,780.29	
<b>Reason:</b> To rollover unspent grant funds for WMD838850 from 2006 to the 2007 budget year.			
<b>Emergency Services Total</b>			<b>\$22,780.29</b>
<b>Planning &amp; Development</b>			
<b>To:</b> 01.42.6421.4.42477 Small Cities Grant	\$8,000.00		
w/01.12.6421.408916 Small Cities Federal Grant Revenues		\$8,000.00	
<b>Reason:</b> To facilitate "pass-through" Small Cities Grant Fund to IDA for McCormick Farms Project remaining balance.			
<b>Planning &amp; Development Total</b>			<b>\$8,000.00</b>

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

Mr. Bush, T/Gainesville, Chairman of the Audit Committee, presented amended bills totaling **\$1,515,362.64** from **\$1,502,301.99** a difference of **\$13,060.64** for the month of **January 2007**.

*A motion was made by Supervisor Bush T/Gainesville, seconded by Supervisor Rogers, T/Pike all voted aye. January's bills were passed as amended.*

Mr. Bush, T/Gainesville, Chairman of the Audit Committee, presented bills totaling **\$1,774,988.31** for the month of **February 2007**.

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

*There was a motion by Mr. Patti, T/Attica, to combine resolutions #4 through #6. A voice vote was taken and all voted aye.*

**#4**

**RESOLUTION NO. 07-91  
(March 13, 2007)**

By Mr. Patti, Chairman of Public Works Committee:

**RESOLUTION NUMBER 07-21 AMENDED**

**WHEREAS**, Resolution Number 07-21 entitled, "Authorizing the Implementation, and Funding in the First Instance 100% of the State Multi – Modal Program-Aid (and State Administered Federal Program-Aid) Eligible Costs of a Capital Project and Appropriating Funds Therefore," provides for the

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reconstruction of Middle Reservation Road (CR #06); OSC Contract #D027441; Project ID Number: 4Ms192.30A; 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 supplemental agreement (schedule No. 1 to Master Agreement) for State Multi – Modal Program aid for the reconstruction of Middle Reservation Rd. (CR #06); Office of the State Comptroller contract #D027441; Project ID Number 4MS191.30A for an additional sum of one hundred thousand dollars (\$100,000.00) for a total amount of one hundred fifty thousand dollars (\$150,000.00).

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

#5

**RESOLUTION NO. 07-92  
(March 13, 2007)**

By Mr. Patti, Chairman of Public Works Committee:

**MACHINERY EQUIPMENT BID IN HIGHWAY  
DEPARTMENT APPROVED**

**BE IT RESOLVED**, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to award a bid for the purchase of a 2007 Ford crew cab with contractor’s body to *Parsons Interstate Ford, LLC, 196 Walnut Bottom Road, Shippensburg, PA 17257* in an amount not to exceed thirty-five thousand four hundred ten dollars (\$35,410.00).

Contingent upon the availability of funds.

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

#6

**RESOLUTION NO. 07-93  
(March 13, 2007)**

By Mr. Patti, Chairman of Public Works Committee:

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**CHAIRMAN AUTHORIZED TO AWARD BID AND  
SIGN A CONTRACT FOR THE REPLACEMENT OF PIKE  
BRIDGE NO. 2 (EAST KOY ROAD BRIDGE OVER THE  
EAST KOY CREEK)**

**BE IT RESOLVED**, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to award a bid and sign the contract with L. C. Whitford Co., Inc., P. O. Box 663, 164 No. Main Street, Wellsville, NY 14895 for the replacement of Pike Bridge No. 2 (East Koy Road Bridge over East Koy Creek) after approval by the engineer and superintendent. PIN 4753.14; BIN 3320090. Said contract to be in an amount not to exceed seven hundred seventy-one thousand eight hundred fifty-seven dollars (\$771,857.00).

Contingent upon the availability of funds.

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

*There was a motion by Mrs. Totslin, T/Genesee Falls, to combine resolutions #7 through #13. A voice vote was taken and all voted aye.*

#7

**RESOLUTION NO. 07-94  
(March 13, 2007)**

By Mrs. Totslin, Chairman of Human Services Committee:

**ROBERT JOHANNES APPOINTED TO THE  
OFFICE FOR THE AGING ADVISORY COUNCIL**

**BE IT RESOLVED**, That Robert Johannes, 4205 Shaw Rd., Gainesville, NY 14066 is hereby appointed to the Office for the Aging Advisory Council as a Town of Wethersfield Representative for a three year unexpired term; effective March 01, 2007 through December 31, 2009

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

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**RESOLUTION NO. 07-95  
(March 13, 2007)**

By Mrs. Totslin, Chairman of Human Services Committee:

**JEAN TOTSLINE APPOINTED TO THE  
OFFICE FOR THE AGING ADVISORY COUNCIL**

**BE IT RESOLVED**, That Jean Totslin, 6940 River Rd., Portageville, NY 14536 is hereby appointed to the Office for the Aging Advisory Council as the Supervisor Member for an unexpired term; effective through December 31, 2007.

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

**#9**

**RESOLUTION NO. 07-96  
(March 13, 2007)**

By Mrs. Totslin, Chairman of Human Services Committee:

**CHAIRMAN / COMMISSIONER AUTHORIZED TO SIGN  
AN AGREEMENT WITH GARY DAVIS 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 Gary Davis, 24 Potter Road, Machias, NY 14101 for the provision of an Employment Coordinator, job readiness and work participation, in an amount not to exceed thirty-five thousand dollars (\$35,000.00); with 100% Federal reimbursement; effective March 13, 2007 through February 28, 2008.

Contingent upon the availability of funds.

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

**RESOLUTION NO. 07-97  
(March 13, 2007)**

By Mrs. Totslie, Chairman of Human Services Committee:

**CHAIRMAN / COMMISSIONER AUTHORIZED TO SIGN  
A CONTRACT WITH FAMILY FOCUS ADOPTION  
SERVICES 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 Family Focus Adoption Services, 54-40 Little Neck Parkway, Suite 4, Little Neck, NY 11362 to provide adoption transition services and supervision for a Wyoming County child until the adoption is legally complete in an amount not to exceed twenty-three thousand five hundred forty dollars (\$23,540.00); 65% State funds; effective March 14, 2007 through March 13, 2008.

Contingent upon the availability of funds.

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

#11

**RESOLUTION NO. 07-98  
(March 13, 2007)**

By Mrs. Totslie, Chairman of Human Services Committee:

**CHAIRMAN / COMMISSIONER AUTHORIZED TO SIGN  
A CONTRACT WITH OFFICE OF CHILDREN AND  
FAMILY SERVICES 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 the Office of Children and

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Family Services Federal Family Violence Prevention and Services Act Grant on behalf of the Department of Social Services. Said contract is a renewal and is in the minimum amount of thirty-eight thousand three hundred sixty-seven dollars (\$38,367.00) for the provision of funds for all agencies operating an approved or certified residential and/or non-residential Domestic Violence Program; reimbursement for Domestic Violence staff; effective March 31, 2007 through March 30, 2008.

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

**#12**

**RESOLUTION NO. 07-99  
(March 13, 2007)**

By Mrs. Totslie, Chairman of Human Services Committee:

**ONE POSITION OF MEDICAL SOCIAL WORKER  
ABOLISHED IN THE DEPARTMENT OF SOCIAL  
SERVICES**

**BE IT RESOLVED**, That one position of Medical Social Worker in the Department of Social Services is hereby abolished; effective immediately.

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

**#13**

**RESOLUTION NO. 07-100  
(March 13, 2007)**

By Mrs. Totslie, Chairman of Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN A LEASE  
AGREEMENT WITH GMAC FINANCIAL SERVICES 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 Lease Agreement with GMAC Financial Services, P. O. Box 660208, Dallas, TX 75266 on behalf of the Youth Bureau. Said lease agreement is to provide for

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two (2) 2007 Chevy Malibus in an amount not to exceed twelve thousand twenty-seven dollars (\$12,027.00) plus a one time delivery fee of one hundred sixty dollars (\$160.00) per car. Monthly payments will be seven hundred fifty-four dollars (\$754.00) per month for 36 months.

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 #14 through #17. A voice vote was taken and all voted aye.*

**#14**

**RESOLUTION NO. 07-101  
(March 13, 2007)**

By Mr. Kushner, Chairman of Public Health Committee:

**RESOLUTION NUMBERS 05-350 AND 06-379 AMENDED**

**WHEREAS**, Resolution number 05-350 provides for 2006 renewal contracts and resolution number 06-379 provides for 2007 Renewal contracts for Mental Health; now therefore

**BE IT RESOLVED**, That the following amendments be made to the above stated resolutions and contracts:

***Resolution Number 05-350:***

- **Mental Health Association of Rochester/Monroe County**
  1. \$5,000.00 increase in Care Coordination Project funds toward the purchase of a new vehicle for the transportation program; contingent upon the availability of 2006 CCP funds.

***Resolution Number 06-379:***

- **Allegany Rehabilitation Associates, Inc. from \$500,864.00 to \$513,864.00.**
  1. Add K. Sex Offenders Program Consult/Supervision \$3,000.00
  2. Add \$10,000.00 for 2007 Simulated Case Payment dollars which will be used for client specific needs.

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- **Mental Health Association of Rochester/Monroe County from \$204,795.00 to \$216,052.00**
  1. Add \$11,257.00 for 2007 Simulated Case Payment dollars specific to the Peer, Medical and Vocational Transportation programs.

Contingent upon the availability of funds.

**Carried: XXX Ayes: 1618 Noes: Absent: Abstain: #15**

**RESOLUTION NO. 07-102  
(March 13, 2007)**

By Mr. Kushner, Chairman of Public Health Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT  
WITH COLLEEN ECCLESTON ON BEHALF 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 contract with Colleen Eccleston, 6013 Burke Hill Rd., Warsaw, NY 14569 on behalf Mental Health. Said contract to provide support and assistance to the Peer Family Advisory Group in an amount not to exceed eleven thousand two hundred forty-six dollars (\$11,246.00); 100% State aid, no county levy; effective January 01, 2007 through December 31, 2007.  
Contingent upon the availability of funds.

**Carried: XXX Ayes: 1618 Noes: Absent: Abstain: #16**

**RESOLUTION NO. 07-103  
(March 13, 2007)**

By Mr. Kushner, Chairman of Public Health Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT  
WITH COORDINATED CARE SERVICES, INC (CCSI) 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 Coordinated Care Services, Inc. (CCSI), 1099 Jay Street, Building J, Rochester, NY 14611-1153 on behalf of Mental Health. Said contract is for the provision of a person to provide support and assistance to the Peer Family Advisory Group and for paper, postage, copying, etc. in an amount not to exceed eleven thousand six hundred forty-six dollars (\$11,646.00) 100% State Aid, no county levy; effective January 01, 2007 through December 31, 2007. Contingent upon the availability of funds.

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

**#17**

**RESOLUTION NO. 07-104  
(March 13, 2007)**

By Mr. Kushner, Chairman of Public Health Committee:

**FRANK KAMYSZ APPOINTED TO THE COMMUNITY  
SERVICES BOARD AND THE MENTAL HEALTH  
SUBCOMMITTEE**

**BE IT RESOLVED**, That *Frank Kamysz*, 814 Clinton Street, Cowlesville, NY 14037, (Attica Correctional Facility/EAP Coordinator) is hereby appointed to the *Community Services Board* as a *Community At Large Member* to a vacant unexpired four (4) year term effective through December 31, 2009;

and to the *Mental Health Subcommittee* as a *Community At Large Member* to a vacant unexpired four (4) year term effective through December 31, 2007.

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

*There was a motion by Mr. Rogers, T/Pike, to combine resolutions #18 through #21. A voice vote was taken and all voted aye.*

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**RESOLUTION NO. 07-105  
(March 13, 2007)**

By Mr. Rogers, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT  
WITH STEPHEN A. TARBELL 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 Stephen A. Tarbell, 4270 Fairview Rd., Castile, NY 14427 on behalf of the District Attorney's Office. Said contract is for the provision of investigative services in an amount not to exceed six thousand dollars (\$6,000.00); expense to be covered by Aid to Prosecution Grant. Effective April 01, 2007 through March 31, 2008.

Contingent upon the availability of funds.

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

**#19**

**RESOLUTION NO. 07-106  
(March 13, 2007)**

By Mr. Rogers, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A GRANT  
APPLICATION AND ACCEPTANCE AWARD WITH THE  
DIVISION OF CRIMINAL JUSTICE SERVICE 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 with the Division of Criminal Justice Services, 4 Tower Place, Albany NY 12203-3702 on behalf of the Sheriff's Department. Said grant is to provide funds necessary for the purchase of equipment to operate the SAFE CHILD Program (Contract Number T058047) in

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a minimum amount of fifteen thousand dollars (\$15,000.00); effective January 01, 2007 through December 31, 2007.

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

**#20**

**RESOLUTION NO. 07-107  
(March 13, 2007)**

By Mr. Rogers, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT  
EXTENSION WITH SINCLAIR PHARMACY 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 contract extension with Sinclair Pharmacy, 75 N. Main Street, Warsaw, NY 14569 on behalf of the County Jail. Said contract extension is to provide inmate pharmaceuticals. This is the second of three extensions for this bid; effective April 01, 2007 through March 31, 2008.

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

**#21**

**RESOLUTION NO. 07-108  
(March 13, 2007)**

By Mr. Rogers, Chairman of Public Safety Committee:

**2007 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 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, 2007 through December 31, 2007.

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

*Supervisor Davis expressed his disapproval of the proposed policy amendment. He requested the definition of the word tardy be clarified better. Secondly, Supervisor Davis felt that this policy is sending the county in a backward motion. This amendment would allow employees to be tardy 6 times in a three month period before counseling started. Supervisor Davis stated that he felt the policy would also create moral issues.*

*There being no further comments the Chairman instructed Clerk Ketchum to call the roll.*

**Defeated  
#22**

**RESOLUTION NO. 07-109  
(March 13, 2007)**

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 February 10, 2006, as amended; 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: Ayes: 612 Noes: 162 (Arcade) Absent: Abstain:**  
127 (Castile)  
54 (Covington)  
49 (Eagle)  
214 (Perry)  
46 (Pike)  
106 (Sheldon)  
213 (Warsaw)  
35 (Wethersfield)  
1,006 Total

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**Wyoming County & WCCHS**  
**ADMINISTRATIVE POLICY**

<p>EFFECTIVE DATE: March 13, 2007</p> <p>DATE REVISED: April 11, 2006 October 10, 2006</p>	<p>REVIEWED BY: (Individuals/Committees)</p> <p>Human Resource Committee WCCHS Personnel Committee</p>	<p>DEPARTMENTS AFFECTED:</p> <p>All Departments WCCHS</p> <p>SUPERCEDES:</p>
<p>ADMINISTRATIVE APPROVAL: A.D. Berwanger, Chairman, Board of Supervisors</p>	<p>PREPARED BY:</p> <p>HR Workgroup</p>	<p>REFERENCES:</p>

**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.

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**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:**

ATTENDANCE

- Two (2) **absence occurrences** in any three (3) month period will initiate the Corrective Action Process.
- The Corrective Action Process will be cumulative for a period of twelve (12) months; Warnings greater than twelve (12) months old will be voided.

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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	<b>Counseling</b>
Two (2) absence occurrences within any three (3) months following the date of Counseling	<b>Verbal Warning</b>
Two (2) absence occurrences within any three (3) months following the date of Verbal Warning	<b>Written Warning</b>
Two (2) absence occurrences within any three (3) months following the date of Written Warning	<b>Employee Suspension</b>
Two (2) absence occurrences within any three (3) months following the date of Employee Suspension	<b>Employee Termination</b>

**PROCEDURE: TARDINESS**

- Six (6) tardiness occurrences in any three (3) month period will initiate the Corrective Action Plan.
- 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:

Six (6) tardiness occurrences within any three (3) month Period	<b>Counseling</b>
Six (6) tardiness occurrences within any three (3) months following The date Counseling	<b>Verbal Warning</b>
Six (6) tardiness occurrences within any three (3) months following the date of Verbal Warning	<b>Written Warning</b>
Six (6) tardiness occurrences within any three (3) months following the date or written warning	<b>Employee Suspension</b>
Six (6) tardiness occurrences within any three (3) months following the date of Employee Suspension	<b>Employee Termination</b>

Habitual offenders, who have established a pattern of absences, **even where side agreements exist**, 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.

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/or 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.

*There was a motion by Mr. Fleischman, T/Java, to combine resolutions #23 through #26. A voice vote was taken and all voted aye.*

**#23**

**RESOLUTION NO. 07-110  
(March 13, 2007)**

By Mr. Fleischman, Chairman of Planning Committee:

**SET PUBLIC HEARINGS – SMALL CITIES GRANT  
APPLICATION**

**WHEREAS**, Two public hearings will be held to discuss community development needs and priorities, to provide residents with information about the Small Cities program, and to describe the County’s plan to meet these priority needs. Residents are invited to attend the hearings, to assist the County in defining community development priorities, and to assist the Board of Supervisors in identifying possible projects for inclusion in an application for Small Cities funding. The County will provide information at the hearings to comply with the legislative and program requirements which govern the Small Cities Program. The County expects to submit an application for a Small Cities grant in response to a Notice of Funding Availability issued by the Governors Office for Small Cities for the Fiscal Year 2007 program; now therefore

**BE IT RESOLVED**, That two public hearings by this Board of Supervisors will be held on the 23rd day of March, 2007 at 2:00 p.m. and the 30th day of March, 2007 at 11:00 a.m. in the Supervisors’ Chambers at the

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Wyoming County Government Center, 143 North Main Street, in the Village of Warsaw, 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: 1618 Noes: Absent: Abstain:**

**#24**

**RESOLUTION NO. 07-111  
(March 13, 2007)**

By Mr. Fleischman, Chairman of Planning Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT  
WITH ABM – HASLER, INC. ON BEHALF OF PLANNING  
AND DEVELOPMENT**

**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 ABM – Hasler, Inc., 150 Lawrence Bell Dr., Williamsville, NY 14221 on behalf of Planning and Development. Said contract is to provide for a five (5) year lease agreement for a postage machine in an amount not to exceed seven thousand five hundred dollars (\$7,500.00); effective January 23, 2007 through January 23, 2012

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

**#25**

**RESOLUTION NO. 07-112  
(March 13, 2007)**

By Mr. Fleischman, Chairman of Planning Committee:

**MICHAEL HEFTKA APPOINTED TO THE  
MICRO ENTERPRISE LOAN REVIEW COMMITTEE**

**BE IT RESOLVED**, That Michael Heftka, 6470 Route 20A, Perry, NY is hereby appointed to the Micro Enterprise Loan Review Committee to fill an unexpired vacant term created by the resignation of Richard Tindell; effective March 13, 2007 through December 31, 2007.

March 13, 2007

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

#26

**RESOLUTION NO. 07-113  
(March 13, 2007)**

By Mr. Fleischman, Chairman of Planning Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT  
WITH WYOMING COUNTY COMMUNITY ACTION  
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 contract with Wyoming County Community Action, Inc., 6470 Route 20, Perry, NY 14530, to administer and otherwise act on behalf of the County of Wyoming in the operation and administration of the Workforce Investment Act of 1998, effective July 01, 2007 through June 30, 2012, renewable annually.

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

*There was a motion by Mr. Davis, T/Covington, to combine resolutions #27 through #32. A voice vote was taken and all voted aye.*

#27

**RESOLUTION NO. 07-114  
(March 13, 2007)**

By Mr. Davis, Chairman of Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT  
WITH PHILLIPS LYTLE, 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 Philips Lytle on behalf of the County Treasurer's office for Foreclosure Services on 2005 Taxes. Contractor will be paid \$250 per parcel; effective January 01, 2007 through December 31, 2007.

Regular Session

Contingent upon the availability of funds.

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

#28

**RESOLUTION NO. 07-115  
(March 13, 2007)**

By Mr. Davis, Chairman of Finance Committee:

**REAL PROPERTY TAX SERVICE FEE SCHEDULE  
ADOPTED**

**BE IT RESOLVED**, That the current Real Property Tax Service Fee Schedule is hereby amended and the revised fee schedule is annexed hereto; and be it

**FURTHER RESOLVED**, That these revisions are effective immediately.

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

*Wyoming County Real Property Tax Services  
2007 Fee Schedule*

<u>PRODUCT</u>	<u>FEE</u> <u>(GENERAL PUBLIC)</u>	<u>FEE</u> <u>(GOVERNMENT)</u>
Digitized Tax Map File	\$100 /town \$1000 /county	\$0.00 town/village
Tax maps (Paper 30"x42")	\$6.00	\$2.00
Ortho photo w/property lines (Paper 30"x42")	\$7.00	\$3.00
Photocopies	\$1.00 11"x17" \$.50 8.5"x11"	Free
Assessment Rolls, Tax Rolls, Reports	\$20/town (file) plus 10¢ /page (print) \$.05/each	Free \$10/town (file) or 5¢ /page (print) \$.01/each
Labels	\$1000 /county	
RPS995T1 File	\$100 /town \$600 /taxing period (Town/County)	
Tax Extract	\$100 /taxing period (Villages) \$75 /town or school \$1000 /all (yearly subscription)	

March 13, 2007

Tax rolls & bills (includes tax extract on disk)

Schools	\$1.00/parcel
Villages	\$1.00/parcel
Towns	\$.35/parcel
* <u>File only</u> to tax jurisdictions	\$.40/parcel

#29

**RESOLUTION NO. 07-116  
(March 13, 2007)**

By Mr. Davis, Chairman of Finance Committee:

**HOME RULE REQUEST TO EXTEND SALES TAX  
INCREASE APPROVED**

**WHEREAS**, The County of Wyoming desires to maintain the additional one percent (1%) to the local sales tax charged to purchases, etc., made within the County under Resolution No. 05-278, passed September 13, 2005, and as amended; now therefore

**BE IT RESOLVED**, That the County of Wyoming hereby requests the New York State Legislature to support and pass Senate bill, S.1873 and Assembly bill, A.4525, which is the legislation necessary to amend Section 1210 of the Tax Law to authorize Wyoming County to continue to add an additional one percent (1%) to the present three percent (3%) through November 30, 2009; and be it

**FURTHER RESOLVED**, That the Chairman of this Board and the Clerk of the Board are hereby authorized and directed to file the necessary Home Rule Request.

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

#30

**RESOLUTION NO. 07-117  
(March 13, 2007)**

By Mr. Davis, Chairman of Finance Committee:

Proceedings of the Board of Supervisors**RESOLUTION URGING THE UNITED STATES  
CONGRESS TO ENACT THE “MEDICAID COUNTY  
PROTECTION ACT OF 2007”**

**WHEREAS**, New York State has the most expensive Medicaid program in the nation; and

**WHEREAS**, Its spending per recipient is the highest in the country, with costs that nearly exceed those of California and Texas combined; and

**WHEREAS**, New York is one of only a few states that mandate county governments to pay a significant portion of the State’s cost; and

**WHEREAS**, Congressman G.K. Butterfield of North Carolina has introduced legislation at the federal level that would expressly prohibit states from passing along the costs of Medicaid to county government, which is a huge burden to property taxpayers; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors hereby supports the passage of “Medicaid County Protection Act of 2007,” by the U. S. Congress as introduced by Congressman G.K. Butterfield of North Carolina; and be it

**FURTHER RESOLVED**, That the Board of Supervisors hereby requests its federal representatives Senator Charles Schumer, Senator Hillary Clinton, and Congressman Tom Reynolds to become sponsors of this important legislation; and be it

**FURTHER RESOLVED**, That certified copies of this resolution be forwarded to Senator Charles Schumer, Senator Hillary Clinton, Congressman Tom Reynolds, Congressman G.K. Butterfield, NYSAC, and Inter-County of Western NY.

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

**#31**

**RESOLUTION NO. 07-118  
(March 13, 2007)**

By Mr. Davis, Chairman of Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT  
EXTENSION WITH LIVINGSTON WYOMING ARC,**

March 13, 2007

**HILLTOP INDUSTRIES ON BEHALF OF ALL  
WYOMING COUNTY DEPARTMENTS**

**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 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 third and final one-year extension. 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:**

**#32**

**RESOLUTION NO. 07-119  
(March 13, 2007)**

By Mr. Davis, Chairman of 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:

- 3<sup>rd</sup> Assistant County Attorney, FT to Assistant County Attorney, FT (Supervisor)
- 2<sup>nd</sup> Assistant County Attorney, FT to Assistant County Attorney, FT (2<sup>nd</sup>)

effective immediately.

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

*Chairman Berwanger introduced this year’s United Way Chairman of the Board, ADA Don O’Geen. United Way Regional Director, Karen Rumfola was present to present this year’s United Way campaign film. This year’s campaign goal is \$207,000.00.*

*The film was viewed by all present.*

Regular Session

*At the request of Chairman Berwanger, and there being no further business to come before this board, Supervisor Bush T/Gainesville adjourned the meeting at 3:40 PM with a rap on his desk*

\*\*\*\*\*

*Respectfully submitted,*

***Cheryl J. Ketchum***

**SPECIAL SESSION**

**(April 03, 2007)**

**Tuesday**

**11:30 AM**

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 except Supervisor Grant, T/Bennington. Also present were Dolly Pierson, Country Courier; Clerk to the Board of Supervisors, Cheryl Ketchum and Human Resource Director, Brenda Jones.

At 11:35 AM Chairman Berwanger, T/Arcade, called the meeting to order.

Supervisor Bush lead in the Pledge of Allegiance.

Chairman Berwanger asked the Supervisors for additional comments before the presentation of the following resolution. Supervisor Brick, T/Perry questioned how the dollar amount was decided. It was explained that the amount was the potential maximum award provided the county is awarded the full amount applied for.

There being no further comments Chairman Berwanger asked that Supervisor Fleischman present the following resolution.

**#1**

**RESOLUTION NO. 07-120**

**(April 3, 2007)**

By Mr. Fleischman, Chairman of the Planning Committee:

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

**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 decision to submit a grant application to the Governor's Office For Small Cities for a NYS Community Development Block Grant.; and

**WHEREAS**, The County of Wyoming wishes to apply for a Six hundred thousand dollars (\$600,000.00) Small Cities grant to provide financial

Special Session

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assistance to the Wyoming County Community Hospital Skilled Nursing Facility; 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 for a NYS Community Development Block Grant, 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 be it

**FURTHER RESOLVED**, That two public hearings by this Board of Supervisors have been held on the 23rd day of March, 2007 and the 30th day of March, 2007 in the Supervisors’ Chambers at the Wyoming County Government Center, 143 North Main Street, in the Village of Warsaw, New York, and at least five days notice of such hearings were 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: 1491 Noes: Absent: 127 (Bennington) Abstain:**  
There being no further business to come before this Board Supervisor Bush adjourned the meeting at 11:43 AM with a rap on his desk.

\*\*\*\*\*

*Respectfully submitted,*

*Cheryl J. Ketchum*

**REGULAR SESSION**

**(April 10, 2007)**

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

The Veteran leading the Pledge of Allegiance this month is:

**HUGH D. CHAMBERLAIN, JR.**

Mr. Chamberlain's service to his country comes while serving in the US Army during World War II. He enlisted in the United States Army at the age of 18 on September 25, 1946. He was assigned to Fort Bragg, N.C. for Basic Infantry Training. Mr. Chamberlain also completed Advanced Individual Training at Fort Bragg as a Personnel Specialist. After spending a short period at Camp Stoweman he was assigned overseas duty. He was then assigned duties with Headquarters Shizuoka Military Government under the 8<sup>th</sup> Army Occupation of Japan. For the next year, he worked with the Educational Division in the Government Sector of Shizuoka and its educational facilities. His Unit was also responsible for the maintenance and security of the Radio Station on top of Mt. Fugi. Mr. Chamberlain returned to the US following the war and was honorably discharged at Ft. Lawton, Washington on February 10, 1948 at the rank of Corporal.

For his service to his country Mr. Chamberlain was awarded:

**THE WORLD WAR II VICTORY MEDAL  
ARMY OF OCCUPATION JAPAN MEDAL**

Following the war, Mr. Chamberlain returned to this area and took advantage of the GI Bill by enrolling in Alfred Agriculture Technology with a major in Industrial Heating and Air Conditioning. In 1950, he received his Associate's Degree from Alfred and enrolled at Houghton College with a major in Math and Science for Teaching as a goal. After graduating from Houghton College with a

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Bachelor of Science Degree in the teaching of Math and Science, he accepted a teaching position in Randolph, N.Y., where he taught math and science for two years. In 1955, he returned to his Alma Mater at Houghton College and spent six years as a professor in the Science/Math Department. In 1963, he returned to this area and accepted a position at Warsaw Central School, where he taught High School Math for twenty years, until his retirement in 1983. Mr. Chamberlain then applied his educational skills and went to work for the Copeland Financial Group, by helping to implement a Supplemental Retirement Program for Educators and Public Employees. He held this position until his retirement in 1993.

Mr. Chamberlain enjoys woodworking and presently lives in the Village of Warsaw.

***The pledge was said by all.***

A certificate of appreciation was presented to Mr. Chamberlain in honor of his service to his country and also to commemorate his appearance here today.

Mr. Chamberlain thanked the Board for his invitation to lead in the pledge and corrected Mr. Cousins on the biography provided.

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 2007 is Shelly Wood.

Shelly was hired as a temporary HEAP worker in 2006. Since this time she has had almost a 100% completion rate in Voter Registration forms that she has submitted, something that has not been documented before. Shelly is always pleasant and professional with the clients she sees.

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

Please join me in recognizing Shelly Wood.

Ms. Wood thanked the Board and Commissioner Schmitt for the opportunity to serve the county

**Communications:**

**C1 - Inter - County** is hosted by Genesee County Friday, April 20, 2007 at the Genesee Community College Technology Center, College Drive, Batavia, NY Room T119. RSVPs are due no later than Friday, April 13, 2007. This month's program is Leadership Genesee.

#1

**RESOLUTION NO. 07-121  
(April 10, 2007)**

By Mr. Davis, Chairman of Finance Committee:

**FUNDS TRANSFERRED TO VARIOUS 2007 ACCOUNTS**

**BE IT RESOLVED**, That funds are hereby transferred to the various 2007 accounts as follows:

<b>Wyoming County Community Hospital</b>			
<b>From:</b> 01.52.9950.9.99008 WCCH Transfer <b>To:</b> 01.40.6102.4.42250 1GT/DSH Pmt <b>Reason:</b> Reduce WCCH subsidy.	\$387,105.50	\$387,105.50	
<b>Wyoming County Community Hospital Total</b>			<b>\$387,105.50</b>
<b>Sheriff</b>			
<b>From:</b> 01.37.3110.2.20401 Misc Equipment <b>To:</b> 01.37.3110.4.40301 Prof. Services Contract <b>Reason:</b> To cover the cost of the Robert Jae contract.	\$10,000.00	\$10,000.00	
<b>Sheriff Total</b>			<b>\$10,000.00</b>

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

#2

**RESOLUTION NO. 07-122  
(April 10, 2007)**

By Mr. Davis, Chairman of Finance Committee:

May 8, 2007

**FUNDS APPROPRIATED TO VARIOUS 2007 ACCOUNTS**

**BE IT RESOLVED**, That funds are hereby appropriated to the various 2007 accounts as follows:

<b>Information Technology / CIP</b>			
<b>To:</b> 12.61.9950.9.99004 Inter fund Transfer <i>From any funds available</i>	\$85,000.00	\$85,000.00	
<b>General Fund 2007</b> <b>To:</b> 01.34.1681.4.41410 Software w/ offsetting revenue to 01.13.1681.5031 (Interfund revenue)	\$85,000.00	\$85,000.00	
<b>Reason:</b> Allow CIP Funds to be transferred for purposes of adding a Jail Management Module to the Existing LEMS Software at the Sheriff's Department			
<b>Information Technology / CIP Total</b>			<b>\$85,000.00</b>
<b>Planning &amp; Development</b>			
<b>To:</b> 01.48.8030.4.40915 Solid Waste Program w/01.04.8030.2130 Refuse & Garbage increased by same.	\$172,540.00	\$172,540.00	
<b>Reason:</b> To appropriate expenses and revenues for the total 2007 County Solid Waste program.			
<b>Planning &amp; Development Total</b>			<b>\$172,540.00</b>
<b>Adult Activities / Snowmobiles</b>			
<b>Budget Reduction</b> <b>Reduce:</b> 01.47.7989.4.40918 Other Rec – Snowmobiles w/01.11.7989.3317 State Aid – Snowmobiles reduced by same.	(\$52,050.00)	(\$52,050.00)	
<b>Reason:</b> Budget reduction to reflect the NYS aid amount total of \$67,950 for the 2007 fiscal year as per the conformation letter from the State of New York Parks and Recreation.			
<b>Adult Activities / Snowmobiles Totals</b>			<b>(\$52,050.00)</b>
<b>Social Services</b>			
<b>To:</b> 01.39.6010.4.43014 - DSS- County Attorney w/01.12.6010.4610 Fed. Aid 01.11.6010.3610 State Aid <i>From any funds available</i>	\$22,655.00	14,952.00 3,851.00 3,852.00	
<b>Reason:</b> To cover additional Attorney fees for 2007.			
<b>Social Services Total</b>			<b>\$22,655.00</b>
<b>Public Health</b>			
<b>To:</b> 01.38.4010.4.42456 Diabetes Expense w/01.09.4010.2705 Misc.	\$25.00	\$25.00	
<b>Reason:</b> To appropriate for Diabetes Coalition expenses with donated funds from the Covington Daylighters.			
<b>Public Health Total</b>			<b>\$25.00</b>

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

Mr. Bush, T/Gainesville, Chairman of the Audit Committee, presented bills totaling **\$1,212,721.99** for the month of **March 2007**.

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

*There was a motion by Mrs. Totline, T/Genesee Falls, to combine resolutions #3 through #11. A voice vote was taken and all voted aye.*

**#3**

**RESOLUTION NO. 07-123  
(April 10, 2007)**

By Mrs. Totline, Chairman of Human Services Committee:

**WYOMING COUNTY BOARD OF SUPERVISORS  
SUPPORT FEDERAL LEGISLATION CREATING  
MANDATORY VETERANS HEALTHCARE**

**WHEREAS**, The Department of Veterans Affairs (DVA) mission and motto is, “to care for Him who has borne the battle, and for his widow and orphan”, and

**WHEREAS**, President George Washington stated, “The willingness with which our young people are likely to serve in any war, no matter how justified, shall be directly proportionate to how they perceive the veterans of earlier wars were treated and appreciated by their country”, and

**WHEREAS**, Whenever the United States Military has ever been called upon to send forces into harms way, including sons and daughters of our great Towns of Wyoming County in the State of New York, they have proudly answered the call; and

**WHEREAS**, We, the citizens of the United States of America, have promised our troops through military enlistment contracts comprehensive quality accessible healthcare for those veterans honorably discharged from the United States military past, present, and future; and

**WHEREAS**, Although the legislative bodies of our government at all levels have recognized the importance of supporting those who served our great country, legislation itself has fallen short of meeting the healthcare needs of our veterans, and the current discretionary funding mechanisms for veterans’

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healthcare is beset by numerous flaws preventing many veterans from receiving the quality healthcare they earned and deserve; and

**WHEREAS**, On March 16, 2006, the United States Senate voted down mandatory funding for veterans healthcare services (REF: Stabenow Amendment No. 3141), which would have insured mandatory funding for our veterans' healthcare needs; and

**WHEREAS**, A Government Accountability Office report in 2005 highlighted the lack of resources experienced by the Veterans Administration and its understaffed workforce as they attempt to process an increasing backlog of our veterans claims, and

**WHEREAS**, Former Department of Veterans Affairs Secretary Anthony Principi has publicly stated the Department of Veterans Affairs has been struggling to provide promised healthcare services to the rapidly rising number of veterans requiring healthcare services; now therefore

**BE IT RESOLVED**, That Wyoming County Board of Supervisors of the State of New York, hereby urges the United States House of Representatives and the United States Senate to move promptly to ensure that these healthcare obligations to our veterans be recognized by introducing and passing legislation guaranteeing full mandatory funding of veterans healthcare services; and that the President of the United States sign such Legislation in Law; and be it

**FURTHER RESOLVED**, that a copy of this resolution be distributed to the President of the United States and members of the United States Congress and the United States Senate.

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

**#4**

**RESOLUTION NO. 07-124  
(April 10, 2007)**

By Mrs. Totline, Chairman of Human Services Committee:

**MEMBERS APPOINTED TO THE WYOMING COUNTY  
YOUTH BOARD**

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**BE IT RESOLVED**, That *Jane Munro (WNY Rural AHEC)*, P.O. Box 152, 20 Duncan Street, Warsaw, NY 14569 and *Shawn Tiede (Cornell Cooperative Extension)*, 401 North Main Street are hereby appointed to the Wyoming County Youth Board *as Agency Representatives for two year terms; effective January 01, 2007 through December 31, 2008.*

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

**#5**

**RESOLUTION NO. 07-125  
(April 10, 2007)**

By Mrs. Totslin, Chairman of Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT  
WITH LAIDLAW EDUCATION SERVICES OF GENESEE  
COUNTY 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 Laidlaw Education Services of Genesee County, 413 East Main Street, Batavia, NY 14020 on behalf of the Youth Bureau. Said contract is to provide for transportation services in an amount not to exceed 2007 Budget (variable depending on number of services). Effective January 02, 2007 through June 30, 2007.

Contingent upon the availability of funds.

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

**#6**

**RESOLUTION NO. 07-126  
(April 10, 2007)**

By Mrs. Totslin, Chairman of Human Services Committee:

May 8, 2007

Proceedings of the Board of Supervisors**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, 2007 through March 31, 2008

- |  |           |
|--|-----------|
| • HIICAP – Health Insurance Information Counseling | 15,000.00 |
| • LTCOP – Long Term Care Ombudsman Program         | 3,900.00  |
| • Transportation Grant                             |           |
| 5,000.00   |           |

Effective January 01, 2007 through December 31, 2008

- |  |           |
|--|-----------|
| • Title VII – Long Term Care Ombudsman | 10,300.00 |
|--|-----------|

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

#7

**RESOLUTION NO. 07-127  
(April 10, 2007)**

By Mrs. Totslin, Chairman of Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT  
AMENDMENT WITH DANIEL 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 an amendment to the Daniel Perkins, 101 West Court Street, Warsaw, NY 14569 contract on behalf of the Office for the Aging. Said contract is for WRAP Coordinator services. Contract increased seven hundred forty-eight dollars and nine cents (\$748.09) monthly; effective April 01, 2007 through September 30, 2007; not to exceed a total contract amount of twenty-five thousand five hundred eleven dollars and fifty-one cents (\$25,511.54); and be it

**FURTHER RESOLVED**, That Resolution Number 06-278 is hereby amended to reflect the above changes.

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

**#8**

**RESOLUTION NO. 07-128  
(April 10, 2007)**

By Mrs. Totslin, Chairman of Human Services Committee:

**CHAIRMAN / COMMISSIONER AUTHORIZED TO SIGN  
AN AMENDED AGREEMENT WITH ERIC T. DADD 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 amended agreement with Eric T. Dadd, County Attorney, 11 Exchange Street, P. O. Box 238, Attica, NY 14011 on behalf of the Department of Social Services. Said contract provides for Assistant County Attorney (Supervisor) services in the department. Said amendment is an increase in the contract amount of twenty-two thousand six hundred fifty-five dollars (\$22,655.00) not to exceed a total amended contract amount of seventy-six thousand seven hundred sixty-three dollars (\$76,763.00); effective January 01, 2007 through December 31, 2007; and be it

**FURTHER RESOLVED**, That Resolution Number 06-376 is amended to reflect the above changes.

Contingent upon the availability of funds.

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

**#9**

**RESOLUTION NO. 07-129  
(April 10, 2007)**

By Mrs. Totslin, Chairman of Human Services Committee:

**CHAIRMAN / COMMISSIONER AUTHORIZED**

May 8, 2007

Proceedings of the Board of Supervisors**TO SIGN AN AMENDED AGREEMENT WITH WENDY  
SISSON 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 amended contract with Wendy Sisson, Attorney, P.O. Box 242, Geneseo, NY 14454 on behalf of the Department of Social Services. Said contract provides for legal services with conflict of interest cases. Said contract to be increased by three thousand dollars (\$3,000.00) not to exceed total contract amount of six thousand dollars (\$6,000.00); and be it

**FURTHER RESOLVED**, That Resolution Number 06-332 is hereby amended to reflect the above changes.

Contingent upon the availability of funds.

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

**#10**

**RESOLUTION NO. 07-130  
(April 10, 2007)**

By Mrs. Totline, Chairman of Human Services Committee:

**CHAIRMAN / COMMISSIONER AUTHORIZED TO SIGN  
AN AGREEMENT WITH FINGER LAKES  
DEVELOPMENTAL DISABILITIES SERVICES OFFICE  
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 Finger Lakes Developmental Disabilities Services Offices, 620 Westfall Road, Rochester, NY 14620 on behalf of the Department of Social Services. Said contract is for the provision of reporting suspected abuse of adults with mental retardation or developmental disabilities per Mental Health Law §16.19; effective March 01, 2007 at no cost to the county.

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

**RESOLUTION NO. 07-131  
(April 10, 2007)**

By Mrs. Totslin, Chairman of Human Services Committee:

**CHAIRMAN / COMMISSIONER AUTHORIZED TO SIGN  
AN AGREEMENT WITH CATHOLIC CHARITIES OF  
BUFFALO 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 Catholic Charities of Buffalo Inc. with a local office at 25 Liberty St., Suite 7, Batavia, NY 14020 on behalf of the Department of Social Services. Said contract is for the provision of providing a caseworker to assist with preventative services cases eligible for Temporary Assistance; effective February 26, 2007 through September 30, 2008 at no cost to the county.

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

*There was a motion by Mr. Kushner, T/Eagle, to combine resolutions #12 through #14. A voice vote was taken and all voted aye.*

**#12**

**RESOLUTION NO. 07-132  
(April 10, 2007)**

By Mr. Kushner, Chairman of Public Health Committee:

**AMEND RESOLUTION NUMBER 05-354**

**WHEREAS**, Resolution Number 05-354 provides for various grant applications and/or renewals for the Public Health Department for 2006; now therefore

**BE IT RESOLVED**, That the following grant contract be amended to reflect a revised amount:

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- New York State Department of Health (EI Administration and CSHCN Grant)  
October 1, 2006 to September 20, 2007.  
(Reduce amount of grant awards by \$62.00 to a total of \$51,738.00 for combined awards.)

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

#13

**RESOLUTION NO. 07-133**  
(April 10, 2007)

By Mr. Kushner, Chairman of Public Health Committee:

**EDWARD PIECHOCKI APPOINTED TO  
THE WYOMING COUNTY BOARD OF HEALTH**

**BE IT RESOLVED**, That *Edward Piechocki*, RPA-C, Ryan Road, Wyoming NY is hereby appointed to the Wyoming County Board of Health *for a six (6) year vacant unexpired term; effective immediately through December 31, 2012.*

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

#14

**RESOLUTION NO. 07-134**  
(April 10, 2007)

By Mr. Kushner, Chairman of Public Health Committee:

**CHAIRMAN AUTHORIZED TO SIGN AN AGREEMENT  
WITH LORI ROCHE ON BEHALF OF 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 an

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agreement with Lori Roche, 6288 Route 362, Bliss, NY 14024 on behalf of the Public Health Department. Said independent contractor agreement is for the provision of Director of Nursing Services; for a period not to exceed six (6) months; effective April 23, 2007 in an amount not to exceed six thousand dollars (\$6,000.00). 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 #15 through #16. A voice vote was taken and all voted aye.*

**#15**

**RESOLUTION NO. 07-135  
(April 10, 2007)**

By Mr. Fleischman, Chairman of Planning Committee:

**CHAIRMAN AUTHORIZED TO SIGN A G.L.O.W. REGION  
SOLID WASTE MANAGEMENT COMMITTEE INTER-  
MUNICIPAL COOPERATION CONTRACT**

**WHEREAS**, The Genesee, Livingston, and Wyoming Counties (“GLOW”) Region Solid Waste Management Project Inter-municipal Cooperation Contract is scheduled to expire on December 31, 2007; and

**WHEREAS**, The G.L.O.W. Committee has prepared the Tenth Amended and Restated Inter-Municipal Cooperation Contract and has recommended that this contract be submitted to the three counties for their review and approval, said contract to expire December 31, 2009; now therefore

**BE IT RESOLVED**, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to execute said contract on behalf of the County of Wyoming.

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

**RESOLUTION NO. 07-136  
(April 10, 2007)**

By Mr. Fleischman, Chairman of Planning Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT  
WITH CLARK PATTERSON ASSOCIATES ON BEHALF  
OF PLANNING AND DEVELOPMENT**

**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 Planning and Development. Said contract is to provide temporary county planning services on an as needed basis during the vacancy of the county's Director of Planning and Development; not to exceed five thousand dollars (\$5,000.00).

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

*There was a motion by Mr. Rogers, T/Pike, to combine resolutions #17 through #22. A voice vote was taken and all voted aye.*

#17

**RESOLUTION NO. 07-137  
(April 10, 2007)**

By Mr. Rogers, Chairman of Public Safety Committee:

**WYOMING COUNTY BOARD OF SUPERVISORS  
SUPPORTS 2006 NEW YORK STATE LEGISLATION  
ASSEMBLY BILL A.12114 AND SENATE BILL S.4124  
DEALING WITH COMPUTER SEX CRIMES AGAINST  
CHILDREN**

**WHEREAS**, Since the mid-1990's, The United States of America has led international efforts to bring attention to sex offenses committed against

children, which included the passage of the Sex Crimes Against Children Prevention Act of 1995; and

**WHEREAS**, Throughout the years, New York State and municipalities contained within have enacted policies and laws that assist in preventing and deterring crimes against children under the age of 18; and

**WHEREAS**, New York State has passed laws to penalize sex offenders, enhance the ability of law enforcement to monitor convicted sex offenders, and further educate the public on protecting their children; and

**WHEREAS**, Even under the most stringent of environments, child predators are driven to commit crimes against minors, by any means available to them, often with little or no regard for the consequences their actions create both for them and their victims; and

**WHEREAS**, The means by which these child predators often perpetrate these crimes against minors involves computers, computer devices, the internet and other networks, which grant a distinct anonymity to the offender toward the victim; and

**WHEREAS**, It is necessary for government to continue its role in protecting children, the most vulnerable population, through the passage of strong legislation that will enhance law enforcement's ability to investigate and prosecute crimes against such population as well as increase the penalties against the convicted offenders; and

**WHEREAS**, New York State is currently considering legislation as proposed in 2006 in the Assembly (A12114) by Mark Schroeder, D-Buffalo, with similar legislation proposed in the Senate (S4124) by Michael Balboni, R-East Williston, that creates a new offense of "a computer sex crime against a child," and increases penalties for such offenses; and

**WHEREAS**, A Program Bill sponsored by then – Attorney General Eliot Spitzer establishes the criteria set forth in the aforementioned legislation currently being considered by the New York State Legislature; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors supports all levels of government continuing diligent efforts toward preventing child sexual predators from carrying out their crimes against children under the age of 18; and be it

**FURTHER RESOLVED**, That the Wyoming County Board of Supervisors does hereby go on record in full support of the proposed New York

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State legislation strengthening the law and increasing penalties to those who perpetrate a computer sex crime against a child; and be it

**FURTHER RESOLVED**, That the Clerk of the Wyoming County Board of Supervisors is instructed to send certified copies of this resolution to Governor Eliot Spitzer; Attorney General Andrew Cuomo, Assembly Speaker Sheldon Silver, Assemblyman Daniel Burling, Senate Majority Leader Joseph Bruno, Senator Dale Volker, and Western New York Inter – County.

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

**#18**

**RESOLUTION NO. 07-138  
(April 10, 2007)**

By Mr. Rogers, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN AN AGREEMENT  
WITH NYS DEPARTMENT OF STATE FOR THE LOCAL  
ENHANCED WIRELESS 911 PROGRAM 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 agreement with New York State Department of State, 41 State Street, 10<sup>th</sup> Floor, Albany, New York 12231 on behalf of Emergency Services. Said agreement is to provide for reimbursement of certain costs associated with the provision of Wireless 911 services for costs incurred April 01, 2006 through March 31, 2009 or until claimed out; in the minimum amount of twenty-five thousand four hundred twenty – six dollars (\$25,426.00).

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

**#19**

**RESOLUTION NO. 07-139  
(April 10, 2007)**

By Mr. Rogers, Chairman of Public Safety Committee:

**ANTHONY MARTINO REMOVED FROM POSITION**

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**OF DIRECTOR OF FIRE AND EMERGENCY  
MANAGEMENT**

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**BE IT RESOLVED**, By the Wyoming County Board of Supervisors that Anthony Martino's termination from the position of Director of Fire and Emergency Management is hereby ratified by this Board of Supervisors, effective December 18, 2006.

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

**#20**

**RESOLUTION NO. 07-140  
(April 10, 2007)**

By Mr. Rogers, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A GRANT  
APPLICATION AND ACCEPTANCE AWARD WITH NYS  
DIVISION OF CRIMINAL JUSTICE SERVICES 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 with NYS Division of Criminal Justice Services, 4 Tower Place, Albany, NY 12203-3762 on behalf of the Sheriff's Department. Said grant is for the provision of \$15,000.00 to support the Wyoming County Drug Task Force. Local match required is \$5,000.00 for a total project cost of \$20,000.00; effective April 01, 2007 through September 30, 2007 with no extensions available.

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

**#21**

**RESOLUTION NO. 07-141  
(April 10, 2007)**

By Mr. Rogers, Chairman of Public Safety Committee:

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**CHAIRMAN AUTHORIZED TO SIGN A LEASE  
AGREEMENT WITH HOSELTON AUTOMALL ON  
BEHALF OF THE DEPARTMENT 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 three year lease agreement with Hoselton Automall, 909 Fairport Road, East Rochester, NY 14445 on behalf of the Department of Fire and Building Codes. Said lease agreement will provide for a 2007 Jeep Liberty, 4x4 in the amount of three thousand six hundred sixteen dollars (\$3,616.00) annually. Total cost of lease agreement not to exceed ten thousand five hundred twenty-six dollars and ninety-two cents (\$10,526.92); effective June 03, 2007 through June 02, 2010.

Contingent on the availability of funds.

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

#22

**RESOLUTION NO. 07-142  
(April 10, 2007)**

By Mr. Rogers, Chairman of Public Safety Committee:

**ANTHONY SANTORO APPOINTED  
DIRECTOR OF FIRE AND EMERGENCY MANAGEMENT**

**BE IT RESOLVED**, That Anthony Santoro, 74 Exchange Street, Attica NY 14011 is hereby appointed to the position of Director of Fire and Emergency Management effective April 30, 2007.

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

*Supervisor Rogers introduced newly appointed Director of Fire and Emergency Management, Mr. Anthony Santoro.*

*There was a motion by Mr. Patti, T/Genesee Falls, to combine resolutions #23 through #29. A voice vote was taken and all voted aye.*

**RESOLUTION NO. 07-143  
(April 10, 2007)**

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,  
(SUPPLEMENTAL AGREEMENT NO.1) AND  
APPROPRIATING FUNDS THEREFORE**

**WHEREAS**, A Project for the **Replacement of East Koy Road Bridge over East Koy creek, Town of Pike, Wyoming County, P.I.N. 4753.14; BIN 3320090** (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 construction phases.

**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 construction work for the Project or portions thereof; and it is further

**RESOLVED**, That the sum of **\$945,000** 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

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**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:**

**#24**

**RESOLUTION NO. 07-144  
(April 10, 2007)**

By Mr. Patti, Chairman of Public Works Committee:

**ANNUAL HIGHWAY MATERIAL BIDS APPROVED**

**BE IT RESOLVED**, That the attached yearly County Highway material bids are hereby approved effective March 31, 2007 all ties were awarded by lot at the March 30, 2007 Public Works Committee; and be it

**FURTHER RESOLVED**, That each of the sixteen (16) Towns of Wyoming County can use all bids subject to mutual agreement between vendor and municipalities.

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

**RESOLUTION NO. 07-145  
(April 10, 2007)**

By Mr. Patti, Chairman of Public Works Committee:

**REPLACEMENT OF COTTON HILL ROAD BRIDGE  
IN THE TOWN OF ATTICA APPROVED**

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors hereby approves the replacement of the Cotton Hill Road Bridge located in the Town of Attica in the estimated amount of two hundred thirty thousand dollars (\$230,000.00); 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 all necessary documents related to the implementation of this renovation project.

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

**#26**

**RESOLUTION NO. 07-146  
(April 10, 2007)**

By Mr. Patti, Chairman of Public Works Committee:

**CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN A  
CONTRACT FOR THE REPLACEMENT OF WARSAW  
BRIDGE NO. 9 (MUNGERS MILL ROAD BRIDGE OVER  
OATKA CREEK)**

**BE IT RESOLVED**, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to award a bid and sign a contract with CATCO, 1266 Townline Road, Alden NY 14004 for the replacement of Warsaw Bridge No. 9 (Mungers Mill Road Bridge over Oatka Creek) after approval by the engineer and superintendent. PIN 4753.21; BIN 3320260. Said contract to be in an amount not to exceed six hundred ninety-five thousand six hundred seventy dollars and eighty cents (\$695,670.80).

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Contingent upon the availability of funds.

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

**#27**

**RESOLUTION NO. 07-147  
(April 10, 2007)**

By Mr. Patti, Chairman of Public Works Committee:

**MACHINERY EQUIPMENT BID IN HIGHWAY  
DEPARTMENT APPROVED**

**BE IT RESOLVED**, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to award a bid for the purchase of a *2007 New Holland, Model TN70DA with a front mounted broom* to *Buffalo Tractor & Implement Co., Inc., 3045 Seneca Street, P.O. Box 318, Buffalo, NY 14224* in an amount not to exceed thirty-four thousand eight hundred thirty-two dollars (\$34,832.00).

Contingent upon the availability of funds.

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

**#28**

**RESOLUTION NO. 07-148  
(April 10, 2007)**

By Mr. Patti, Chairman of Public Works Committee:

**COUNTY HIGHWAY SUPERINTENDENT AUTHORIZED  
TO EXTEND THE SNOW AGREEMENT WITH TOWNS  
AND VILLAGES FOR 2007/2008**

**WHEREAS**, The public interest demands the snow removal and the control of ice on all county roads with the County to bear the entire cost in accordance with Section 135a of the Highway Law; and

**WHEREAS**, The County is desirous of extending agreements with several Towns and Villages of the County for the removal of snow and for control of ice on county roads; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors hereby authorizes the Superintendent of Highways to enter into agreements with the various Towns and Villages for the purpose of removing snow and the control of ice on county roads for the winter season of **2007/2008**. Payment will be made to the Towns and Villages by the County from the County Snow Funds; contingent upon the availability of funds.

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

**#29**

)  
**RESOLUTION NO. 07-149**  
**(April 10, 2007)**

By Mr. Patti, Chairman of Public Works Committee:

**JOHN A. BEACHEL APPOINTED CONSTRUCTION  
PROJECT COORDINATOR (Temporary)**

**BE IT RESOLVED**, That John A. Beachel, 62 East Mill St., Castile, NY 14427 is hereby appointed to the position of Construction Project Coordinator (Temporary); effective upon the appointment of a successor County Superintendent of Highways.

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

*Supervisor Patti gave a brief overview of the Road Reconstruction Project.*

**As presented**

INTRODUCTION OF PROPOSED LOCAL LAW NO. B- YEAR 2007,  
County of Wyoming, **Providing Salaries for Certain County Officers for the  
year 2007**

**BE IT ENACTED BY THE BOARD OF SUPERVISORS OF THE COUNTY  
OF WYOMING AS FOLLOWS:**

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Section 1. Effective as hereafter provided, the annual salary of the County Treasurer shall be increased by \$1,470.00

Section 2. Effective as hereafter provided, the annual salary of the Clerk to the Board of Supervisors shall be increased by \$1,203.00.

Section 3. Effective as hereafter provided, the annual salary of the County Attorney shall be increased by \$1,794.00.

Section 4. Effective as hereafter provided, the annual salary of the Highway Superintendent shall be increased by \$2,090.00.

Section 5. Effective as hereafter provided, the annual salary of the Deputy Highway Superintendent shall be increased by \$1,539.00.

Section 6. Effective as hereafter provided, the annual salary of Director of Community Services shall be increased by \$1,844.00.

Section 7. Effective as hereafter provided, the annual salary of the Public Defender shall be increased by \$1,533.00.

Section 8. Effective as hereafter provided, the annual salary of the Commissioner of Public Health shall be increased by \$2,049.00.

Section 9. Effective as hereafter provided, the annual salary of the Real Property Tax Director shall be increased by \$1,755.00.

Section 10. Effective as hereafter provided, the annual salary of the Commissioner of Social Services shall be increased by \$2,145.00.

Section 11. Effective as hereafter provided, the annual salary of the Director of Veterans Services shall be increased by \$584.00.

~~Section 12. Effective as hereafter provided, the annual salary of the Workers' Compensation Program Administrator shall be increased by \$1,268.00. Not a term~~

Section 13. All salaries set forth herein shall be effective as of January 1, 2007.

Section 14. 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 15. This Local Law is subject to permissive referendum.

**Carried:            Ayes:            Noes:            Absent:            Abstain:**

**As Amended**

**INTRODUCTION OF PROPOSED LOCAL LAW NO. B- YEAR 2007,  
County of Wyoming, **Providing Salaries for Certain County Officers for the  
year 2007****

**BE IT ENACTED BY THE BOARD OF SUPERVISORS OF THE COUNTY  
OF WYOMING AS FOLLOWS:**

Section 1. Effective as hereafter provided, the annual salary of the County Treasurer shall be increased by \$1,470.00.

Section 2. Effective as hereafter provided, the annual salary of the County Clerk shall be increased by \$1,602.00.

Section 3. Effective as hereafter provided, the annual salary of the Clerk to the Board of Supervisors shall be increased by \$1,203.00.

Section 4. Effective as hereafter provided, the annual salary of the County Attorney shall be increased by \$1,794.00.

Section 5. Effective as hereafter provided, the annual salary of the Highway Superintendent shall be increased by \$2,090.00.

Section 6. Effective as hereafter provided, the annual salary of the Deputy Highway Superintendent shall be increased by \$1,539.00.

Section 7. Effective as hereafter provided, the annual salary of Director of Community Services shall be increased by \$1,844.00.

Section 8. Effective as hereafter provided, the annual salary of the Public Defender shall be increased by \$1,533.00.

Section 9. Effective as hereafter provided, the annual salary of the Commissioner of Public Health shall be increased by \$2,049.00.

Section 10. Effective as hereafter provided, the annual salary of the Real Property Tax Director shall be increased by \$1,755.00.

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Section 11. Effective as hereafter provided, the annual salary of the Commissioner of Social Services shall be increased by \$2,145.00.

Section 12. Effective as hereafter provided, the annual salary of the Director of Veterans Services shall be increased by \$584.00.

Section 13. All salaries set forth herein shall be effective as of January 1, 2007.

Section 14. 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 15. This Local Law is subject to permissive referendum.

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

#30

**RESOLUTION NO. 07-150**  
**(April 10, 2007)**

By Mr. Davis, Chairman of Finance Committee:

**SET PUBLIC HEARING – INTRODUCTORY LOCAL LAW**  
**NO. B YEAR 2007**

**WHEREAS**, There has been duly presented and introduced at a meeting of this Board of Supervisors of Wyoming County on this 10<sup>th</sup> day of April, 2007, a proposed local law entitled, “**Local Law Introductory No. B Year 2007, “A LOCAL LAW PROVIDING SALARIES FOR CERTAIN COUNTY OFFICERS FOR THE YEAR 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 will be held on the said proposed Local Law by this Wyoming County Board of Supervisors on the 8<sup>th</sup> day of May, 2007 at 3:00 PM at the Wyoming County Government Center, Warsaw, New York.

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

**RESOLUTION NO. 07-  
(April 10, 2007)**

By Mr. Davis, Chairman of Finance Committee:

**SALARY SCHEDULES “S” AND “D” AMENDED**

**BE IT RESOLVED**, That the Wyoming County Salary Plan which became effective January 01, 1967, as amended, is hereby amended as follows:

- Salary Schedules “S” and “D” annexed hereto shall be substituted for the existing schedules “S” and “D.” Commencing January 01, 2007, eligible employees in the job titles covered thereby shall be paid the basic salary in accordance with these wage and salary schedules; and be it

**FURTHER RESOLVED**, That the salary of any position vacated shall be open for review by the appropriate committee.

**Carried:            Ayes:            Noes:            Absent:            Abstain:**

**As Amended  
#31**

**RESOLUTION NO. 07-151  
(April 10, 2007)**

By Mr. Davis, Chairman of Finance Committee:

**SALARY SCHEDULES “S,” “D” AND I AMENDED**

**BE IT RESOLVED**, That the Wyoming County Salary Plan which became effective January 01, 1967, as amended, is hereby amended as follows:

- Salary Schedules “S,” “D” and “I” annexed hereto shall be substituted for the existing schedules “S,” “D” and “I”. Commencing January 01, 2007, eligible employees in the job titles covered thereby shall be paid the basic salary in accordance with these wage and salary schedules; and be it

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**FURTHER RESOLVED**, That the salary of any position vacated shall be open for review by the appropriate committee.

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

#32

**RESOLUTION NO. 07-152  
(April 10, 2007)**

By Mr. Davis, Chairman of Finance Committee:

**CHAIRMAN AUTHORIZED TO EXTEND 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 extend a Letter of Understanding with Hartford Insurance Company, P.O. Box 2999, Hartford, CT 06104 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 thirteen dollars and seven cents (\$13.07) per employee per month; for an estimated cost savings of four thousand five hundred twenty-five dollars (\$4,525.00); effective April 01, 2007 through April 01, 2008.

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

#33

**RESOLUTION NO. 07-153  
(April 10, 2007)**

By Mr. Davis, Chairman of Finance Committee:

**REFUND OF TOWN/COUNTY TAX IN THE TOWN OF  
ORANGEVILLE**

**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 Orangeville  
Tax Map 564000 82.-2-1.1

**OWNER:** Hans J Boxler  
Rose Marie Boxler  
2706 Route 20A  
Varysburg, NY 14167

**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 failure on the part of the assessor to act on a partial exemption, would be eligible for such partial exemption”*

**ACTION:** Issue refund of \$ 1,580.10.

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

**#34**

**RESOLUTION NO. 07-154  
(April 10, 2007)**

By Mr. Davis, Chairman of Finance Committee:

**2007 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

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**WHEREAS**, The United Way has a 2007 campaign goal of two hundred seven thousand dollars (\$207,000.00) 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 2007 United Way Campaign, and encourages county and municipal employees, and county residents and 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:**

**#35**

**RESOLUTION NO. 07-155  
(April 10, 2007)**

By Mr. Davis, Chairman of Finance Committee:

**PAY RATE OF WYOMING COUNTY HIGHWAY  
LABORERS (Seasonal) SET**

**BE IT RESOLVED**, That the positions of temporary Seasonal Laborers (12) in the Wyoming County Highway Department shall be paid at a rate of eight dollars per hour (\$8.00/hr.) plus twenty-five cents (\$.25/hr) for each previous season worked, effective through December 31, 2007, with no other benefits except those mandated by law.

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

**#36**

**RESOLUTION NO. 07-156  
(April 10, 2007)**

By Mr. Davis, Chairman of Finance Committee:

**ONE POSITION OF ASSISTANT DIRECTOR OF NURSING  
(CHHA), PT (Temporary) CREATED IN THE CERTIFIED**

**HOME HEALTH AGENCY IN THE PUBLIC HEALTH  
DEPARTMENT**

**BE IT RESOLVED**, That one position of Assistant Director of Nursing (CHHA), PT (Temporary) be created in the Public Health Department; and be it

**FURTHER RESOLVED**, That Salary Schedule "S" is amended to reflect a \$1,000/mo. stipend effective April 23, 2007 through October 23, 2007.

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

*Before the roll call vote was taken Chairman Berwanger had the following comments, "I cannot vote to approve a \$6,000.00 salary increase for the County Treasurer. I base this decision on some very basic facts. John Edwards, former Treasurer of Wyoming County worked for 30 plus years. When he retired 16 months ago he was earning \$61,000.00. Mr. Edwards also held the position of Budget Officer which following his retirement was assigned to Paula Parker, who is paid \$17,000.00 for the additional responsibilities. Subtracting \$17,000.00 from \$61,000.00 equals a balance of \$44,000.00 for the Treasurer's position. Now, the current Treasurer, Cheryl Mayer, has asked the Finance Committee to approve a salary increase of \$13,000.00, from \$42,000.00 to \$55,000.00. I believe that a compromise was reached at \$48,000.00 by the Finance Committee. If the \$48,000.00 amount were to be combined with the current \$17,000.00 amount for the Budget Officer, Treasurer Mayer would be making \$65,000.00 after only 15 months in the position, which would be \$4,000.00 more than Mr. Edwards earned after 30 years of service to the county.*

*That being said, a \$6,000.00 salary increase equates to a 14% raise. A 3 ¼ % increase, the amount all other county employees are receiving, equates to \$1,470.00. Incidentally, the \$55,000.00 salary request would reflect a 31% salary increase. Also, today Supervisor Davis, Chairman of Finance was asked by the County Clerk about a salary increase for her position. Is the Board in favor of awarding a 14% raise to her as well? I would support a 3¼% increase for both, but not a 14% raise. I can not in good conscience and with a sense of fairness to all other County employees vote for a 14% increase now or ever without a dramatic increase in responsibility, which has not occurred.*

*I respectfully make a motion to amend Local Law B for the Year 2007 by amending item number one to reflect a 3¼% increase totaling \$1,470.00 and add a salary increase for the County Clerk at 3 ¼ % increase totaling \$1,602.00."*

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*Motion made by Chairman Berwanger to amend Introductory Local Law B for the Year 2007 to amend the County Treasurer's Salary increase from \$6,000.00 to a 3 ¼% increase of \$1,470.00 and to include the County Clerk's increase at \$1,602.00. The motion was seconded by Supervisor Gozelski. The roll call vote was taken on the amendment with the following results.*

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

*Motion made by Chairman Berwanger to amend Resolution Number 31 to include Salary Schedule "I" amendments.*

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

*After the amendments to the above mentioned resolutions were made a roll call vote was taken on resolutions numbered 30 through 36.*

*Supervisor Davis was asked to present the United Way Proclamation to Karen Rumpfola and Karen Duboy from the United Way.*

*Chairman Berwanger asked if there were any Supervisors that would object to the presentation of Unanimous Consent Resolution number 37. Hearing no objections the roll call vote was taken with the following results.*

**UC#37**

**RESOLUTION NO. 07-157  
(April 10, 2007)**

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

**CHILD ABUSE AND NEGLECT PREVENTION MONTH  
PROCLAIMED**

**WHEREAS**, Child abuse is a complex and ongoing problem in our society, affecting great numbers of children in Wyoming County; and

**WHEREAS**, Every child is entitled to be loved, cared for, nurtured, and secure and to be free from verbal abuse, sexual abuse, emotional and physical abuse and neglect; and

**WHEREAS**, Wyoming County faces a continuing need to support community-based programs to prevent child abuse and neglect; and

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**WHEREAS,** It is the responsibility of every adult who comes in contact with a child to protect that child’s inalienable right to a safe nurturing childhood; and

**WHEREAS,** Wyoming County has dedicated individuals and organizations who work daily to counter the problem of child abuse and neglect and to help parents obtain assistance they need; and

**WHEREAS,** Our County is stronger when all citizens become aware of child abuse and neglect prevention and become involved in supporting parents to raise their children in a safe, nurturing environment; and

**WHEREAS,** Wyoming County residents celebrate children, this county’s greatest resource and the community leaders of tomorrow; now therefore

**BE IT RESOLVED,** The Wyoming County Board of Supervisor’s do hereby proclaim the Month of April 2007 as;

**“CHILD ABUSE AND NEGLECT PREVENTION MONTH”**

in Wyoming County, New York and commend this observance to the citizens of this county.

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

*Mrs. Totslin was asked to present the proclamation to Commissioner Schmitt.*

*Commissioner Schmitt thanked the Board for the last minute addition as well as the Clerk to the Board and her staff for the preparation of the proclamation on short notice.*

There being no further business to come before this board with the rap on his desk Supervisor Bush declared the meeting adjourned at 3:42 PM

\*\*\*\*\*

*Respectfully submitted,*

*Cheryl J. Ketchum*

**REGULAR SESSION  
(May 08, 2007)****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 Davis, T/Covington. Also present were County Attorney, Eric T. Dadd; Deputy Budget Officer, Beth Pond; Clerk to the Board of Supervisors, Cheryl Ketchum and Deputy Clerk to the Board, Brenda Ferrell.

At 3:05 PM Chairman Berwanger, T/Arcade, called the meeting to order.

The Veteran leading the Pledge of Allegiance this month is:

**LANCE CORPORAL JESSE KELLY**

Lance Corporal Kelly's service to his country is while serving with the United States Marines Corp. Lance Corporal Kelly is the son of Karl and Kathy Kelly of Perry and Debbie Kelly of Perry Center.

He graduated from Perry Central School in June of 2005. Following graduation, he enlisted in the United States Marine Corp. Lance Corporal Kelly completed Basic Training at Paris Island, S. Carolina, MCT Training at Camp Geiger, N. Carolina, and Advanced Training in Motor Transportation at Fort Leonardwood, Missouri. Lance Corporal Kelly was then assigned duties with the 273<sup>rd</sup> Marine Wing Support Squadron at Beaufort, in S. Carolina.

The 273<sup>rd</sup> Marine Wing Support Squadron was deployed in September of 2006, and Lance Corporal Kelly accompanied his Unit to the Gulf War. He was assigned duties as a "Refueler" as part of his Combat Support Unit in support of "Operation Enduring Freedom."

For his service to his country, Lance Corporal Kelly to date has been awarded:

**THE NATIONAL DEFENSE SERVICE RIBBON  
THE NAVY SEA SERVICE MEDAL  
THE TERRORISM AWARENESS RIBBON**

Lance Corporal Kelly returned to the United States in March of this year and is presently home on leave and is working with the Marine Corp. Recruiting Station in Batavia.

Lance Corporal Kelly will return to the Gulf War this fall as his unit will again be deployed in support of "Operation Enduring Freedom."

***The pledge was said by all.***

A certificate of appreciation was presented to Lance Corporal Kelly in honor of his service to his country and also to commemorate his appearance here today.

Lance Corporal Kelly thanked the Board for his invitation to lead in the pledge and encouraged all in attendance to continue to support American Troops whether you are in favor of the War in Iraq or not.

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 2007 is Valerie Marcheson.

Valerie has been a caseworker in DSS since 2005. She not only manages and performs her work in a timely basis but does so while working towards her Masters Degree, all with a positive attitude and a smile. We would like to thank Valerie for her service to the community and to the County of Wyoming.

Please join me in recognizing Valerie Marcheson.

Ms. Marcheson was grateful for the "Employee of the Month" designation and thanked her fellow co-workers for all of their help and support. She stated that it was with their support that she was able to receive the honor.

At this time Chairman Berwanger introduced Darryl Heiby, Chairman of the Soil and Water Board of Directors, he also invited Supervisor Gozelski, T/Castile (Chairman of the Agriculture Committee) to join him at the podium in order to honor Greg McKurth, Soil and Water District Manager. The rest of the Soil & Water staff was on hand to show their support to Mr. McKurth as he accepts the Willard Croney Award presented to him here today. The New York

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State Conservation District Employees Association Annual Meeting and Awards Banquet was held March 15, 2007 in Auburn, NY. Each year the “Willard Croney Award” is presented for distinguished service. The recipient is an individual who has demonstrated outstanding excellence in the promotion of Soil and Water Conservation. This prestigious award is given to one employee from the 58 New York State Conservation Districts. Mr. McKurth was honored at this year’s banquet. Greg has played an important role in the growth of Wyoming County Soil & Water Conservation District for 27 years. He continuously provides technical assistance and successfully secures grant funding. He always puts the needs of landowners and municipalities first.

In recognition of Mr. McKurth’s outstanding service the Wyoming County the Board of Supervisors presented him with a framed Certificate of Appreciation congratulating him on his achievements and receipt of the Willard Croney Award.

Many pictures were taken to commemorate the occasion.

**Communications:**

None

**Open Public Hearing:**

**Local Law 3 (Introductory B), for the Year 2007, entitled, “*A Local Law of the County of Wyoming, Providing Salaries for Certain County Officers for the year 2007*”**

#1

**RESOLUTION NO. 07-158  
(May 08, 2007)**

By Mr. Rogers, Vice Chairman of Finance Committee:

**FUNDS TRANSFERRED TO VARIOUS 2007 ACCOUNTS**

**BE IT RESOLVED**, That funds are hereby transferred to the various 2007 accounts as follows:

<b>Public Health (CHHA)</b>			
<b>From:</b> 01.38.4050.1.10001 Salary S/D/I 01.38.4050.8.89001 Health Insurance <b>To:</b> 01.38.4050.4.40301 Professional Services <b>REASON:</b> Transfer funds to cover the cost of Professional Services (Director of Nursing Service Agreement).	\$4,211.28 1,788.72	\$6,000.00	
<b>From:</b> 01.38.4050.1.10001 Salary S/D/I <b>To:</b> 01.38.4050.2.23001 Motor Vehicle <b>Reason:</b> Move funds to cover the additional cost of replacing totaled CHHA vehicle with new Malibu (part. Paid by insurance recovery).	\$5,110.00	\$5,110.00	
<b>Public Health (CHHA) Total</b>			<b>\$11,110.00</b>

**Carried: XXX Ayes: 1564 Noes: Absent: 54 (Covington) Abstain: #2**

**RESOLUTION NO. 07-159  
(May 08, 2007)**

By Mr. Rogers, Vice Chairman of Finance Committee:

**FUNDS APPROPRIATED TO VARIOUS 2007 ACCOUNTS**

**BE IT RESOLVED**, That funds are hereby appropriated to the various 2007 accounts as follows:

<b>From 10/03/06 Finance Committee Meeting Radio Tower Project / CIP</b>			
<b>To:</b> 15.64.3020.2.20101 Radio Tower Project w/15.13.3020.5031 Inter Fund Rev. <b>Reason:</b> To increase budget to reflect the increase in the Saia Contract via change order.	\$11,200.00	\$11,200.00	
<b>Radio Tower Project / CIP Total</b>			<b>\$11,200.00</b>
<b>Information and Technology</b>			
<b>To:</b> 01.34.1681.4.40301 Professional Services 01.34.1681.4.40401 Training 01.34.1681.4.41410 Software 01.34.1681.4.40402 Conferences 01.34.1681.4.40406 Mileage w/01.11.1681.3089 State Aid increased by <b>Reason:</b> NYS RPTATIP Grant Contract #C060061	\$65,260.00 2,065.00 20,000.00 300.00 700.00	\$88,325.00	
<b>Information and Technology Total</b>			<b>\$88,325.00</b>
<b>Public Health</b>			
<b>To:</b> 01.38.4010.4.40917 Computer Services BRC <i>From any funds available</i> <b>REASON:</b> For necessary computer software upgrades to the PHDoc System.	\$19,250.00	\$19,250.00	
<b>To:</b> 01.38.4050.2.23001 Motor Vehicle w/01.08.4050.2680 Home Care/Ins. Recovery <b>Reason:</b> Purchase of a new vehicle.	\$7,077.00	\$7,077.00	
<b>Public Health Total</b>			<b>\$26,327.00</b>

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<b>Sheriff's Department</b>			
<b>To:</b> 01.37.3110.2.20501 Law Enforcement Equip w/01.12.3110.4.448914 Byrne Grant Aid <b>Reason:</b> Purchase of two radar units from Byrne JAG grant	\$5,000.00	\$5,000.00	
<b>To:</b> 01.37.3110.4.40508 Private Auto Repair <b>From:</b> 01.08.3110.2680 Insurance Recovery <b>Reason:</b> to pay for towing for car 21 from insurance co.	\$500.00	\$500.00	
<b>Sheriff's Department Total</b>			<b>\$5,500.00</b>
<b>Public Defender</b>			
<b>To:</b> 01.32.1170.4.42308 Sec 606 – Inmate Exp. w/01.11.1170.3089 State Aid increased by same. <b>Reason:</b> Section 606 expenses. Will be recovered upon closing and billing of these cases to the State of New York.	\$7,000.00	\$7,000.00	
<b>Public Defender Total</b>			<b>\$7,000.00</b>
<b>Highway</b>			
<b>To:</b> 04.53.5110.4.41904 Bituminous Products w/04.11.5110.3501 Consolidated Highway Aid increased by same. <b>Reason:</b> To allocate funds for CHIPS increased funding for 2007.	\$11,569.76	\$11,569.76	
<b>To:</b> 04.53.5112.4.40948 Bridge Improvement (cu – CR #06) w/04.11.5112.308912 MM-2000 state aid increased by same. <b>Reason:</b> To allocate funds for MM-4 for culverts for CR #06 Middle Reservation Road for 2007.	\$150,000.00	\$150,000.00	
<b>To:</b> 04.53.5112.4.40940 HBRR Contract w/04.12.5112.4089 Corps of Engineers w/04.11.5112.3089 Other State Aid w/balance to come from any funds available <b>Reason:</b> Funds not used in 2006 are to be carried over for the 2007 expenses, which are being incurred for engineering and ROW for Pike Bridge No. 11(Hillside Road) and construction and inspection for Pike Bridge No. 02 (East Koy Road) and Warsaw Bridge NO. 09 (Mungers Mill Road).	\$1,695,417.39	\$1,356,333.90 \$ 231,949.70 \$ 107,133.79	
<b>Road Fund</b> <b>To:</b> 04.53.5110.4.41905 Bridge Materials w/04.13.5110.5031 Interfund Transfer <b>Reason:</b> To allocate funds for replacement of Attica Bridge No. 05 – Cotton Hill Road which was approved by resolution #07-145 for 2007.	\$230,000.00	\$230,000.00	
<b>General Fund</b> <b>To:</b> 01.52.9901.9.99001 Lowman from any funds available	\$230,000.00	\$230,000.00	
<b>Machinery Fund</b> <b>To:</b> 03.54.5130.1.10101 Full time CSEA contract 03.54.5130.1.10301 OT-inc full/part time 03.54.5130.8.81001 Retirement 03.54.5130.8.83001 FICA 03.54.5130.8.85001 Medicare – FICA w/offsetting revenues 03.10.5130.2801 Interfund revenue <b>Reason:</b> To allocated funds for 2006 retro pay and 2007 pay rates to 2007 budget for Machinery Funds.	\$12,291.00 \$ 62.00 \$ 1,483.00 \$ 766.00 \$ 180.00	\$14,782.00	
<b>Road Fund</b> <b>To:</b> 04.53.5010.1.10001 Salaries-fixed s/d/I 04.53.5010.1.10101 Full time CSEA contract 04.53.5010.8.81001 Retirement 04.53.5010.8.83001 FICA 04.53.5010.8.85001 Medicare-FICA 04.53.5110.1.10101 Full Time CSEA contract 04.53.5110.1.10301 OT-Inc. full/part time 04.53.5110.8.81001 Retirement 04.53.5110.8.83001 FICA 04.53.5110.8.85001 Medicare – FICA	\$ 4,900.00 2,319.00 867.00 448.00 105.00 66,210.00 1,520.00 8,128.00 4,200.00 982.00 14,782.00		

04.53.5110.4.40602 Equipment Rental w/ 04.13.5110.5031 Interfund Transfer <b>Reason:</b> To allocated funds for 2006 retro pay and 2007 pay rates to 2007 budget for County Road Fund. <b>General Fund</b> <b>To:</b> 01.52.9901.9.99001 Lowman from any funds available	\$104,461.00	\$104,461.00	
<b>Highway Total</b>			<b>\$2,206,230.15</b>

**Carried: XXX Ayes: 1564 Noes: Absent: 54 (Covington) Abstain:**

Mr. Bush, T/Gainesville, Chairman of the Audit Committee, presented bills totaling **\$1,436,113.94** for the month of **April 2007**.

**Carried: XXX Ayes: 1564 Noes: Absent: 54 (Covington) Abstain:**

*There was a motion by Mrs. Totline, T/Genesee Falls, to combine resolutions #3 through #7. A voice vote was taken and all voted aye.*

**#3**

**RESOLUTION NO. 07-160  
(May 8, 2007)**

By Mrs. Totline, Chairman of Human Services Committee:

**ARMED FORCES WEEK PROCLAIMED**

**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, to fill the ranks of: The Army, The Navy, The Air Force, The Marines, and The Coast Guard, many being injured or even paying the ultimate sacrifice in the defense of our freedoms in our great country; and

**WHEREAS**, Armed Forces Day having its origin when President Truman declared May 20, 1950 as the first official day to celebrate and honor all branches of the Armed Forces under one department, The Department of Defense; and

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**WHEREAS**, Citizens of our county are presently serving in all branches of the Armed Forces, in places all around the World, many in “harm’s way” of the Gulf War in Iraq, Afghanistan, and Pakistan; and

**WHEREAS**, The members of the Wyoming County Board of Supervisors and the citizens of Wyoming County, in keeping with the tradition of our State and Nation, strongly support our Veterans who sacrifice so much to insure our freedom; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors does hereby designate the week of *May 6-12, 2007* as:

**“ARMED FORCES WEEK”**

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, Senator Dale Volker, Assemblyman Daniel Burling, and all other deemed appropriate and necessary.

**Carried: XXX    Ayes: 1564    Noes:    Absent: 54 (Covington)    Abstain:  
#4**

**RESOLUTION NO. 07-161  
(May 8, 2007)**

By Mrs. Totslin, Chairman of Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN VARIOUS  
CONTRACTS 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 following contracts on behalf of the Wyoming County Youth Bureau:

**Effective July 01, 2007 – June 30, 2009.**

**PRS = PRESCHOOL RELATED SERVICES CONTRACT**

**PSED = PRESCHOOL SPECIAL EDUCATION CONTRACT**

**EI = EARLY INTERVENTION CONTRACT**

**\*Prices not to exceed 2007 – 2008 budget – amounts vary depending on number of clients served.**

AURORA AUDIOLOGY  
112 OLEAN STREET, SUITE 124  
EAST AURORA, NEW YORK 14052  
716-652-6464

PRS/EI

BUFFALO HEARING AND SPEECH  
50 EAST NORTH STREET  
BUFFALO, NEW YORK 14203  
716-885-8871

PRS

CATT-ALLEGANY BOCES

PRS/PSED

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1845 WINDFALL ROAD  
OLEAN, NEW YORK 14760  
716-376-8216

TRUDY CHAPMAN PRS  
9736 ALEXANDER ROAD  
ALEXANDER, NEW YORK 14005  
585-591-4497

COMMUNITY HEARING SERVICES PRS  
117 FRANKLIN STREET, SUITE 300  
DANSVILLE, NEW YORK 14427  
585-335-3640

SANDRA DEVOE PRS/EI  
10725 MOLASSES HILL ROAD  
ALEXANDER, NEW YORK 14005  
585-343-5158

ADAM FINLEY PRS/EI  
157 PEARL STREET  
HOLLAND, NEW YORK 14080  
716-560-1051

CANDY FRAZIER PRS/EI  
10792 STICKLE ROAD  
FREEDOM, NEW YORK 14065  
585-567-4316

HEARING AND SPEECH CENTER OF WESTERN NEW YORK PRS  
2545 SEHRIDAN DRIVE  
TONAWANDA, NEW YORK 14150  
716-310-4532

HEARING IMPAIRED INSTRUCTIONAL SERVICES LLC PRS  
162 HIGHLAND DRIVE  
WILLIAMSVILLE, NEW YORK 14221

TERRI HUMBERSTONE PRS/EI  
7064 STANDPIPE ROAD  
PERRY, NEW YORK 14530  
585-237-2139

PAUL IMBERT EI

2745 CLEVELAND AVENUE  
NIAGARA FALLS, NEW YORK 14305

INTEGRATED THERAPY SERVICES PRS/EI  
25 LIBERTY STREET  
BATAVIA, NEW YORK 14020  
585-343-1840

CARLA JENETTI PRS/EI  
251 SOUTH GROVE STREET  
EAST AURORA, NEW YORK 14052  
716-655-2526

KIDSTART PRS/PSED/EI  
18 MAIN STREET  
MT. MORRIS, NEW YORK 14510  
585-658-2825

LETCHWORTH CENTRAL SCHOOL PRS  
5550 SCHOOL ROAD  
GAINESVILLE, NEW YORK 14066  
585-493-5999

LETCHWORTH LITTLE LEARNERS PSED  
5550 SCHOOL ROAD  
GAINESVILLE, NEW YORK 14066  
585-493-5999

SARAH MILLER PRS  
2845 MAXON ROAD  
VARYSBURG, NEW YORK 14167  
585-535-7247

KAREN NELSON PRS/EI  
4588 CONWAY ROAD  
EAST BETHANY, NEW YORK 14054  
585-409-7549

OLMSTED CENTER FOR THE VISUALLY IMPAIRED PRS/EI  
1170 MAIN STREET, PO BOX 398  
BUFFALO, NEW YORK 14209  
716-882-1025

PRESCHOOL LEARNING CENTER 393 NORTH STREET SPRINGVILLE, NEW YORK 14141 716-592-9331	PRS/PSED/EI
RAINBOW PRESCHOOL THE ARC OF ORLEANS COUNTY 243 SOUTH MAIN STREET, SUITE 220 ALBION, NEW YORK 14411 585-589-5384	PRS/PSED/EI
REHABILITATION TODAY SERVICES PLLC 2416 CONSTITUTION AVENUE OLEAN, NEW YORK 14760	EI
JENNIFER RUMFOLA 12800 PRATHAM ROAD EAST CONCORD, NEW YORK 14055	EI
NANCY SMALL 10455 GREINER ROAD CLARENCE, NEW YORK 14024	EI
THERAPEUTIC LINK FOR CHILDREN 6167 WEST QUAKER ROAD ORCHARD PARK, NEW YORK 14127	EI
TURNING POINT THERAPEUTIC 4534 SALISBURY PLACE HAMBURG, NEW YORK 14075	EI
ELIZABETH WASCAK 3820 EUCLID AVENUE PERRY, NEW YORK 14530 585-237-5155	PRS/EI
WYOMING COUNTY COMMUNITY HEALTH SYSTEM 422 NORTH MAIN STREET WARSAW, NEW YORK 14569 585-786-8940 Contingent upon availability of funds.	PRS/PSED/EI

**Carried: XXX Ayes: 1564 Noes: Absent: 54 (Covington) Abstain:**

**RESOLUTION NO. 07-162  
(May 8, 2007)**

By Mrs. Totslin, Chairman of Human Services Committee:

**OLDER AMERICANS MONTH PROCLAIMED**

**WHEREAS**, Wyoming County is home to approximately 6,984 citizens 60 years of age or older; and

**WHEREAS**, The older citizens of Wyoming County represent a dramatic trend in our nation's demographic make up; and

**WHEREAS**, Older persons are diverse, respected citizens who continue to contribute to our nation's social and economic well-being; and

**WHEREAS**, A growing number of baby boomers are rapidly becoming older citizens, and the number of individuals providing care to family members and friends is expanding significantly; and

**WHEREAS**, The opportunities and challenges that lie ahead require us to think differently about health and long term care, and work together to rebalance and modernize our current systems so that we may adequately plan for and address the needs of current and future generation; and

**WHEREAS**, Older persons are entitled to live lives of dignity and independence through:

- Streamlined access to information and community services;
- Information about cost-effective prevention practices and activities that will improve health and quality of life, and
- Innovative, affordable options of care and support that will provide an array of choices about how and where to live; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors do hereby proclaim **May 2007** to be:

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**“OLDER AMERICANS MONTH”**

And urge all citizens to honor older adults, and those who care for them, during May and throughout the year. We urge all to promote and participate in activities that contribute to helping older Americans make choices for a healthy and rewarding future.

**Carried: XXX Ayes: 1564 Noes: Absent: 54 (Covington) Abstain: #6**

**RESOLUTION NO. 07-163**  
**(May 8, 2007)**

By Mrs. Totline, Chairman of Human Services Committee:

**RESOLUTION NUMBER 05-315 AMENDED**

**WHEREAS**, Resolution Number **05-315** authorizes the Chairman / Commissioner to sign a Lease Agreement with Meadowlands LTD, PO Box 144, Java Center, NY 14082 on behalf of the Department of Social Services. Said Lease Agreement to provide space for the TOP Office, family visitation, and job readiness program; effective December 15, 2005 through December 31, 2007 in the amount of nine hundred dollars (\$900.00) per month; contingent upon the availability of funds; now therefore

**BE IT RESOLVED**, That the above mentioned resolution be hereby amended to allow for an increase in rent as of January 01, 2007 through December 31, 2007 in the amount of \$13.50 additional per month per clause in original contract allowing for annual review and possible increase, for a total monthly charge of nine hundred thirteen dollars and fifty cents (\$913.50); contingent upon the availability of funds.

**Carried: XXX Ayes: 1564 Noes: Absent: 54 (Covington) Abstain: #7**

**RESOLUTION NO. 07-164**  
**(May 8, 2007)**

By Mrs. Totline, Chairman of 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 community and our State; and

**WHEREAS**, In Wyoming County there are 37 children and youth in foster care being provided with a safe, secure and stable home along with the compassion and nurture of a foster family; and

**WHEREAS**, Foster families, who open their homes and hearts and offer help to children whose families are in crisis, play a vital role helping children and families heal and reconnect and launching 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 whom work to increase public awareness of the needs of children in and leaving foster care as well as the enduring and valuable contribution of foster parents, and the foster care “system” is only as good as those who choose to be part of it; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors do hereby proclaim *May 2007* as

### “FOSTER CARE MONTH”

in Wyoming County; and be it

**FURTHER RESOLVED**, That the Board of Supervisors urge all citizens to come forward and do something positive that will help change a lifetime for children and youth in foster care.

**Carried: XXX Ayes: 1564 Noes: Absent: 54 (Covington) Abstain:**

*Chairman Berwanger requested that Supervisor Totstline present the three proclamations that were just approved by the Board.*

*The first proclamation presented was **Armed Forces Week** Proclaimed. Director Cousins invited all to attend the Buffalo Naval and Servicemen’s Park. The second largest celebration was held this past Sunday, with all five branches*

May 8, 2007

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*of the service in attendance. Eight WWII Air Force Veterans were honored during the celebration.*

*The second proclamation presented was for **Older Americans Month**. Shirley Brown from the Office for the Aging accepted the proclamation in Director Aldinger's absence.*

*The final proclamation presented was for **Foster Care Month**. Deputy Commissioner Weaver was present to accept the proclamation and encouraged everyone present to look into becoming a foster parent.*

#8

**RESOLUTION NO. 07-165  
(May 8, 2007)**

By Mr. Kushner, Chairman of 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**, Almost 21 percent of children and adolescents aged 9-17 in the United States have a mental health disorder and 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**, More than two million of the 34 million Americans age 65 and older suffer from some form of depression, which, despite our ability to successfully treat this illness, may result in increased healthcare costs, poor quality of life, and isolation; and

**WHEREAS**, The Wyoming County Board of Supervisors desires to acknowledge the 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

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**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 hereby proclaims:

**May as Mental Health Month**

**May 6<sup>th</sup> through 12<sup>th</sup> as Children's Mental Health Week**

**May 20<sup>th</sup> through 26<sup>th</sup> as Older American's Mental Health Week**

in Wyoming County, New York.

**Carried: XXX Ayes: 1564 Noes: Absent: 54 (Covington) Abstain:**  
**DEFEATED**  
**NON-CONSENT**  
**#09**

**RESOLUTION NO. 07-166**  
**(May 8, 2007)**

By Mr. Fleischman, Chairman of Planning Committee:

**NORB FUEST REAPPOINTED TO THE**  
**LOCAL DEVELOPMENT CORPORATION (LDC) BOARD**

**BE IT RESOLVED**, That Norb Fuest, Town of Bennington, 2039 Church Road, Darien, NY 14040 is hereby reappointed to the Local Development Corporation (LDC) Board as a Voting Director for a term of three (3) years; effective May 10, 2007 through May 09, 2010.

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Carried: XXX Ayes: 164 (Attica) Noes: 162 (Arcade) Absent: 54 (Covington) Abstain:  
127 (Bennington) 127 (Castile)  
96 (Gainesville) 49 (Eagle)  
93 (Java) 20 (Genesee Falls)  
64 (Middlebury) 48 (Orangeville)  
46 (Pike) 214 (Perry)  
106 (Sheldon) 213 (Warsaw)  
35 (Wethersfield) 833  
731

*There was a motion by Mr. Fleischman, T/Java, to combine resolutions #10 through #12. A voice vote was taken and all voted aye.*

#10

**RESOLUTION NO. 07-167  
(May 8, 2007)**

By Mr. Fleischman, Chairman of Planning Committee:

**RESOLUTION NUMBER 07-30 AMENDED**

**WHEREAS**, Resolution Number 07-30, entitled, “Chairman Authorized to Sign CDBG Small Cities Grant Agreement,” designates Richard L. Tindell to act as Certifying Officer for the purposes of carrying out an environmental review; and

**WHEREAS**, Mr. Tindell tendered his resignation effective March 02, 2007 creating a need for a Certifying Officer for the Wyoming County IDA to provide Financial Assistance through the Small Cities Grant Program in the amount of \$141,000.00 to Mille Fabricating of Arcade NY; now therefore

**BE IT RESOLVED**, Resolution number 07-30 be amended to reflect Clark Patterson be designated as the Certifying Officer on the above mentioned project.

**Carried: XXX Ayes: 1564 Noes: Absent: 54 (Covington) Abstain:**

#11

**RESOLUTION NO. 07-168  
(May 8, 2007)**

Regular Session

By Mr. Fleischman, Chairman of Planning Committee:

**ROBIN MARSCHILOK APPOINTED  
ACTING EMPIRE ZONE CERTIFICATION OFFICER**

**BE IT RESOLVED**, That Robin Marschilok, Wyoming County Chamber of Commerce, 6470 Route 20A, Suite #2, Perry NY 14530 is hereby appointed as Acting Empire Zone Certification Officer; effective during the absence of the Director of Planning and Development.

**Carried: XXX Ayes: 1564 Noes: Absent: 54 (Covington) Abstain: #12**

**RESOLUTION NO. 07-169  
(May 8, 2007)**

By Mr. Fleischman, Chairman of Planning Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT  
WITH THE WYOMING COUNTY BUSINESS CENTER,  
INC.**

**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 *Wyoming County Business Center, Inc. (LDC)*, 6470 Route 20A, Suite 2, Perry, NY 14530 for the provision of Administrative Services to the *Wyoming County Empire Zone* in an amount not to exceed twenty-five thousand dollars (\$25,000.00); effective January 01, 2007 through December 31, 2007.

**Carried: XXX Ayes: 1564 Noes: Absent: 54 (Covington) Abstain: #13**

**RESOLUTION NO. 07-170  
(May 8, 2007)**

By Mr. Kushner, Chairman of Public Health Committee and Mr. Rogers, Chairman of Public Safety Committee:

May 8, 2007

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**CHAIRMAN AUTHORIZED TO SIGN A GRANT  
ACCEPTANCE AWARD WITH THE DIVISION OF  
PROBATION AND CORRECTIONAL ALTERNATIVES ON  
BEHALF OF WYOMING COUNTY PROBATION AND  
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 grant acceptance award with the Division of Probation and Correctional Alternatives, 80 Wolf Road, Albany, NY 12205 on behalf of Wyoming County Probation and Mental Health. Said grant is to provide funding for a “*Services for a Shared Population*,” program, in an annual award of up to fifty thousand dollars (\$50,000.00) for a two (2) year period, contingent upon the availability of state funding; effective July 01, 2007 through June 30, 2009 or until otherwise claimed per the provisions of the contract.

**Carried: XXX Ayes: 1564 Noes: Absent: 54 (Covington) Abstain:**

*There was a motion by Mr. Rogers, T/Pike, to combine resolutions #14 through #18. A voice vote was taken and all voted aye.* **#14**

**RESOLUTION NO. 07-171  
(May 8, 2007)**

By Mr. Rogers, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A GRANT  
ACCEPTANCE AWARD WITH EMPIRE STATE  
DEVELOPMENT ON BEHALF OF THE RADIO  
COMMUNICATIONS PROJECT**

**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 Empire State Development Corporation, 633 Third Avenue, New York, NY 10017-8167 on behalf of the County Radio Communications Project. Said grant is to provide funding for radio tower communications equipment and other needed related project expenses in a minimum amount of seven hundred thousand dollars (\$700,000.00); effective May 03, 2005 through December 31, 2007 or until otherwise claimed per the provisions of the contract.

**Carried: XXX Ayes: 1564 Noes: Absent: 54 (Covington) Abstain:**

**RESOLUTION NO. 07-172  
(May 8, 2007)**

By Mr. Rogers, 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 award with the Division of Criminal Justice Service, 4 Tower Place, Albany NY 12203-3702, for a Byrne Justice Assistance Grant (JAG) (Contract Number BJ05917530) on behalf of the Sheriff's Department. Said grant is to provide for the purchase of four radar units in a minimum amount of five thousand dollars (\$5,000.00); effective; May 01, 2007 through April 30, 2008 or until otherwise claimed per the provisions of the contract.

**Carried: XXX Ayes: 1564 Noes: Absent: 54 (Covington) Abstain:  
#16**

**RESOLUTION NO. 07-173  
(May 8, 2007)**

By Mr. Rogers, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT  
WITH ROBERT JAE ON BEHALF OF THE RADIO  
COMMUNICATIONS PROJECT**

**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, 2227 Route 20A, Varysburg, NY 14167 on behalf of the Radio Communications Project. Said contract is to provide for a consultant for the radio project in an amount not to exceed nine thousand eight hundred dollars (\$9,800.00); effective January 01, 2007 through December 31, 2007, contingent upon the availability of funds.

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Carried: XXX Ayes: 1564 Noes: Absent: 54 (Covington) Abstain:  
#17

**RESOLUTION NO. 07-174**  
**(May 8, 2007)**

By Mr. Rogers, Chairman of Public Safety Committee:

**WILLIAM STREICHER APPOINTED COUNTY FIRE  
COORDINATOR, PT**

**BE IT RESOLVED**, That William Streicher, 486 Sanders Hill Rd., Strykersville, NY 14145 is hereby appointed as County Fire Coordinator, PT; effective April 30, 2007.

Carried: XXX Ayes: 1564 Noes: Absent: 54 (Covington) Abstain:  
#18

**RESOLUTION NO. 07-175**  
**(May 8, 2007)**

By Mr. Rogers, Chairman of Public Safety Committee:

**STATEWIDE WIRELESS NETWORK SEQRA FINDINGS  
STATEMENT APPROVED**

**WHEREAS**, The proposed action involves the installation and operation of a wireless antenna and related equipment (“SWN facility”). The SWN facility, when deployed, will constitute a component of the Statewide Wireless Network for use by state, local and federal agencies and first responders; and

**WHEREAS**, The New York State Office for Technology (“OFT”), having offices at Statewide Wireless Network Project Office, State Capitol, ESP, P.O. Box 2062, Albany, New York 12220-0062, in its capacity as lead agency, prepared Draft and Final Generic Environmental Impact Statement (“DGEIS” and “FGEIS” respectively) regarding the SWN; and

**WHEREAS**, The proposed action will be a part of an essential interoperable wireless communications network among governmental agencies and first responders, which is critical to adequately protect the health, safety and welfare of the public and strengthen homeland security; and

**WHEREAS**, The impacts, if any, resulting from the proposed action will not be significant. Further, the impacts that may be associated with the proposed action are greatly outweighed by the critically important public benefits of the SWN facility. In particular, the proposed action will benefit this community by enhancing emergency services and law enforcement communications; now therefore

**BE IT RESOLVED**, That after considering the relevant environmental impacts, facts and conclusions disclosed in the FGEIS, and weighing and balancing the environmental impacts with the benefits to the public health, safety and welfare, and homeland security, the Wyoming County Board of Supervisors hereby approves the State Environmental Quality Review Act (SEQRA) Findings Statement as presented by the New York State Office for Technology.

**Carried: XXX Ayes: 1564 Noes: Absent: 54 (Covington) Abstain:**

*Chairman Berwanger invited Supervisor Rogers to introduce Mr. Streicher as the newly appointed County Fire Coordinator, PT. Mr. Streicher was also thanked for his service to the county during the vacancy of a permanent Director of Fire and Emergency Management.*

*There was a motion by Mrs. Meeder, T/Middlebury, to combine resolutions #19 and #20. A voice vote was taken and all voted aye.*

**#19**

**RESOLUTION NO. 07-176  
(May 8, 2007)**

By Mrs. Meeder, Chairman of the Human Resource Committee:

**WEATHER EMERGENCIES AND ADVERSE WEATHER  
POLICY ADOPTED**

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors has approved revisions to the *(Employee) Weather Emergencies and Adverse Weathers Conditions Policy*

May 8, 2007

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for Wyoming County Employees as developed on November 17, 1995, as amended and annexed hereto; effective immediately.

**WYOMING COUNTY AND WCCHS  
ADMINISTRATIVE  
POLICY AND PROCEDURE**

Review Date: 1/01, 1/05, 3/07, 2007	Reviewed by: (Individuals/Committees) <b>Brenda Jones HR Director</b>	Departments effected: <b>System-wide</b>
Date Developed: 11/17/95		
<b>Chairman of the Board of Supervisor's Signature:</b>	Prepared by: <b>Brenda Jones HR Director</b>	Supersedes: 1/2005 <del>1/1999</del>
WCCHS Chief Executive Officer's Signature:		References:

**Policy: (EMPLOYEE) WEATHER EMERGENCIES AND  
ADVERSE WEATHER CONDITIONS**

**Purpose:** To establish an equitable mechanism for payment to employees who are unable to arrive at work at their regularly scheduled time due to adverse weather conditions or weather emergencies.

It shall be the policy of Wyoming County that employees unable to arrive at work due to adverse weather conditions or weather emergencies may use accrued Person Leave, Holiday or Vacation Days to avoid loss of pay.

Weather emergencies are defined as days so noted by the Wyoming County Sheriff's Department that county roads are closed or in the opinion of the CEO/Chairman of the Board of Supervisors, or their designee that a weather emergency exists.

Adverse weather conditions are defined as days so noted by the Wyoming County Sheriff's Department that county roads are generally open but weather

conditions are such that employees may incur major difficulties in arriving to work on time. Weather emergencies or adverse weather conditions may apply to a single shift or several shifts as determined by the CEO/Chairman of the Board of Supervisors or their designee.

**Procedure:** A) ADVERSE WEATHER:

1. Any employee who is unable to report to work due to adverse weather conditions, i.e. snow, must notify their department manager as soon as is reasonable possible prior to the beginning of his or her scheduled shift.
2. Personnel who wish to use benefit time must submit a benefit request slip specifying which of his/her accrued benefit days, excluding sick time, they wish to use to cover the absent day. In order to process the payroll in a timely fashion benefit request slips must be submitted to the employee's department manager no later than 8:00 a.m. Monday morning of the payroll week.
3. It shall be the employee's responsibility to complete and submit all benefit request slips. If a request slip is not submitted the employee will not be paid for this time and a separate check will not be issued.
4. Any employee who reports to work within one hour of the time their shift is scheduled to start, in other words, less than one hour late, will receive a full shifts pay if the lateness is due to adverse weather conditions. The CEO/Chairman of the Board of Supervisors will declare an adverse weather condition. This decision is made based on information from the Wyoming County Sheriff's Dept.

**PLEASE NOTE use of benefit time and being late will not be held against the employee through the Time and Attendance Policy.**

B) WEATHER EMERGENCIES:

1. Any employee who is unable to report to work due to weather emergencies, i.e., snow, must notify their department manager as soon as reasonably possible prior to the beginning of his or her scheduled shift.
2. Personnel who wish to use benefit time must submit a benefit request slip specifying which of his/her accrued benefit days, excluding sick time, they wish to use to cover the absent day. In order to process the payroll in a timely fashion benefit request slips by personnel must be submitted to the individual's department manager no later than 8:00 a.m. Monday morning of the payroll week.
3. It shall be the employee's responsibility to complete and submit all benefit slips. If a request slip is not submitted the employee will not be paid for this time and a separate check will not be issued.
4. Any employee who reports late to work due to weather emergencies will be paid for the full scheduled shift providing he/she reports to work before the scheduled work shift is half over. An employee who reports late to work after the shift is half over will receive one-half of a shift's pay.

**PLEASE NOTE use of benefit time and being late will not be held against the employee through the Time and Attendance Policy.**

**Carried: XXX Ayes: 1564 Noes: Absent: 54 (Covington) Abstain:**

**RESOLUTION NO. 07-177  
(May 8, 2007)**

By Mrs. Meeder, Chairman of Human Resource Committee:

**GENERAL UNIT  
CSEA LOCAL #1000**

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors hereby approves a Memorandum of Agreement between the County of Wyoming and The Wyoming County Unit C.S.E.A. Inc. Local 1000 authorizing the creation of Grade 1A in the WCCH Salary Schedule for the period beginning January 1, 2007 and ending December 31, 2008; and it is further

**RESOLVED**, That the Chairman of this Board of Supervisors is hereby authorized to execute the above mentioned Memorandum of Agreement on behalf of the County of Wyoming.

This resolution shall become effective immediately.

**Carried: XXX Ayes: 1564 Noes: Absent: 54 (Covington) Abstain:**

*There was a motion by Mr. Patti, T/Attica, to combine resolutions #21 through #23. A voice vote was taken and all voted aye.*

**#21**

**RESOLUTION NO. 07-178  
(May 8, 2007)**

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,  
(SUPPLEMENTAL AGREEMENT NO.1) AND  
APPROPRIATING FUNDS THEREFORE**

May 8, 2007

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**WHEREAS**, a Project for the **Replacement of Mungers Mill Road Bridge over Oatka Creek, Town of Warsaw, Wyoming County, P.I.N. 4753.21; BIN 3320260** (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 **PE/Design, ROW and Construction phases**.

**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 construction work for the Project or portions thereof; and it is further

**RESOLVED**, that the sum of **\$983,000** is hereby appropriated from Board of Supervisors and made available to cover the cost of participation in the above phases with \$130,000 for PE/Design, \$3,000 ROW and \$850,000 Construction 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: 1564 Noes: Absent: 54 (Covington) Abstain: #22**

**RESOLUTION NO. 07-179  
(May 8, 2007)**

By Mr. Patti, Chairman of Public Works Committee:

**CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN  
CONTRACTS WITH WYCO 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 award a bid and sign a contract with WYCO Construction, 4608B Liberty Street Road, Warsaw, NY 14569 for the Vernal and E. Main St – CR #19 culvert replacement project. Said contract is in an amount not to exceed fifty nine thousand twenty-eight dollars and eighty-five cents (\$59,028.85).  
Contingent upon the availability of funds.

**Carried: XXX Ayes: 1564 Noes: Absent: 54 (Covington) Abstain: #23**

**RESOLUTION NO. 07-180  
(May 8, 2007)**

By Mr. Patti, Chairman of Public Works Committee:

**CHAIRMAN AUTHORIZED TO SIGN GRANT  
APPLICATION AND ACCEPTANCE AWARD WITH THE  
GOVERNOR'S TRAFFIC SAFETY COMMITTEE ON**

May 8, 2007

**Proceedings of the Board of Supervisors**  
**BEHALF OF THE WYOMING COUNTY TRAFFIC  
SAFETY BOARD**

**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 State of New York Governor's Traffic Safety Committee Grant Applications and Acceptance Awards on behalf of the Wyoming County Traffic Safety Board:

- Buckle Up New York (BUNY)
  - Village of Arcade PD – \$3,300.00
  - Village of Attica PD – \$1,471.08
  - Wyoming Co. Sheriff – \$4,950.00
  
- Select Traffic Enforcement Program (STEP)
  - Village of Arcade PD - \$4,950.00
  - Village of Attica PD - \$1,471.08
  - Wyoming Co. Sheriff - \$44,250.00
  
- Child Passenger Safety
  - Village of Attica PD - \$4,000.00
  - Wyoming Co. Public Health – \$5,500.00

**Carried: XXX Ayes: 1564 Noes: Absent: 54 (Covington) Abstain:**

*There was a motion by Mr. Rogers, T/Pike, to combine resolutions #24 through #33. A voice vote was taken and all voted aye.*

**#24**

**RESOLUTION NO. 07-181**  
**(May 8, 2007)**

By Mr. Rogers, Vice Chairman of Finance Committee:

**NATIONAL HOSPITAL WEEK PROCLAIMED**

**WHEREAS**, National Hospital Weeks is May 6-12, 2007, and the official theme is “Care You Can Count On, People You Trust;” and

**WHEREAS**, Individuals all across the country will be celebrating this time honored event; and

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**WHEREAS**, These hard working people that compose our hospital deserve universal regard and appreciation for keeping our community healthy; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors do hereby proclaim *May 6-12, 2007*:

**“National Hospital Week”**

in Wyoming County, New York, and urge residents to express their appreciation for the people, the facilities and technologies that make trustworthy reliable health care possible.

**Carried: XXX Ayes: 1564 Noes: Absent: 54 (Covington) Abstain: #25**

**RESOLUTION NO. 07-182  
(May 8, 2007)**

By Mr. Rogers, Vice Chairman of Finance Committee:

**JASON D. BECK APPOINTED TO THE  
WYOMING COUNTY COMMUNITY HOSPITAL  
BOARD OF MANAGERS**

**BE IT RESOLVED**, That *Jason D. Beck*, 12 Pickett Street Ext., Castile, NY 14427 is hereby appointed to the Wyoming County Community Hospital Board of Managers *as a Town Representative for a corrected five (5) year term; effective immediately through December 31, 2007.*

**Carried: XXX Ayes: 1564 Noes: Absent: 54 (Covington) Abstain: #26**

**RESOLUTION NO. 07-183  
(May 8, 2007)**

By Mr. Rogers, Vice Chairman of Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A GRANT  
ACCEPTANCE AWARD WITH THE NEW YORK STATE  
OFFICE OF REAL PROPERTY SERVICES 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 grant acceptance award with the NYS Office of Real Property Services, 16 Sheridan Avenue, Albany NY 12210 for the NYS RPTATIP (Real Property Tax Administration Technology Improvement Program) Grant (Contract Number C060061) on behalf of Information Technology. Said grant is for the provision of a web based parcel inquiry program in the minimum amount of eighty-eight thousand eighty-seven thousand dollars and fifty cents (\$88,087.50); effective March 01, 2007 through June 30, 2008 or until otherwise claimed per the provisions of the contract.

**Carried: XXX Ayes: 1564 Noes: Absent: 54 (Covington) Abstain:**  
#27

**RESOLUTION NO. 07-184  
(May 8, 2007)**

By Mr. Rogers, Vice Chairman of Finance Committee:

Mr. Davis, Chairman of the Finance Committee, presented the **SEMI-ANNUAL MORTGAGE TAX REPORT** for the period of October 01, 2006 through March 31, 2007 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 **\$214,325.04** 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	\$22,273.33	\$5,438.48	\$16,834.85
Attica	\$15,865.33	\$3,177.10	\$12,688.23
Bennington	\$30,349.61		\$30,349.61
Castile	\$17,594.99	\$1,342.57	\$15,146.94
Perry Village		\$1,105.48	
Covington	\$5,043.48		\$5,043.48
Eagle	\$10,396.72		\$10,396.72
Gainesville	\$9,263.01	\$308.72	\$7,633.01
Silver Springs Village		\$1,321.28	
Genesee Falls	\$1,730.51		\$1,730.51
Java	\$12,085.75		\$12,085.75
Middlebury	\$10,651.09	\$1,021.54	\$9,629.55
Orangeville	\$4,570.71		\$4,570.71
Perry	\$20,939.32	\$5,571.08	\$15,368.24
Pike	\$4,552.18	\$420.46	\$4,131.72
Sheldon	\$18,458.45		\$18,458.45
Warsaw	\$25,975.45	\$9,181.75	\$16,793.70
Wethersfield	\$4,575.11		\$4,575.11
Total:		<b>\$28,888.46</b>	<b>\$185,436.58</b>
<b>Grand Totals:</b>		<b>\$214,325.04</b>	

Let This Be Your Warrant for Such Payment: **\$214,325.04** IN WITNESS WHEREOF, I have hereunto set my hand and seal of the Board of Supervisors this 8<sup>th</sup> day of May 2007.

s/Cheryl J. Ketchum, Clerk

Board of Supervisors

**Carried: XXX Ayes: 1564 Noes: Absent: 54 (Covington) Abstain:**

May 8, 2007

**RESOLUTION NO. 07-185**  
**(May 8, 2007)**

By Mr. Rogers, Vice Chairman of Finance Committee:

**“DRIVE OUT BREAST CANCER DAY” IN WYOMING  
COUNTY PROCLAIMED**

**WHEREAS**, Breast Cancer remains the second leading cause of cancer deaths among American women, and both men and women should be aware that age, obesity, genetics, and family history are factors that can contribute to the risk of developing this disease; and

**WHEREAS**, Individuals may help reduce their personal risk of breast cancer through regular exercise and healthy lifestyle choices; and

**WHEREAS**, Regular self exams, clinical breast exams, and mammograms are vital, since treatments are most effective when breast cancer is detected early; and

**WHEREAS**, Research is improving for prevention, detection, and treatment options for breast cancer, and breast cancer death rates have begun to decline; and

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors do hereby proclaim *June 11, 2007* as:

**“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:**

**RESOLUTION NO. 07-186  
(May 8, 2007)**

By Mr. Rogers, Vice Chairman of Finance Committee:

**ONE (1) POSITION OF STUDENT AID (SEASONAL), (1.00  
fte) CREATED IN PLANNING AND DEVELOPMENT**

**BE IT RESOLVED**, That one position of Student Aid (Seasonal) be hereby created in Planning and Development; effective through December 31, 2007 at a rate of \$10.00/hr with only those benefits mandated by law.

**Carried: XXX Ayes: 1564 Noes: Absent: 54 (Covington) Abstain:  
#30**

**RESOLUTION NO. 07-187  
(May 8, 2007)**

By Mr. Rogers, Vice Chairman of Finance Committee:

**SALARY SCHEDULES “S” AND “I” AMENDED**

**BE IT RESOLVED**, That the Wyoming County Salary Plan which became effective January 01, 1967, as amended, is hereby amended as follows:

- Salary Schedules “S” and “I” annexed hereto shall be substituted for the existing schedules “S” and “I”. Commencing January 01, 2007, eligible employees in the job titles covered thereby shall be paid the basic salary in accordance with these wage and salary schedules; and be it

**FURTHER RESOLVED**, That the salary of any position vacated shall be open for review by the appropriate committee.

**Carried: XXX Ayes: 1564 Noes: Absent: 54 (Covington) Abstain:**

May 8, 2007

**RESOLUTION NO. 07-188**  
**(May 8, 2007)**

By Mr. Rogers, Vice Chairman of Finance Committee:

**ONE (1) POSITION OF COUNTY FIRE COORDINATOR,  
PT (.75 fte) CREATED IN EMERGENCY SERVICES**

**BE IT RESOLVED**, That one (1) position of County Fire Coordinator, PT (.75 fte) is hereby created in the Department of Emergency Services; and be it

**FURTHER RESOLVED**, That this position be placed on Salary Schedule "S" with an annual salary of \$26,000.00; with only those benefits mandated by law; effective April 30, 2007.

**Carried: XXX Ayes: 1564 Noes: Absent: 54 (Covington) Abstain:**  
**#32**

**RESOLUTION NO. 07-189**  
**(May 8, 2007)**

By Mr. Rogers, Vice Chairman of Finance Committee:

**ONE (1) POSITION OF RECORDS CLERK, FT  
(TEMPORARY) CREATED IN THE COUNTY CLERK'S  
OFFICE**

**BE IT RESOLVED**, That one (1) position of Records Clerk, FT (Temporary) be hereby created in the County Clerk's Office with only those benefits mandated by law; effective May 08, 2007 through a medical leave of absence.

**Carried: XXX Ayes: 1564 Noes: Absent: 54 (Covington) Abstain:**

**RESOLUTION NO. 07-190  
(May 8, 2007)**

By Mr. Rogers, Vice Chairman of Finance Committee:

**BETH POND APPOINTED COUNTY AUDITOR**

**BE IT RESOLVED**, That Beth Pond, 6708 Swyers Road, Castile, NY 14427 is hereby appointed County Auditor; effective through December 31, 2007.

**Carried: XXX Ayes: 1564 Noes: Absent: 54 (Covington) Abstain:**

*Before the roll call vote was taken Chairman Berwanger invited Supervisor Patti, Chairman of the Public Works Committee to comment on the following Bond Resolution. Basically, Mr. Patti stated that this resolution is just restating Resolution Number 06-371 of November 14, 2006 allowing for more flexibility of this Board to designate the order of roads to be reconstructed.*

**2/3 Majority  
#34**

**RESOLUTION NO. 07-191  
(May 8, 2007)**

By Mr. Rogers, Vice Chairman of Finance Committee:

**RESOLUTION OF THE COUNTY OF WYOMING, NEW YORK, DATED MAY 08, 2007 RESCINDING RESOLUTION NO. 06-371 OF NOVEMBER 14, 2006 RELATING TO THE ISSUANCE AND SALE OF BONDS OF THE COUNTY OF WYOMING, NEW YORK AND ENACTING A BOND RESOLUTION OF THE COUNTY OF WYOMING DATED MAY 8, 2007 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**

May 8, 2007

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**OF APPROXIMATELY 16± MILES OF COUNTY OF  
WYOMING ROADWAYS IN THE TOWNS OF CASTILE,  
ATTICA, 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 approximately 16± miles of County of Wyoming roadways in the Towns of Castile, Attica, 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:

	<b>Estimated Maximum Cost</b>
Approximately 16± Miles of Roadway Reconstruction in the Towns of Castile, Attica, and Middlebury, Wyoming County, New York	\$3,345,000.00

Section 4. The estimated maximum cost of the reconstruction of said road is the sum of \$4,150,000.00 and said amount is hereby appropriated therefore. 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 \$805,000.00 will be generated from Federal funds.

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 approximately 16± miles of County of Wyoming Roadways in the Towns of Castile, Attica and Middlebury, Wyoming County, New York.

Section 11. This resolution shall take effect immediately.

**Carried: XXX Ayes: 1633 Noes: Absent: 54 (Covington) Abstain:**  
**UC#35**

**RESOLUTION NO. 07-192  
(May 8, 2007)**

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

**WORKPLACE VIOLENCE POLICY ADOPTED**

May 8, 2007

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**BE IT RESOLVED**, That the Wyoming County Board of Supervisors has approved the *Workplace Violence Policy* for Wyoming County Employees, annexed hereto; effective immediately.

**Carried: XXX Ayes: 1564 Noes: Absent: 54 (Covington) Abstain:**

**Public Hearing:**

**Public Comment:**

**Ms. Shirley Holbrook, Varysburg NY** – Ms. Holbrook identified herself as a past employee of the county and stated that years ago when she was preparing local laws for the Board of Supervisors it was always customary to include the entire salary of the effected officials whose positions appeared within the local law. Other counties include total salaries and Ms. Holbrook expressed to the Board that it would be helpful to the public to see that practice continued.

*Motion made by Supervisor Brick, T/Perry with all Supervisors voting aye in favor to close the Public Hearing.*

**Public Hearing  
#36**

**RESOLUTION NO. 07-193  
(May 8, 2007)**

By Mr. Rogers, Vice Chairman of Finance Committee:

**LOCAL LAW 3 (INTRODUCTORY NO. B) YEAR 2007,  
ADOPTED**

**WHEREAS**, there was duly presented and introduced at a meeting of this Board, held on the 10<sup>th</sup> day of April, 2007, a proposed local law of the County, designated as Local Law Introductory No. B, for the year 2007, entitled, **A Local Law of the County of Wyoming, Providing Salaries for Certain County Officers for the year 2007**; and

**WHEREAS**, in accordance with the provisions of Resolution No. 07-150, there was a public hearing held by this Board of Supervisors on this 8<sup>th</sup> day of May, 2007 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 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 2007, County of Wyoming, New York, as presented to this Board on the 8<sup>th</sup> day of May, 2007, is hereby adopted, enacted and passed by this Board in its amended form as follows:

Section 1. Effective as hereafter provided, the annual salary of the County Treasurer shall be increased by \$1,470.00.

Section 2. Effective as hereafter provided, the annual salary of the County Clerk shall be increased by \$1,602.00.

Section 3. Effective as hereafter provided, the annual salary of the Sheriff shall be increased by \$2,546.00.

Section 4. Effective as hereafter provided, the annual salary of the Clerk to the Board of Supervisors shall be increased by \$1,203.00.

Section 5. Effective as hereafter provided, the annual salary of the County Attorney shall be increased by \$1,794.00.

Section 6. Effective as hereafter provided, the annual salary of the Highway Superintendent shall be increased by \$2,090.00.

Section 7. Effective as hereafter provided, the annual salary of the Deputy Highway Superintendent shall be increased by \$1,539.00.

Section 8. Effective as hereafter provided, the annual salary of Director of Community Services shall be increased by \$1,844.00.

Section 9. Effective as hereafter provided, the annual salary of the Public Defender shall be increased by \$1,533.00.

Section 10. Effective as hereafter provided, the annual salary of the Commissioner of Public Health shall be increased by \$2,049.00.

Section 11. Effective as hereafter provided, the annual salary of the Real Property Tax Director shall be increased by \$1,755.00.

Section 12. Effective as hereafter provided, the annual salary of the Commissioner of Social Services shall be increased by \$2,145.00.

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Section 13. Effective as hereafter provided, the annual salary of the Director of Veterans Services shall be increased by \$584.00.

Section 14. All salaries set forth herein shall be effective as of January 1, 2007.

Section 15. 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 16. This Local Law is subject to permissive referendum.

**Carried: XXX Ayes: 1564 Noes: Absent: 54 (Covington) Abstain:**

The *National Hospital Week* Proclamation was presented by Supervisor Rogers, T/Pike, Vice Chairman of Finance, to WCCH CEO, Ron Krawiec. Mr. Krawiec was present to accept the award. He graciously accepted the proclamation on behalf of the employees at the hospital.

The *Drive out Breast Cancer* Proclamation was presented to the Public Health Director, Dr. Gregory Collins and Supervisor Meeder, T/Middlebury as Supervisor Meeder will present the proclamation at the Golf Tournament on June 11, 2007.

Dr. Collins stated that this proclamation is a very important presentation for many reasons. The Public Health Department has a very strong Breast Health Program. Dr. Collins stressed the importance of early detection.

There being no further business to come before this Board, with a rap on his desk Supervisor Bush declared the meeting adjourned at 4:02 PM.

\*\*\*\*\*

*Respectfully submitted,*

***Cheryl J. Ketchum***  
Clerk to the Board of Supervisors

**REGULAR SESSION**

**(June 12, 2007)**

**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; Deputy Budget Officer, Beth Pond; Clerk to the Board of Supervisors, Cheryl Ketchum and Deputy Clerk to the Board, Brenda Ferrell.

At 3:05 PM Chairman Berwanger, T/Arcade, called the meeting to order.

The Veterans leading the Pledge of Allegiance this month were Father and Son Veterans in honor of the upcoming Father's Day Holiday Weekend:

**WESLEY H. KLINE SR.**

Wesley Kline Sr's service to his country comes while serving in the United States Army Air Force during WW II. Mr. Kline joined the Army Air Force on February 25, 1943 at the age of 21. He completed basic training in St. Petersburg, Florida and then Advanced Individual Training at Keesler Air Base, Mississippi as a Flight Engineer. Mr. Kline was sent to Harlingen Air Base in Texas to qualify on the 50 caliber machine gun. He was the top marksman in the group and was chosen to attend "Gunnery Instructor School" at Ft. Meyers, Florida. He was then assigned duties at Mountain Home Air Base, Idaho as a Gunnery Instructor on B-24's and then the B-29's. Toward the end of the War, Mr. Kline was assigned duties at Tacoma Air Base, Washington working to help recover aircraft from the war. Mr. Kline was honorably discharged on February 18, 1946 at the rank of Sergeant.

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

**THE GOOD CONDUCT MEDAL  
THE AMERICAN SERVICE MEDAL  
THE WORLD WAR II VICTORY MEDAL**

Following the war, Mr. Kline returned to Western New York and went back to work for Niagara Search Light Corporation as an "Account Cost Estimator" from 1946 to 1951. He then went to work for the E.I. Dupont Company as a "Cost Accountant" until its closing in 1952. For the next 5 years he worked for the Wurlitzer Piano and Organ Company as the "Senior Cost Accountant". After this period, he was the Postmaster for the town of Sanborn. In 1957, Mr.

Regular Session

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Kline went to work for W. Glenn Sedam, Inc. (Tire Company) in Perry and worked for the next 31 years as their Corporate Treasurer until his retirement in 1986.

Mr. Kline's service to his community includes:

- Member of Kiwanis for 20+ years including being a past Secretary/Treasurer and past President
- Longtime member of the Perry Masonic Lodge
- Member of the National Tire Dealers Association, being past President of the Regional Association, and past Director of the State Association.
- Longtime member and past President of the Silver Lake Country Club

Mr. Kline and his wife Betty have been married for 65 years and they live in Perry. They have three children, 6 grandchildren, and 9 great-grandchildren.

and

**WESLEY H. KLINE JR.**

Wesley Kline Jr's service to his country comes while serving in the United States Army during the Vietnam War. Mr. Kline had been attending college for 2 years with a major in Programming when he was drafted into the United States Army on January 8, 1969. He completed both Basic Training and Advanced Individual Training in Infantry at Ft. Dix, New Jersey. He was then assigned duties with the 9<sup>th</sup> Infantry Div. at Ft. Lewis, Washington. His entire Unit was then deployed to the Northern part of Vietnam. Here, Mr. Kline worked as a Door Gunner on a helicopter. He was then reassigned duties because of his skills, as an Administration Specialist preparing assignment orders for soldiers in Vietnam.

Coming out of Vietnam, Mr. Kline then was reassigned again under the 9<sup>th</sup> Infantry Div., first to Hawaii, and then to the Naval Station in Brooklyn, N.Y. as an Administration Specialist preparing assignment orders for soldiers, and also as the Personal Driver to the Commanding General of the Post. His final assignment was then in Southern Germany, at the "Panzer Casern", the former Headquarters of General Romul. He worked again as an Administration Specialist until his separation at Ft. Dix, where he was honorably discharged on December 30, 1970 at the rank of Spec. 4<sup>th</sup> Class.

For his Service to his country, Mr. Kline was awarded:

June 12, 2007

**THE NATIONAL DEFENSE SERVICE MEDAL  
THE VIETNAM SERVICE MEDAL  
THE VIETNAM CAMPAIGN MEDAL**

Mr. Kline returned to this area and went to work for W. Glenn Sedam, Inc. (Tire Company) in Perry, in the "Retread Dept." for 3 years. After this he became employed at Burt's Lumber, also in Perry, and worked for them for the next 14 years. In 1986, Mr. Kline returned to Sedams and became their Corporate Treasurer, a position he presently holds.

Mr. Kline's service to his community includes:

- Member of the McKelton Post 350 of the American Legion for 35 years
- Member of the Perry Veterans Memorial Association, including Secretary/Treasurer for 25 years
- Member of the Perry Masonic Lodge 32 years including past Master of the Lodge
- Member of the Perry Rotary, including past President, and Director of the Rotary Show for 6 years.
- Member of the Silver Lake Country Club for 33 years.

Mr. Kline lives in Perry and has 2 grown children and 2 grandchildren

***The pledge was said by all.***

A certificate of appreciation was presented to Mr. Klein, Sr. and Jr. in honor of their service to their country and also to commemorate their appearance here today.

Mr. Klein, Jr. thanked the Board for their invitation to lead in the pledge. 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 2007 is Candie Snyder. Candie has been a Support Investigator with DSS since December 2006. She has instilled confidence in the clients as well as doing a great job in getting her work done.

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

Please join me in recognizing Candie Snyder.

Ms. Snyder was unable to attend the meeting because she was back at the Department of Social Services preparing for a case.

Autumn Dell was introduced as the 2007 Dairy Princess. She was asked to join Chairman Berwanger at the podium. Ms. Dell remained at the podium while Supervisor Gozelski presented resolution number 15, entitled "**June 2007 Proclaimed Dairy Month in Wyoming County**," to the Board of Supervisors for their consideration. The resolution was passed unanimously. Supervisor Gozelski presented Ms. Dell with the Proclamation.

**Communications:**

**C1:** Supervisor Brick, T/Perry presented Clerk Ketchum with an announcement regarding Mary Jamison Chapter Daughters of American Revolution is sponsoring the dedication of a grave marker for Daniel Richards, a soldier of the Revolution. Ceremonies are to take place on Sunday, June 24, 2007 at 1:00 PM at the West Perry Cemetery and it is open to the public.

**C2:** Reminder that Robert Freeman, Executive Director for the Committee on Open Government will be in the Supervisors' Chambers June 14, 2007 from 1 – 3 PM for a discussion on NYS Open Government Laws.

#1

**RESOLUTION NO. 07-194  
(June 12, 2007)**

By Mr. Davis, Chairman of the Finance Committee:

**FUNDS TRANSFERRED TO VARIOUS 2007 ACCOUNTS**

**BE IT RESOLVED,** That funds are hereby transferred to the various 2007 accounts as follows:

<b>Buildings &amp; Grounds</b>			
<b>From:</b> 12.61.9950.9.99004 Interfund Transfer			
<b>To:</b> 12.61.1620.2.21006 Thomson Hall CIP -Renovation Project	\$70,000.00		
<b>Reason:</b> To increase appropriation as established in original Res #06-416		70,000.00	
<b>Buildings &amp; Grounds Total</b>			<b>\$70,000.00</b>

<b>Emergency Services</b>			
<b>From:</b> 01.37.3640.4.40301 Prof. Svc Contr. <b>To:</b> 01.37.3640.1.10001 Schedule S –Salaries <b>Reason:</b> Acting Fire Coordinator’s position was not appropriated in .1 Personal Services, it was appropriated in .4 Professional Service Contract.	\$12,000.00	\$12,000.00	
<b>Emergency Services Total</b>			<b>\$12,000.00</b>

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

#2

**RESOLUTION NO. 07-195  
(June 12, 2007)**

By Mr. Davis, Chairman of the Finance Committee:

**FUNDS APPROPRIATED TO VARIOUS 2007 ACCOUNTS**

**BE IT RESOLVED**, That funds are hereby appropriated to the various 2007 accounts as follows:

<b>Treasurer (from 05/01/07 Finance Committee Meeting)</b>			
<b>To:</b> 01.37.3110.4.42306 Other Expenditures w/ 01.07.3110.2626 Restricted Revenue <b>Reason:</b> To appropriate from Sheriff’s Reserve. <i>These are Seized Assets from DA forfeitures</i>	\$5,000.00	\$5,000.00	
<b>Treasurer Total</b>			<b>\$5,000.00</b>
<b>Public Health Department</b>			
<b>To:</b> 01.38.4010.4.42460 HIV Grant w/ 01.04.4010.160110 Increased by same <b>Reason:</b> Appropriate funds awarded by NYSDOH grant for HIV Training for Correctional Officers.	\$3,500.00	\$3,500.00	
<b>Public Health Department Total</b>			<b>\$3,500.00</b>
<b>Mental Health Department</b>			
<b>To:</b> 01.38.4220.4.42306 Narcotic Addic. Ctrl. Other Expenses w/ 01.03.4220.1289 Narcotic Addic. Ctrl. Other Dept. Income <b>Reason:</b> Receipt of funds from Cornell Cooperative Extension to co-sponsor prevention activities.	\$1,600.00	\$1,600.00	
<b>Mental Health Total</b>			<b>\$1,600.00</b>
<b>Industrial Development</b>			
<b>To:</b> 01.42.6421.4.42477 Small Cities Grant w/ 01.12.6421.408916 Small Cities Fed. Grant Review <b>Reason:</b> Appropriate funds for Small Cities (CDBG) Grant project, HILEC, LLC	\$436,000.00	\$436,000.00	
<b>To:</b> 01.42.6421.4.42477 Small Cities Grant w/ 01.12.6421.408916 Small Cities Federal Grant Review <b>Reason:</b> Appropriate funds for Small Cities (CDBG) Grant project #1279ED578-06, Mille Fabricators	\$141,000.00	\$141,000.00	
<b>Industrial Development Total</b>			<b>\$577,000.00</b>
<b>District Attorney</b>			
<b>To:</b> 01.32.1165.4.41302 Witnesses 01.32.1165.4.41303 Stenographers <i>from any funds available</i> <b>Reason:</b> Money to replenish accounts for expenses used during the preparation of the Cordier Trial (Attempted Murder of the police officers).	\$5,000.00 \$15,000.00	\$20,000.00	
<b>District Attorney Total</b>			<b>\$20,000.00</b>

<b>Emergency Services</b>			
<b>To:</b> 01.37.3640.8.84001 Unemployment Insurance from any funds available	\$3,312.81	\$3,312.81	
<b>Reason:</b> Unforeseen Unemployment Benefit Expenses			
<b>Emergency Services Total</b>			<b>\$3,312.81</b>
<b>Stop DWI</b>			
<b>To:</b> 01.37.3315.4.41313 – DWI Patrols	\$2,600.00		
01.37.3315.4.42101 – Law Enforce. Supplies	\$ 400.00		
w/01.07.3315.261502 DWI Reserve		\$3,000.00	
<b>Reason:</b> To give both the Sheriff's Department and Warsaw Police Department each \$1500.00 towards the expense of sending one officer per agency to DRE Training. Money to go towards required overtime and kits needed.			
<b>Stop DWI Total</b>			<b>\$3,000.00</b>

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

Mr. Bush, T/Gainesville, Chairman of the Audit Committee, presented bills totaling **\$1,161,786.63** for the month of **May 2007**.

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

*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. 07-196  
(June 12, 2007)**

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,  
(SUPPLEMENTAL AGREEMENT NO. 1) AND  
APPROPRIATING FUNDS THEREFORE**

**WHEREAS**, a Project for the **Replacement of Tooley Road Bridge over Cayuga Creek, Town of Bennington, Wyoming County, P.I.N. 4753.22; BIN 3319590** (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

June 12, 2007

PE/design and ROW Incidental **phases**.

**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 construction work for the Project or portions thereof; and it is further

**RESOLVED**, that the sum of **\$200,000** 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 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:**

**RESOLUTION NO. 07-197  
(June 12, 2007)**

By Mr. Patti, Chairman of Public Works Committee:

**MACHINERY EQUIPMENT BIDS IN HIGHWAY  
DEPARTMENT APPROVED**

**BE IT RESOLVED**, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to award bids and sign contracts with:

- ***Fairport Ford LLC, 71 Marsh Rd., E. Rochester, NY 14445***
  - *For the purchase of a 2007 Ford F150 pickup from state bid in an amount not to exceed fifteen thousand seven hundred thirty-six dollars and thirty cents (\$15,736.30). Budgeted and ordered.*
- ***Buffalo Tractor & Implement Co., Inc., PO Box 318, 3045 Seneca St., Buffalo, NY 14224***
  - *For the purchase of a tractor, wheel type with front mounted broom from state bid in an amount not to exceed thirty-four thousand eight hundred thirty-two dollars (\$34,832.00). Will use funds received from selling old equipment (approx. \$64,000.00 received).*

Contingent upon the availability of funds.

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

#5

**RESOLUTION NO. 07-198  
(June 12, 2007)**

By Mr. Patti, Chairman of Public Works Committee:

**CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN  
CONTRACTS WITH MUCHER ERECTORS, INC. FOR**

June 12, 2007

**THE CONSTRUCTION OF A RECORDS RETENTION  
BUILDING**

**BE IT RESOLVED**, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to award a bid and sign a contract with *Mucher Erectors, Inc.*, 38 Duncan St., Warsaw, NY 14569 for the construction of a Records Retention Building on Mungers Mill Road, South Warsaw, NY in an amount not to exceed two hundred ninety-nine thousand dollars (\$299,000.00).

Contingent upon the availability of funds.

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

*There was a motion by Mrs. Totline, T/Eagle, to combine resolutions #6 through #8. A voice vote was taken and all voted aye.*

**#6**

**RESOLUTION NO. 07-199  
(June 12, 2007)**

By Mrs. Totline, Chairman of Human Services Committee:

**FLAG DAY PROCLAIMED**

**WHEREAS**, For more than two centuries, the flag of the United States has been a symbol of hope and pride. The flag has inspired our citizens during times of conflict and comforted us during moments of sorrow and loss. On Flag Day we celebrate the proud legacy of “Old Glory” and reflect on this enduring symbol of freedom; and

**WHEREAS**, On June 14, 1777, the Second Continental Congress passed a resolution stating that “the Flag of the United States be thirteen stripes, alternate red and white; that the union be thirteen stars, white in a blue field.” August 21, 1959, our flag was changed to include a star for all 50 states together with 13 stripes representing the original American colonies; and

**WHEREAS**, Generations of Americans in uniform have carried the Stars and Stripes into battle so that our citizens can live in freedom. We are grateful to them and their families for defending our flag and the values of our great Nation; and

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors do hereby proclaim *June 14, 2007*;

**Flag Day**

and the week beginning June 10, 2007 as National Flag Week in Wyoming County; and be

**FURTHER RESOLVED**, That the Board of Supervisors directs appropriate officials to display the flag on all Government buildings during that week, and urge all Americans to observe Flag Day and National Flag Week by flying the Stars and Stripes from their homes and other suitable places.

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

#7

**RESOLUTION NO. 07-200  
(June 12, 2007)**

By Mrs. Totstline, Chairman of Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN AN AMENDED  
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 an amended contract with Letchworth Central School, 5550 School Road Gainesville, NY 14066 on behalf of the Youth Bureau. Said revision is to establish a new route for a preschooler with special needs in an amount not to exceed twenty- five dollars (\$25.00) one way; effective February 12, 2007 through June 30, 2008; and be it

**FURTHER RESOLVED**, That resolution number 06-328 be amended to reflect the above mentioned revision.

Contingent upon the availability of funds.

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

June 12, 2007

**RESOLUTION NO. 07-201  
(June 12, 2007)**

By Mrs. Totslin, Chairman of Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN GRANT  
APPLICATION AND ACCEPTANCE AWARD WITH NEW  
YORK STATE OFFICE FOR THE AGING ON BEHALF  
OF THE WYOMING COUNTY 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 State Plaza, Albany, NY 12223 on behalf of the Wyoming County Office for the Aging. Said grant is for the provision of a Long Term Care Insurance Education & Outreach Program in a minimum amount of fifty thousand dollars (\$50,000.00).

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

*There was a motion by Mr. Kushner, T/Eagle, to combine resolutions #9 and #10. A voice vote was taken and all voted aye.*

**#9**

**RESOLUTION NO. 07-202  
(June 12, 2007)**

By Mr. Kushner, Chairman of Public Health Committee:

**CHAIRMAN AUTHORIZED TO SIGN A LEASE  
AGREEMENT WITH FORD MOTOR CREDIT COMPANY  
ON BEHALF OF 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 three year lease agreement with Ford Motor Credit Company on behalf of the Public Health Department. Said lease agreements will provide for:

- 2007 Chevrolet Malibu – twelve (12) quarterly payments of \$1,138.35
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= \$13,666.20

- 2007 Chevrolet Silverado – twelve (12) quarterly payments of \$1,745.97 = \$20,951.64

Contingent upon the availability of funds.

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

**#10**

**RESOLUTION NO. 07-203  
(June 12, 2007)**

By Mr. Kushner, Chairman of Public Health Committee:

**CHAIRMAN AUTHORIZED TO SIGN AN AGREEMENT  
WITH MCBEE ASSOCIATES, INC. ON BEHALF OF  
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 professional services engagement letter with McBee Associates, Inc., 7085 Samuel Morse Drive, #200, Columbia, MD 21046 on behalf of the Wyoming County Health Department. Said contract is for the provision of Medicare revenue recovery services for episodes from August 01, 2005 through December 31, 2007. Cost of this service is 27.3% of recovered monies.

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

*There was a motion by Mr. Fleischman, T/Java, to combine resolutions #11 through #13. A voice vote was taken and all voted aye.*

**#11**

**RESOLUTION NO. 07-204  
(June 12, 2007)**

By Mr. Fleischman, Chairman of Planning Committee:

**MEMBERS APPOINTED TO THE  
LOCAL DEVELOPMENT CORPORATION (LDC) BOARD**

June 12, 2007

**BE IT RESOLVED**, That *James Brick*, Supervisor T/Perry, 7618 Route 20A, Perry NY 14530 is hereby appointed to the *Local Development Corporation (LDC) Board*, as a *Voting Director*, representing the Board of Supervisors, for a *three year term effective June 12, 2007 through May 09, 2010*; and be it

**FURTHER RESOLVED**, That *Frank Vitagliano*, 1 Wyoming Street, Warsaw NY 14569 is hereby appointed to the *Local Development Corporation (LDC) Board*, as a *Voting Director*, representing the *Wyoming County Chamber of Commerce*, for a *three year term effective June 12, 2007 through May 09, 2010*.

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

**#12**

**RESOLUTION NO. 07-205  
(June 12, 2007)**

By Mr. Fleischman, Chairman of Planning Committee:

**MEMBERS APPOINTED TO THE WYOMING COUNTY  
PLANNING BOARD**

**BE IT RESOLVED**, That the following individuals are appointed to the County Planning Board for the remainder of a three (3) year term, effective 6/12/07 through 12/31/09:

- Jan Vrooman, 4356 Lakeshore Dr., Castile, NY 14427 as a Castile Town Representative
- Dan Hellwig, 1894 Bagg Rd., Warsaw, NY, 14569 as an Attica Town Representative

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

**#13**

**RESOLUTION NO. 07-206  
(June 12, 2007)**

By Mr. Fleischman, Chairman of Planning Committee:

Regular Session

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

**WHEREAS,** The County of Wyoming has been approved to receive four hundred thirty-six thousand dollars (\$436,000) Small Cities Block 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 business within its jurisdiction that will create additional job opportunities in Wyoming County; 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 four hundred thirty-six thousand dollars (\$436,000) 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 designates the Wyoming County Director of Planning and Development to act as Certifying Officer for the purpose of carrying out an environmental review (or during the vacancy of the Director of Planning and Development, designates Planning Consultant, Clark Patterson Associates).

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

#14

**RESOLUTION NO. 07-207  
(June 12, 2007)**

By Mr. Gozelski, Chairman of Agriculture Committee and Mr. Fleischman, Chairman of Planning Committee:

**WYOMING COUNTY BOARD OF SUPERVISORS  
SUPPORT THE EFFORTS OF THE TONAWANDA CREEK  
EROSION & SEDIMENT CONTROL TASK FORCE**

June 12, 2007

**WHEREAS**, Wyoming County residents and property owners within the watershed of the Tonawanda Creek have experienced a long history of flooding, erosion, and sediment damage to their properties; and

**WHEREAS**, The Tonawanda Creek Stream bank Erosion Task Force has been formed by stakeholders within effected townships to review the history of this problem, include prior studies and remediation efforts, to improve the safety of residents, the use of commercial properties and protection of agricultural, civic and transportation resources, for future generations; and

**WHEREAS**, This is a multi-jurisdictional issue that affects the Towns of Attica, Bennington, Java, Orangeville, and Sheldon, as well as the Village of Attica; and

**WHEREAS**, These communities are in support of the mission of the Task Force and have acknowledged and participated in discussions and meetings, recognizing that the size of the problem dictates that cooperation and support are essential to develop the scale of response needed in evaluating, planning and funding appropriate actions; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors hereby recognizes and supports the Tonawanda Creek Stream bank Erosion Task Force in its efforts to ensure the safety and well-being of County residents, commercial entities, agricultural uses, and civic and transportation resources.

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

*The following resolution was presented for the Board's consideration at the beginning of the meeting.*

**#15**

**RESOLUTION NO. 07-208  
(June 12, 2007)**

By Mr. Gozelski, Chairman of Agriculture Committee:

**JUNE 2007 PROCLAIMED DAIRY MONTH IN WYOMING  
COUNTY**

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**WHEREAS**, New York is the nation's third largest dairy state behind California and Wisconsin; and

**WHEREAS**, Wyoming County is the leading milk producing county in New York State in terms of total milk production and cow numbers; and

**WHEREAS**, New York has 115 dairy processing plants producing one or more dairy products. Approximately 25 percent of the State's milk production is used for fluid consumption. The remainder of the State's milk is used for processed dairy products. Last year, New York produced 667 million pounds of cheese, 16 million pounds of butter, 226 million pounds of yogurt and 30 million gallons of ice cream; and

**WHEREAS**, New York ranks fourth in the nation for cheese production with mozzarella and cheddar being the most popular varieties, and continues to lead the nation in the production of cottage cheese, which accounts for 30 percent of national production; and

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors, hereby proclaims *June 2007* to be:

**National Dairy Month  
In  
Wyoming County**

and do encourage all our citizens to enjoy milk and other dairy foods and do urge 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:**

*There was a motion by Mr. Rogers, T/Pike, to combine resolutions #16 through #22. A voice vote was taken and all voted aye.*

**#16**

**RESOLUTION NO. 07-209  
(June 12, 2007)**

By Mr. Rogers, Chairman of Public Safety Committee:

June 12, 2007

**CHAIRMAN AUTHORIZED TO SIGN GRANT  
APPLICATION AND ACCEPTANCE AWARD WITH THE  
STATE OF NEW YORK DIVISION OF CRIMINAL  
JUSTICE SERVICES 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 Application and Acceptance Award with the State of New York Division of Criminal Justice, 4 Tower Place, Albany NY 12203-3764 for provision of the 2007 – 2008 Aid to Prosecution funding. Said grant to be in the minimum amount of forty thousand three hundred seventy-five dollars (\$40,375.00); effective April 01, 2007 through September 15, 2008.

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

**#17**

**RESOLUTION NO. 07-210  
(June 12, 2007)**

By Mr. Rogers, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN AN AMENDED  
CONTRACT WITH THE STATE OF NEW YORK UNIFIED  
COURT SYSTEM 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 an amended contract with the State of New York, Unified Court System, 8<sup>th</sup> Judicial District, 92 Franklin St., 3<sup>rd</sup> Floor, Buffalo NY 14202 for the provision of Court Security. Said amendment is to provide for an additional forty thousand forty-five dollars (\$40,045.00); effective April 01, 2006 through March 31, 2007 increasing the original contract from \$199,507.00 to \$239,552.00; and be it

**FURTHER RESOLVED**, That resolution number 06-249 be amended to reflect the above mentioned revision.

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

**RESOLUTION NO. 07-211  
(June 12, 2007)**

By Mr. Rogers, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A GRANT  
ACCEPTANCE AWARD WITH THE DIVISION OF  
CRIMINAL JUSTICE SERVICES ON BEHALF OF  
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 the 2005 Byrne Justice Assistance Grant (JAG) Award with the Division of Criminal Justice Services (DCJS), Bureau of Justice Funding, 4 Tower Place, Albany, NY 12203-3762 on behalf of the Sheriff's Department. Said grant is to provide for funding for the purchase of a radar trailer to be used in determining speed traffic problems throughout Wyoming County. Said grant to be in a minimum amount of ten thousand dollars (\$10,000.00); with a local match of one thousand one hundred eleven dollars (\$1,111.00) for a total project cost of eleven thousand one hundred eleven dollars (\$11,111.00).

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

#19

**RESOLUTION NO. 07-212  
(June 12, 2007)**

By Mr. Rogers, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A GRANT  
APPLICATION AND ACCEPTANCE AWARD WITH NEW  
YORK STATE DIVISION OF CRIMINAL JUSTICE  
SERVICES 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 the

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2005 Byrne Justice Assistance Grant (JAG) Award with the Division of Criminal Justice Services (DCJS), Bureau of Justice Funding, 4 Tower Place, Albany, NY 12203-3762 on behalf of the Sheriff's Department. Said grant is to provide for funding for continued support of the Wyoming County Drug Task Force. Said grant to be in a minimum amount of thirty thousand dollars (\$30,000.00); with a local match of three thousand three hundred thirty-three dollars (\$3,333.00) for a total project cost of three thousand three hundred thirty-three dollars (\$33,333.00); effective October 01, 2007 through September 30, 2008

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

**#20**

**RESOLUTION NO. 07-213  
(June 12, 2007)**

By Mr. Rogers, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A GRANT  
PARTICIPATION AGREEMENT WITH NEW YORK  
STATE 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 a the Local Emergency Management Performance Grant Participation Agreement with NYS Emergency Management Office, 1220 Washington Avenue, Building 22, Suite 101, Albany NY 12226-2251 on behalf of Emergency Services. Said grant is for the provision of reimbursement of personnel and administrative expenses that support readiness, response, and recovery activities for disasters and emergencies that threaten our community. Said grant to be in a minimum amount of fourteen thousand six hundred eight dollars and twenty-eight cents (\$14,608.28); effective October 01, 2006 through September 30, 2007.

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

**#21**

**RESOLUTION NO. 07-214  
(June 12, 2007)**

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By Mr. Rogers, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT  
WITH THE DIVISION OF PROBATION AND  
CORRECTIONAL ALTERNATIVES ON BEHALF OF  
WYOMING COUNTY 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 Probation. Said contract is for the provision of reimbursement for level 3 sex offenders currently on probation in Wyoming County in a minimum amount of nine thousand six hundred dollars (\$9,600.00); effective April 01, 2007 through March 31, 2008.

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

#22

**RESOLUTION NO. 07-215  
(June 12, 2007)**

By Mr. Rogers, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT  
WITH THE 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 12203 on behalf of Probation. Said contract is for the provision of extra funds to supervise probationers in a more intensive mode up to six thousand seven hundred dollars (\$6,700.00); effective January 01, 2007 through December 31, 2007.

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

*There was a motion by Mr. Davis, T/Covington, to combine resolutions #23 through #27. A voice vote was taken and all voted aye.*

June 12, 2007

**RESOLUTION NO. 07-216  
(June 12, 2007)**

By Mr. Davis, Chairman of Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT  
WITH TIME WARNER CABLE 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 with Time Warner Cable, 71 Mt. Hope Ave., Rochester, NY 14620 on behalf of Information Technology. Said contract is to provide Metro Ethernet with 5mb Wide AREA NETWORK from the Government Center to Public Health, DSS, and Mental Health, and 5mb to the Internet, thus reducing the cost of the WAN on the ACS Contract by \$3,000.00/month (some of the Internet local hookup can also be canceled). Cost of said contract is in an amount not to exceed forty-one thousand four hundred dollars (\$41,400.00) yearly; effective June 03, 2007 through June 30, 2010.

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

**#24**

**RESOLUTION NO. 07-217  
(June 12, 2007)**

By Mr. Davis, Chairman of Finance Committee:

**ONE (1) POSITION OF PUBLIC HEALTH NURSE (.6 fte)  
AND ONE (1) POSITION OF STUDENT AIDE (SEASONAL)  
TEMPORARY (1.00 fte) CREATED IN PUBLIC HEALTH  
AND AMEND SALARY SCHEDULE "G"**

**WHEREAS**, The NYS Department Of Health has awarded a Colorectal Cancer Screening & Prostate Cancer Education Grant to Wyoming

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County in a minimum amount of forty-five thousand dollars (\$45,000.00) for the purposes of infrastructure establishment; effective January 01, 2007 through December 31, 2007; and

**WHEREAS,** Future funding will be combined with existing Cancer Services Program grant funds from the NYS Department of Health – anticipated Request For Application due out later 2007; now therefore

**BE IT RESOLVED,** That the following positions be created in the Public Health Department to further enhance cancer prevention services provided by the above mentioned grant funding effective immediately:

- **Public Health Nurse (.6fte)** (Corresponding to Schedule A - Grade 15A)
- **Student Aide (Seasonal) – Temporary** (\$8.00 per hour with no benefits, except those required by law).

and be it

**FURTHER RESOLVED,** That both positions be entered on Salary Schedule “G,” subject to available funding. All employee salary and fringe expenses reimbursed by grant funds; positions will not be filled until fully executed contract received from NYS Office of the Comptroller.

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

#25

**RESOLUTION NO. 07-218  
(June 12, 2007)**

By Mr. Davis, Chairman of Finance Committee:

**ONE (1) POSITION OF RPN (Per Diem) CREATED IN  
PUBLIC HEALTH IN THE CERTIFIED HOME HEALTH  
AGENCY**

**BE IT RESOLVED,** That one (1) position of RPN (Per Diem) be hereby created in the Public Health Department in the Certified Home Health Agency; effective immediately.

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

June 12, 2007

**RESOLUTION NO. 07-219  
(June 12, 2007)**

By Mr. Davis, Chairman of Finance Committee:

**SALARY SCHEDULE “S” & “D” AMENDED**

**BE IT RESOLVED**, That the Wyoming County Salary Plan which became effective January 01, 1967, as amended, is hereby amended to reflect the following changes:

*Salary Schedule “S”:*

County Attorney:

- Assistant County Attorney, FT (2<sup>nd</sup>) – set salary at \$60,000.00/annually; effective July 01, 2007.

Emergency Services:

- One time stipend to be paid out immediately.
- Secretary I - \$3,000.00

*Salary Schedule “D”:*

County Attorney:

- County Attorney, PT – set salary at \$52,508.00/annually; effective July 01, 2007.

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

#27

**RESOLUTION NO. 07-220  
(June 12, 2007)**

By Mr. Davis, Chairman of Finance Committee:

**ONE (1) POSITION OF PROBATION OFFICER TRAINEE  
(TEMPORARY) CREATED IN PROBATION**

Regular Session

**BE IT RESOLVED**, That one (1) position of Probation Officer Trainee (temporary) be hereby created in the Department of Probation to cover a medical leave of absence; effective June 12, 2007 through October 01, 2007.

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

In Closing Chairman Berwanger commented on a letter to the editor that was in one of the local papers authored by George Ann Almeter, PhD. and Harvey Grant, PhD. This letter referred to the financial burden placed on the Village of Warsaw because of the location of the County seat and all of the contract agencies involved with Wyoming County. The main reference was in the letter was that many of the buildings utilized by county programs are tax exempt or not sharing equally in the tax load with the residents of Warsaw. In fact the county leases a lot of private property for programs. Of which, the owners are responsible for paying their taxes. Chairman Berwanger stated that any time a county program is looking for space his town among others in the county would be willing to host sites.

Chairman Berwanger remembered all of the controversy surrounding the renovations of the Government Center. The Champion Building in Perry was a prime candidate for temporary housing of the offices located in the building undergoing renovations. The residents of Warsaw were opposed to the county seat being relocated to another Town.

Supervisor Smith shared some assessed values for some of the county owned buildings that service the county.

There being no further business to come before this Board, Senior Supervisor, Mr. Harold Bush, T/Gainesville adjourned the meeting at 3:38 PM with a rap on his desk.

\*\*\*\*\*

*Respectfully submitted,*

*Cheryl J. Ketchum*

**REGULAR SESSION  
(July 10, 2007)**

**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; Deputy Budget Officer, Beth Pond; Clerk to the Board of Supervisors, Cheryl Ketchum and Deputy Clerk to the Board, Brenda Ferrell.

At 3:00 PM Chairman Berwanger, T/Arcade, called the meeting to order.

The Veteran leading the Pledge of Allegiance this month was:

**GEORGE A. KNAB JR.**

Mr. Knab's service to his country comes while serving in the United States Army during the Korean War. He was working for Massey Harris Company in Batavia when he was drafted on February 5, 1951. Mr. Knab completed Basic Training at Fort Rucker, Alabama. He then completed Advanced Infantry Training in Heavy Weapons also at Fort Rucker, as a Heavy Mortar Specialist. Mr. Knab was then assigned to the 1<sup>st</sup> Army, 179<sup>th</sup> Infantry Regiment and spent the next year in Korea working as a Heavy Mortar Specialist. He returned to the United States and was Honorably Discharged on January 24, 1953 at the rank of SGT.

For his service to his country Mr. Knab was awarded:

**THE UNITED NATIONS SERVICE MEDAL  
THE KOREAN SERVICE MEDAL WITH 1 BRONZE STAR  
THE COMBAT INFANTRY BADGE**

Following the war, Mr. Knab returned to this area and went to work for Western Electric as an equipment installer. In 1955 he became a Correction Officer with the New York State Department of Correctional Services. Mr. Knab spent the next 25 years working in the Department of Correctional Services, most of which was spent working at Attica Correctional Facility as the Chart Sergeant. He then retired from the Department in 1980 at the rank of Sgt.

Mr. Knab has been a member of the Six Star Post 637 of the American Legion in Strykersville for over 40 years. He also has served on the Varysburg Town

Zoning Board of Appeals and the Board for the Varysburg Water District for many years.

Mr. Knab and his wife Doris live in Varysburg and have been married for 54 years.

***The pledge was said by all.***

A certificate of appreciation was presented to Mr. Knab in honor of his service to his country and also to commemorate his appearance here today.

Chairman Berwanger offered Mr. Knab the opportunity to address the Board of Supervisors. Mr. Knab thanked the Board for the opportunity to lead in the pledge.

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 2007 is Cindy Jones. Cindy has been the front desk receptionist at DSS since September 2003. She assists clients with their appointments, handles calls at the switchboard and forwards calls to the proper personnel when necessary. Cindy always presents herself in a very friendly and helpful manner and is always looking for ways to be more efficient and helpful to clients and her peers. We would like to thank Cindy for her service to the community and to the County of Wyoming.

Please join me in recognizing Cindy Jones.

Ms. Jones was available to attend the meeting. Chairman Berwanger welcomed Ms. Jones and asked that she stand to be recognized. The Chairman invited her to address the Board. Ms. Jones declined the offer.

**Communications:**

**None**

**RESOLUTION NO. 07-221  
(July 10, 2007)**

By Mr. Davis, Chairman of the Finance Committee:

**FUNDS TRANSFERRED TO VARIOUS 2007 ACCOUNTS**

**BE IT RESOLVED**, That funds are hereby transferred to the various 2007 accounts as follows:

<b>Board of Supervisors</b>			
<b>Transfer:</b>			
<b>From:</b> 01.31.1010.8.89001 Medical / Hosp. Ins.	\$812.00		
<b>To:</b> 01.31.1010.4.40402 Conferences / Conven.		\$812.00	
<b>Reason:</b> To cover 2007 Fall NYSAC Conference			
<b>Board of Supervisors Total</b>			<b>\$812.00</b>

**Carried: Ayes: 1618 Noes: Absent: Abstain:**

#2

**RESOLUTION NO. 07-222  
(July 10, 2007)**

By Mr. Davis, Chairman of the Finance Committee:

**FUNDS APPROPRIATED TO VARIOUS 2007 ACCOUNTS**

**BE IT RESOLVED**, That funds are hereby appropriated to the various 2007 accounts as follows:

<b>Board of Supervisors</b>			
<b>To:</b> 01.31.1010.1.10601 Unused Benefit Time	\$6,151.06		
01.31.1010.8.83001 FICA	403.69		
01.31.1010.8.85001 Medicare – FICA	94.41		
<i>From any funds available</i>		\$6,649.16	
<b>Reason:</b> In order to pay unbudgeted Unused Benefit Time to retiring Sr. Acct. Clerk.			
<b>Board of Supervisors Total</b>			<b>\$6,649.16</b>
<b>Public Health Department</b>			
<b>To:</b> 01.38.4010.1.10101 Full Time CSEA	\$4,000.00		
01.38.4010.1.10201 Part time	15,000.00		
01.38.4010.1.10202 Temporary	2,800.00		
01.38.4010.2.20201 Computers	4,369.00		
01.38.4010.4.40712 Lab Fees Colorectal Grant	5,000.00		
01.38.4010.4.42461 Colorectal Grant Expenses	9,500.00		
01.38.4010.8.81001 Retirement (11/5%)	2,507.00		
01.38.4010.8.82001 Disability	156.00		
01.38.4010.8.83001 FICA (6.2%)	1,352.00		
01.38.4010.8.85001 Medicare FICA (1.45%)	316.00		
w/01.11.4010.340106 Colorectal Grant		\$45,000.00	

**Proceedings of the Board of Supervisors**

<b>Reason:</b> Appropriate funds awarded by NYSDOH grant for Colorectal Cancer Screening & Prostate Cancer Education Program (1/1/07-12/31/07)			
<b>To:</b> 01.38.4010.4.42456 Diabetic Grant w/01.04.4010.160106 Diabetes <b>Reason:</b> Appropriate additional Diabetes Grant Funds	\$1,500.00	1,500.00	
<b>Public Health Department Total</b>			<b>\$46,500.00</b>
<b>Mental Health Department</b>			
<b>To:</b> 01.38.4310.4.41801 Misc. Assess. Charges owed Other Govt. <i>from any funds available</i> <b>Reason:</b> Court Ordered inpatient care.	\$52,600.52	\$52,600.52	
<b>Narcotic Addiction Control</b>	\$2,000.00		
<b>To:</b> 01.38.4220.4.41510 Educational Materials 01.38.4220.4.42306 Misc. Other Expenses w/01.11.4220.3486 Substance Abuse Control <b>Reason:</b> Cost of Living Allowance granted by NYS OASAS	<u>1,364.00</u>	\$3,364.00	
<b>Alcoholic Addiction Control</b>	\$54,910.00		
<b>To:</b> 01.38.4250.4.40926 ARA, Inc. 01.38.4250.8.83001 FICA w/01.11.4250.3490 Mental Health/State Aid <b>Reason:</b> Cost of Living Allowance increase granted by NYS OASAS and funding increase by NYS OASAS.	<u>271.00</u>	\$55,181.00	
<b>To:</b> 01.38.4310.1.10001 Salaries S/D/I 01.38.4310.1.10101 Full time CSEA w/01.11.4310.3490 Mental Health State Aid <b>Reason:</b> Cost of Living Allowance increase granted by NYS OMH.	\$300.00 <u>248.00</u>	\$548.00	
<b>Mental Health/ICM</b>	\$2,001.00		
<b>To:</b> 01.38.4320.4.40926 ARA, Inc. 01.38.4320.4.42476 CCSI w/01.11.4320.3490 State Aid 01.11.4320.349003 MH Perf Funds <b>Reason:</b> Cost of Living Allowance increase granted by NYS OMH	<u>195.00</u> \$2,196.00	\$1,872.00 <u>324.00</u> \$2,196.00	
<b>Mental Retardation</b>	\$1,151.00		
<b>To:</b> 01.38.4321.4.42422 Suburban Adult Svcs. w/01.11.4321.3490 State Aid <b>Reason:</b> Cost of Living Allowance increase granted by NYS OMR/DD		\$1,151.00	
<b>Mental Health ARC</b>	\$695.00		
<b>To:</b> 01.38.4322.4.42408 Livingston/Wyoming ARC w/01.11.4322.3490 State Aid <b>Reason:</b> Cost of Living Allowance increase granted by NYS OMH.		\$695.00	
<b>Mental Health CSS</b>	\$473.00		
<b>To:</b> 01.38.4323.4.40107 Liability Insurance 01.38.4323.4.40926 ARA, Inc. 01.38.4323.4.42409 Advocacy Services 01.38.4323.4.42420 Psycho/Social 01.38.4323.4.42412 Forensic Case Management w/01.11.4323.3490 Mental Health CSS <b>Reason:</b> Cost of Living Allowance increase granted by NYS OMH	432.00 109.00 429.00 <u>483.00</u>	\$1,926.00	
<b>Mental Health Reinvestment Program</b>	\$ 646.00		
<b>To:</b> 01.38.4324.4.40301 Profess. Svcs. Contract 01.38.4324.4.40401 Training & Education 01.38.4324.4.40406 Employee Mileage 01.38.4324.4.41010 Office Operating Supplies 01.38.4324.4.41510 Educational Materials 01.38.4324.4.42301 Books, subscriptions, etc. 01.38.4324.4.42306 Misc. Other Expense w/01.03.4324.1289 Other Dept. Income 01.11.4324.349001 MH State Aid 01.11.4324.349003 MH Perf. Funds 01.11.4324.349004 MH Reinvestment <b>Reason:</b> Cost of Living Allowance increase granted by NYS OMH, MH Month donations & WNY PFAG contract with CCSI.	2,000.00 2,000.00 1,507.00 1,946.00 419.00 <u>1,230.00</u> \$9,748.00	\$1,876.00 1,419.00 2,946.00 <u>3,507.00</u> \$9,748.00	
<b>Mental Health Grant Program</b>	\$71,063.00		
<b>To:</b> 01.38.4325.4.40926 ARA, Inc.	431.00		

01.38.4325.4.42409 Advocacy Services	54.00		
01.38.4325.4.42412 Forensic Case Management	297.00		
01.38.4325.4.42414 Respite	8,286.00		
01.38.4325.4.42415 Family Support	8,722.00		
01.38.4325.4.42416 Supt. Employment	370.00		
01.38.4325.4.42420 Psycho/Social	231.00		
01.38.4325.4.42441 Misc. MH Programs	7,560.00		
01.38.4325.4.42445 Supt. Apartment	475.00		
01.38.4325.4.42446 Affirmative Business/Ind.	238.00		
01.38.4325.4.42467 Crisis Outreach	<u>6,715.00</u>		
01.38.4325.4.42468 Transportation Program	\$104,442.00	\$97,735.00	
w/01.11.4325.3490 Mental Health State Aid		186.00	
01.11.4324.349001 Mental Health State Aid		(1,588.00)	
Reinvestment Program		<u>8,109.00</u>	
01.11.4324.349003 MH Perf Funds		\$104,442.00	
01.11.4324.349004 MH Reinvestment			
<b>Reason:</b> Cost of Living Allowance increase granted by NYS OMH, allocation of CFCP funding and one-time only transportation funds.			
<b>Mental Health Total</b>			<b>\$231,851.52</b>
<b>Empire Zone Administration</b>			
<b>To:</b> 01.45.7312.4.40954 Add. Aid-Empire Zone	\$15,000.00		
w/01.11.7312.3789 Other Econ. Asst.-Empire Zone		\$15,000.00	
<b>Reason:</b> Empire Zone Administrative reimbursement			
<b>Empire Zone Administration Total</b>			<b>\$15,000.00</b>
<b>Civil Service</b>			
<b>To:</b> 01.34.1430.4.41402 Computers	\$500.00		
w/ 01.03.1430.1289 Other Revenue		\$500.00	
<b>Reason:</b> To cover the cost of computer screen from sale of steel roster cabinets to Livingston County.			
<b>Civil Service Total</b>			<b>\$500.00</b>
<b>Sheriff</b>			
<b>To:</b> 01.37.3110.4.40305 Other: Drug Task Force	\$15,000.00		
w/ 01.12.3110.448917 Byrne-Drug Task Force		\$15,000.00	
<b>Reason:</b> funding for the above grant for equipment and personnel expenses per Resolution #07-140			
<b>Sheriff Total</b>			<b>\$15,000.00</b>
<b>Emergency Services</b>			
<b>To:</b> 01.37.3020.4.40013 9-1-1Radio Communications	\$1,100.00		
<i>From any funds available</i>		\$1,100.00	
<b>Reason:</b> to cover the cost of the Saia Communications contract for the EMS Radio Frequency License.			
<b>Emergency Services Total</b>			<b>\$1,100.00</b>
<b>Highway</b>			
<b>Road Fund</b>			
<b>To:</b> 04.53.5142.1.10101 F/T CSEA contract	\$ 25,000.00		
04.53.5142.4.40602 Equipment rental	\$ 15,000.00		
04.53.5142.4.41804 Pymt T/V for S&I	\$333,111.50		
04.53.5142.8.83001 FICA	\$ 1,550.00		
04.53.5142.8.85001 Medicare-FICA	\$ 362.50		
w/04.13.5142.5031 Interfund Transfer		\$375,024.00	
<b>Reason:</b> To allocate funds for severe winter w/a snow index of 1.863 payable to towns & villages for 2006-07 season and funds to cover extra snow cost for labor and rentals due to the severity of the snow season.			
<b>General Fund</b>	\$375,024.00		
<b>To:</b> 01.52.9901.9.99002 County Snow Removal		\$375,024.00	
From any funds available			
<b>Highway Total</b>			<b>\$375,024.00</b>

**Carried: Ayes: 1618 Noes: Absent: Abstain:**

Mr. Bush, T/Gainesville, Chairman of the Audit Committee, presented bills totaling **\$1,456,879.58** for the month of **June 2007**.

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

*There was a motion by Mrs. Totline, T/Genesee Falls, to combine resolutions #3 through #10. A voice vote was taken and all voted aye.*

#3

**RESOLUTION NO. 07-223  
(July 10, 2007)**

By Mrs. Totline, Chairman of Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN A GRANT  
ACCEPTANCE AWARD FOR THE TITLE V PROGRAM  
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 acceptance award with the New York State Office for the Aging, 2 Empire State Plaza, Albany, NY 12223 on behalf of the Wyoming County Office for the Aging. Said grant is to provide for the Title V Senior Employment Program contract with Wyoming County Community Action, 6470 Rt. 20A Suite 1, Perry, NY 14530 in an estimated amount of twenty-seven thousand five hundred dollars (\$27,500.00); effective July 1, 2007 through June 30, 2008.

**Carried: Ayes: 1618 Noes: Absent: Abstain:**

#4

**RESOLUTION NO. 07-224  
(July 10, 2007)**

By Mrs. Totline, 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, 6470 Rt. 20A Suite 1, Perry, NY 14530 on behalf of the Wyoming County Office for the Aging. Said contract is to provide for the Title V Senior Employment Program in an amount not to exceed thirty thousand dollars (\$30,000.00). Wyoming County Community Action to provided needed match; effective July 1, 2007 through June 30, 2008.

**Carried: Ayes: 1618 Noes: Absent: Abstain:**

#5

**RESOLUTION NO. 07-225  
(July 10, 2007)**

By Mrs. Totline, Chairman of Human Services Committee:

**BARB SCEUSA APPOINTED TO THE OFA ADVISORY  
COUNCIL**

**BE IT RESOLVED**, That *Barb Sceusa*, 2043 Saltvale Rd. Warsaw, NY 14569 is hereby appointed to the Office For the Aging Advisory Council *as a Community Representative for a corrected three year term effective July 01, 2007 through December 31, 2007.*

**Carried: Ayes: 1618 Noes: Absent: Abstain:**

#6

**RESOLUTION NO. 07-226  
(July 10, 2007)**

By Mrs. Totline, Chairman of Human Services Committee:

**MIKE VONZAGORSKI APPOINTED TO THE WYOMING  
COUNTY YOUTH BOARD**

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**BE IT RESOLVED**, That *Mike Vonzagorski*, 13 Deacon Drive Arcade, NY 14009 is hereby appointed to the Wyoming County Youth Board *as a Community Member for a vacant three year term; effective July 01, 2007 through December 31, 2009.*

**Carried: Ayes: 1618 Noes: Absent: Abstain:**

#7

**RESOLUTION NO. 07-227  
(July 10, 2007)**

By Mrs. Totstline, Chairman of Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT  
WITH McDONALD'S BUS SERVICE ON BEHALF OF THE  
WYOMING COUNTY YOUTH BUREAU**

**BE IT RESOLVED**, That the Chairman of this Board with the authorization of the County Attorney is hereby authorized and directed to sign a contract with McDonald's Bus Service, 248 Sargent Street, Cowlesville, NY 14037 for the provision of transportation in an amount not to exceed the 2007 budget (variable depending on number of services); effective July 01, 2007 through June 30, 2008.

Contingent upon the availability of funds.

**Carried: Ayes: 1618 Noes: Absent: Abstain:**

#8

**RESOLUTION NO. 07-228  
(July 10, 2007)**

By Mrs. Totstline, Chairman of Human Services Committee:

**CHAIRMAN / COMMISSIONER AUTHORIZED TO SIGN  
THE NYS FOOD STAMP NUTRITION EDUCATION PLAN  
GRANT 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  
Regular Session

hereby authorized and directed to sign the NYS Food Stamp Nutrition Education Plan (FSNEP) grant. Said grant is for funding Cornell Cooperative Extension's FSNEP program in a minimum amount of one hundred fifty-three thousand five hundred eighty-two dollars (\$153,582.00); effective October 01, 2007 through September 30, 2008.

**Carried: Ayes: 1618 Noes: Absent: Abstain:**

**#9**

**RESOLUTION NO. 07-229  
(July 10, 2007)**

By Mrs. Totslie, 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**

**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 of Wyoming County, 401 North Main Street, Warsaw, NY 14569 for the provision of the NYS Food Stamp Nutrition Education Plan; effective October 01, 2007 through September 30, 2008. Said agreement not to exceed one hundred fifty-three thousand five hundred eighty-two dollars (\$153,582.00); (reimbursed at 50% Federal = \$76,791 and 50% In-kind = provided by Cornell Cooperative Extension).

Contingent on availability of funds.

**Carried: Ayes: 1618 Noes: Absent: Abstain:**

**#10**

**RESOLUTION NO. 07-230  
(July 10, 2007)**

By Mrs. Totslie, Chairman of Human Services Committee:

Regular Session

**CHAIRMAN / COMMISSIONER AUTHORIZED TO SIGN  
A MEMORANDUM OF AGREEMENT WITH  
WYOMING COUNTY COMMUNITY ACTION**

**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 Wyoming County Community Action, 6470 Rt 20A Perry, NY 14530 on behalf of the Department of Social Services. Said agreement is to allow for the provision of the **JOLI** (Job Opportunities for Low Income Individuals) grant. Said grant allows the Department of Social Services to refer TANF eligible participants to Wyoming County Community Action for employment and training skills; effective June 18, 2007 – June 17, 2010.

Contingent on availability of funding.

**Carried: Ayes: 1618 Noes: Absent: Abstain:**

#11

**RESOLUTION NO. 07-231  
(July 10, 2007)**

By Mr. Kushner, Chairman of Public Health Committee:

**CHAIRMAN AUTHORIZED TO SIGN AMENDED 2007  
CONTRACTS ON BEHALF OF MENTAL HEALTH  
AND AMEND RESOLUTION #06-379**

**WHEREAS**, Resolution number 06-379, as amended by resolution number 07-50 and resolution number 07-101, provides for various 2007 Mental Health contracts; now therefore

**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 amended 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 + \$596.00 = \$54,315.00.
- 2) Suburban Adult Services, Inc. renewal contract for the period of January 1, 2007 through December 31, 2007 for \$128,911.00 + \$1,219.00 = \$130,130.00
- 3) ARA, Inc. renewal contracts for the period of January 1, 2007 through December 31, 2007:  
One contract for Mental Health Services for \$513,864.00 + \$108,595.00 = \$622,459.00
  - B. Adult Case Management/SPOE/SPOA - \$57,009.00 + \$2,456.00 = \$59,465.00
  - C. Child & Youth ICM & Wrap around Funds (3 ICMS) - \$57,768.00 + \$1,008.00 = 58,776.00
  - E. Co-Occurring Disorder Program & Case Management - \$24,529.00 + \$424.00 = \$24,953.00
  - F. CSS Programs Continuing Day Tx., CSS Case Management, CSS Transportation for \$27,406.00 + \$473.00 = \$27,879.00
  - G. Chemical Abuse Treatment and Prevention Staffing & Men's Group for \$298,840.00 + \$40,037.00 = \$338,877.00
  - H. Child & Family Clinic Plus for \$12,906.00 + \$64,197.00 = \$77,103.00
- 4) Wyoming County Community Health System - renewal contract for the period of January 1, 2007 through December 31, 2007 for \$34,056.00 + \$537.00 = \$34,593.00
  - B. Forensic case management for \$31,056.00 + \$537.00 = \$31,593.00

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- 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 \$216,052.00 + \$8,533.00 = \$224,585.00)
1. Consumer Run Thrift Store - \$32,475.00 + \$560.00 = \$33,035.00
  2. Drop-in Center - \$21,494.00 + \$371.00 = \$21,865.00
  3. Transportation Program - \$ 54,257.00 + \$5,742.00 = \$59,999.00
  4. MICA & Social Club - \$92,795.00 + \$1,601.00 = \$94,396.00
  5. Peer Advocacy - \$9,673.00 + \$167.00 = \$9,840.00
  6. PREP - \$5,358.00 + 92.00 = \$5,450.00
- 6) Hillside Children’s Center renewal contract for the period of January 1, 2007 through December 31, 2007 to provide: \$47,562.00 + \$821.00 = \$48,383.00
- A. Crisis respite for children - \$17,200.00 + \$297.00 = \$17,497.00
  - B. GLOW Family Support - \$16,578.00 + \$286.00 = \$16,864.00
  - C. Home Based Crisis Intervention - \$13,783.00 + \$238.00 = \$14,021.00
- 6a) Hillside Children’s Center Customized Services for the period of January 1, 2007 through December 31, 2007 for an amount not to exceed \$2,000.00
- 7) Living Opportunities of DePaul renewal contract for the period of January 1, 2007 through December 31, 2007 for: \$171,236.00 + \$2,956.00 = \$174,192.00
- A. Temporary Supportive Housing - \$10,257.00 + \$177.00 = \$10,434.00
  - B. Four-bed treatment apartments - \$4,529.00 + \$79.00 = \$4,608.00
  - C. Supported Housing (20 SLOTS) - \$156,450.00 + \$2,700.00 = \$159,150.00

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Amounts reflect an increase in program funding and/or a COLA. 100% State aid. No County Levy.

All contracts contingent upon the availability of funding.

**Carried: Ayes: 1618 Noes: Absent: Abstain:**

*There was a motion by Mr. Fleischman, T/Java, to combine resolutions #12 through #18. A voice vote was taken and all voted aye.*

**#12**

**RESOLUTION NO. 07-232  
(July 10, 2007)**

By Mr. Fleischman, Chairman of the Planning Committee:

**2008 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 2008 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: Ayes: 1618 Noes: Absent: Abstain:**

**#13**

**RESOLUTION NO. 07-233  
(July 10, 2007)**

By Mr. Fleischman, Chairman of the Planning Committee:

Regular Session

**Proceedings of the Board of Supervisors**  
**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 2008 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 2008 County Budget; contingent upon the availability of funds from New York State.

**Carried:    Ayes: 1618    Noes:    Absent:    Abstain:**

**#14**

**RESOLUTION NO. 07-234**  
**(July 10, 2007)**

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, 2007 through June 30, 2008. 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:    Ayes: 1618    Noes:    Absent:    Abstain:**

**RESOLUTION NO. 07-235  
(July 10, 2007)**

By Mr. Fleischman, Chairman of Planning Committee:

**AUTHORIZING THE USE OF FEDERAL COMMUNITY  
DEVELOPMENT BLOCK GRANT AND  
MICROENTERPRISE LOAN REPAYMENT FUNDS**

**WHEREAS**, Wyoming County successfully implemented and closed out a Small Cities Community Development Block Grant received from the U. S. Department of Housing and Urban Development in 1999 for the purpose of funding a Microenterprise Assistance Program (hereinafter the “HUD Grant”); and

**WHEREAS**, loan repayments from that program are currently authorized for use by the Wyoming County Industrial Development Agency (the “IDA”) to fund additional Microenterprise loans; and

**WHEREAS**, the IDA currently has sufficient funding available through a grant from the New York State Office for Small Cities (the “OFSC”) to meet the demand for Microenterprise loans in the County; and

**WHEREAS**, current OFSC grant funding for the County’s Microenterprise & Downtown Revitalization Program will be fully expended by September 30, 2007; and

**WHEREAS**, the County is desirous of continuing the Microenterprise & Downtown Revitalization Program; now therefore

**BE IT RESOLVED**, that the Board of Supervisors of Wyoming County hereby authorizes the IDA to use \$70,000 in loan repayment funds from the HUD Grant to provide funding for the Microenterprise & Downtown Revitalization Program consistent with the budget attached hereto.

**Carried: Ayes: 1618 Noes: Absent: Abstain:**

**RESOLUTION NO. 07-236  
(July 10, 2007)**

By Mr. Fleischman, Chairman of Planning Committee:

**MARK MERRILL APPOINTED TO THE  
LOCAL DEVELOPMENT CORP. (LDC) BOARD**

**BE IT RESOLVED**, That Mark Merrill, 5442 Sheppard Rd., Bliss, NY 14024 is hereby appointed to the Local Development Corp. Board *to fill the unexpired 3 year term vacated by Norb Fuest; effective immediately through May 9, 2009.*

**Carried: Ayes: 1618 Noes: Absent: Abstain:**

#17

**RESOLUTION NO. 07-237  
(July 10, 2007)**

By Mr. Fleischman, Chairman of Planning Committee:

**BRUCE CAMP REAPPOINTED TO THE  
WYOMING COUNTY INDUSTRIAL DEVELOPMENT  
AGENCY BOARD**

**BE IT RESOLVED**, That Bruce Camp, 3837 Fullington Rd., Attica, NY 14011 is hereby reappointed to the Wyoming County Industrial Development Agency Board *for a term of three (3) years; effective February 08, 2007 through February 07, 2010.*

**Carried: Ayes: 1618 Noes: Absent: Abstain:**

**RESOLUTION NO. 07-238  
(July 10, 2007)**

By Mr. Fleischman, Chairman of Planning Committee:

**RESOLUTION IN SUPPORT OF EFFORTS BY THE  
GENESEE FINGER LAKES REGIONAL PLANNING  
COUNCIL IN OPPOSITION TO ASSEMBLY BILL A.8703**

**WHEREAS**, The New York State Assembly is considering bill number A 8703 which relates to the function of industrial development agencies; relates to the application and community impact report, financial assistance agreements, wages and standards, displaced worker protection, complaints and appeals, and reports by recipients; makes certain provisions of law permanent; and

**WHEREAS**, The Genesee Finger Lakes Regional Planning Council, an agency serving as the overall planning agency for nine counties; the manager of numerous grants and programs for communities for development, improvement of infrastructure and economic development; and made up of representatives from each of the nine counties; has reviewed the proposed bill and has determined that, although in some areas of IDA management and functions there are improvements that can be made, as in any aspect of government, bill number A 8703 contains proposed changes that would be harmful to the nine county area and its functions to facilitate economic development; and

**WHEREAS**, The Public Authorities Accountability Act has been adopted which address the functioning of authorities overall, adding another layer of reporting and timelines without sufficient oversight and assistance staff at the State level to facilitate proper implementation of the Act; and for small, particularly rural, agencies, the reporting aspect of multiple legislative proposals and adopted legislation is an excessive burden; and

**WHEREAS**, The majority of the requirements outlined in A 8703, already exist through the IDA law and Public Authorities Accountability Act and are being followed by many agencies; that the New York State Economic Development Council has proposed best practices and consistent reporting and application processes; and

**WHEREAS**, The industrial development legislation was enacted to provide tools to assist communities in development, to assure New York State  
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and its counties are able to provide businesses a business friendly atmosphere and jobs for New York State residents, and, A 8703 would discourage such business growth; be it therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors joins the Genesee Finger Lakes Regional Planning Council in opposition to the passage of A.8703 and encourages the consideration of proposals and comments made by the NYSEDC.

**Carried: Ayes: 1618 Noes: Absent: Abstain:**

*There was a motion by Mr. Rogers, T/Pike, to combine resolutions #19 through #21. A voice vote was taken and all voted aye.*

**#19**

**RESOLUTION NO. 07-239  
(July 10, 2007)**

By Mr. Rogers, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT  
WITH ROBERT JAE ON BEHALF OF THE RADIO  
COMMUNICATIONS PROJECT**

**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, 2227 Route 20A, Varysburg, NY 14167 on behalf of the Radio Communications Project. Said contract is in the amount of fifty thousand dollars (\$50,000.00) plus travel expenses; effective from commencement date of contract for a period of one calendar year expiring 06/30/08 for the purpose of the continuation of radio enhancements as well as 911 and emergency dispatch services in general. Contingent upon the availability of funds.

**Carried: Ayes: 1618 Noes: Absent: Abstain:**

**#20**

**RESOLUTION NO. 07-240  
(July 10, 2007)**

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By Mr. Rogers, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN AN AGREEMENT WITH NYS DIVISION 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 an Agreement with New York State Division of Criminal Justice Services, Building 7A, 7<sup>th</sup> Floor, Albany, New York 12226 on behalf of Emergency Services. Said agreement to provide for Issuance of Specialized Equipment for Response to Weapons of Mass Destruction at no cost to the County; effective June 04, 2007 through all provisions in this agreement.

**Carried: Ayes: 1618 Noes: Absent: Abstain:**

**#21**

**RESOLUTION NO. 07-241  
(July 10, 2007)**

By Mr. Rogers, 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 effective *July 11, 2007 through July 10, 2008*:

<u>DEPARTMENT</u>	<u>MEMBER</u>	<u>ADDRESS</u>
Arcade	Gregory Landis	782 Geer Rd. Arcade, NY 14009
Attica	Jay Myers	297 Main St. Attica, NY 14011

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Bennington	Joseph Heller, Jr	1290 Maxon Rd. Attica, NY 14011
Bliss	Richard Maher	3429 Rt. 39 Bliss, NY
Castile	William Dake	73 W. Park Rd. Castile, NY 14427
Cowlesville	Joseph Pomana	203 Clinton St. Cowlesville, NY 14037
Gainesville	Dusty Dieter	38 Perry Ave. Silver Springs, NY 14550
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	Douglas Flint	78 Main St. Pike, NY 14130
Sheldon	Richard Brzezicki, Jr.	2830 Valley View Ln. Strykersville, NY 14145
Silver Springs	Deanna Wilcox	30 Orchard St. Silver Springs, NY 14550
Strykersville	Donald Simons	425 Factory Rd. Strykersville, NY 14145
Varysburgs	Carl Parmerter	2151 Rt. 98 Attica, NY 14011
Warsaw	Joseph Cummins	11 Summitt Ave. Warsaw, NY 14569
Wyoming	Bruce Brown	S. Academy St. Wyoming, NY 14591

Members At-Large for towns without Departments:

Orangeville	Town Supervisor, Susan May	Town of Orangeville
Covington	Town Supervisor, Jerry Davis	Town of Covington

**Carried: Ayes: 1618 Noes: Absent: Abstain:**

*There was a motion by Mr. Patti, T/Attica, to combine resolutions #22 and #23.  
A voice vote was taken and all voted aye.*

**#22**

**RESOLUTION NO. 07-242  
(July 10, 2007)**

By Mr. Patti, Chairman of Public Works Committee:

**AUTHORIZING THE IMPLEMENTATION, AND  
FUNDING THE FIRST INSTANCE 100% OF THE  
FEDERAL-AID AND STATE “MARCHISELLI”  
PROGRAM-AID ELIGIBLE COSTS, OF A  
TRANSPORTATION FEDERAL-AID PROJECT,  
(SUPPLEMENTAL AGREEMENT NO. 1) 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 **PE/Design, ROW and Construction phases**.

**NOW, THEREFORE**, the Board of Supervisors, duly convened does hereby

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**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 construction work for the Project or portions thereof; and it is further

**RESOLVED**, that the sum of **\$598,000** is hereby appropriated from Board of Supervisors and made available to cover the cost of participation in the above phases with \$70,000 for PE/Design, \$2,000 ROW and \$526,000 Construction 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: Ayes: 1618 Noes: Absent: Abstain:**

**#23**

**RESOLUTION NO. 07-243  
(July 10, 2007)**

By Mr. Patti, Chairman of Public Works Committee:

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**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT  
WITH CLARK PATTERSON ON BEHALF OF THE  
DEPARTMENT 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 Clark Patterson Associates, 186 N. Water St., Rochester, NY 14604 on behalf of the Department of Buildings and Grounds. Said contract is to provide for the preparation of Bid Specifications for the replacement of the Government Center Roof in an amount not to exceed seven thousand five hundred dollars (\$7,500.00); effective through September 30, 2007.

**Carried: Ayes: 1618 Noes: Absent: Abstain:**

*There was a motion by Mr. Davis, T/Covington, to combine resolutions #24 through #36. A voice vote was taken and all voted aye.*

**#24**

)  
**RESOLUTION NO. 07-244  
(July 10, 2007)**

By Mr. Davis, Chairman of Finance Committee:

**ONE (1) POSITION OF SECRETARY TO THE WORKERS'  
COMPENSATION PROGRAM ADMINISTRATOR (1.00 fte)  
CREATED IN THE WORKERS' COMPENSATION  
INSURANCE OFFICE**

**BE IT RESOLVED**, That one position of Secretary to the Workers' Compensation Program Administrator (1.00 fte) be hereby created in the Workers' Compensation Insurance Office, effective immediately; and be it

**FURTHER RESOLVED**, That Salary Schedule "S" be amended to add the above mentioned position and set the salary at \$25,355.00/annually.

**Carried: Ayes: 1618 Noes: Absent: Abstain:**

**RESOLUTION NO. 07-245  
(July 10, 2007)**

By Mr. Davis, Chairman of Finance Committee:

**FARRIS HEIMANN APPOINTED AS REPRESENTATIVE  
TO THE WYOMING COUNTY WORKERS'  
COMPENSATION PLAN**

**BE IT RESOLVED**, That Sheriff, Farris Heimann, 151 North Main Street, Warsaw, NY 14569 be hereby designated to represent Wyoming County as its Trustee for purposes of the Wyoming County Workers' Compensation Plan; effective July 14, 2007 to fill a vacancy created by Paula Parker effective July 13, 2007.

**Carried: Ayes: 1618 Noes: Absent: Abstain:**

#26

**RESOLUTION NO. 07-246  
(July 10, 2007)**

By Mr. Davis, Chairman of Finance Committee:

**A RESOLUTION REQUESTING THE NEW YORK STATE  
LEGISLATURE TO ADOPT APPROPRIATE  
LEGISLATION TO ENABLE THE COUNTY OF  
WYOMING TO IMPOSE AND COLLECT TAXES ON  
MORTGAGES IN WYOMING COUNTY**

**WHEREAS**, It is deemed desirable and necessary that the County of Wyoming be authorized and empowered to adopt and amend local laws imposing in such county a tax in addition to any tax authorized and imposed pursuant to Article 11 of the Tax Law on mortgages on real property in Wyoming County; and

**WHEREAS**, it is proposed that the rate of such tax shall be twenty-five cents (\$.25) per one hundred dollars (\$100.00) and each remaining major fraction thereof of principal debt or obligation which is, or under any contingency may be, secured at the date of execution thereof or at any time thereafter by such mortgage, which tax shall be dedicated to funding any general capital projects and / or the debt service for any capital projects for Wyoming County; and

**WHEREAS**, It is necessary that the New York State Legislature pass and adopt appropriate legislation to enable the County of Wyoming to enact such local law for the imposition of such tax; and

**WHEREAS**, It is the understanding of this Board of Supervisors that prior to the enactment of the Home Rule Request preparatory to the enactment of such state legislation, it is necessary that such proposed legislation be reviewed and assigned the appropriate Senate and Assembly Introductory bill numbers, and that thereafter an appropriate Home Rule Request or Home Rule Message, be adopted and transmitted by this Board of Supervisors to the New York State Legislature; now therefore

**BE IT RESOLVED**, That this Board of Supervisors of Wyoming County do hereby respectfully requests the New York State Legislature to consider enactment of appropriate legislation to enable the County of Wyoming to impose and collect taxes on mortgages on real property in Wyoming County in addition to any tax authorized and imposed pursuant to Article 11 of the Tax Law, such legislation to authorize that the rate of such tax shall be twenty-five cents (\$.25) per one hundred dollars (\$100.00) and each remaining major fraction thereof of principal debt or obligation which is, or under any contingency may be, secured at the date of execution thereof or at any time thereafter by such mortgage, which tax shall be dedicated to funding any general capital projects and / or the debt service for any capital projects for Wyoming County; and be it

**FURTHER RESOLVED**, That following review and introduction of said legislation in the Senate and Assembly of the State of New York, this County Board of Supervisors respectfully requests that the necessary information and forms be forwarded to this Board of Supervisors in order that an appropriate Home Rule Request can be acted upon by this body; and be it

**FURTHER RESOLVED**, that certified copies of the Resolution be forwarded by the Clerk of this Board of Supervisors to Senator Dale Volker, Assemblyman Daniel Burling, Assembly Speaker Sheldon Silver, the Clerk of the Assembly and the Clerk of the Senate, with a request that those

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representatives in the State legislature take the appropriate and necessary steps to process the legislation as requested herein; and

**NOW THEREFORE BE IT RESOLVED**, That this Resolution shall take effect immediately.

**Carried: Ayes: 1618 Noes: Absent: Abstain:**

**#27**

**RESOLUTION NO. 07-247  
(July 10, 2007)**

By Mr. Davis, Chairman of Finance Committee:

**LOCATION AND TIME OF AUGUST 2007 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 14<sup>th</sup>, 2007 at 2:00 PM* at the *Wyoming County Fairgrounds in Pike, New York*.

**Carried: Ayes: 1618 Noes: Absent: Abstain:**

**#28**

**RESOLUTION NO. 07-248  
(July 10, 2007)**

By Mr. Davis, Chairman of Finance Committee:

**SALARY SCHEDULE “S” AMENDED**

**BE IT RESOLVED**, That the Wyoming County Salary Schedule Plan which became effective January 01, 1967, as amended, is hereby amended as follows:

- Salary Schedule “S” annexed hereto shall be amended to set the salary of the Deputy Clerk to the Board of Supervisors at \$29,000.00 annually effective July 02, 2007; and be it

**FURTHER RESOLVED**, That the salary of any position vacated shall be open for review by the appropriate committee.

**Carried: Ayes: 1618 Noes: Absent: Abstain:**

**#29**

**RESOLUTION NO. 07-249  
(July 10, 2007)**

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, 2006 through March 31, 2007 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 **\$29,762.87** (Twenty-nine thousand seven hundred sixty-two dollars and eighty-seven cents) to the sixteen towns of Wyoming County, in accordance with the report filed with the Clerk of the Board of Supervisors, as follows:

<b>TOWNS</b>	<b>REVENUE SHARING DISTRIBUTIED</b>
Arcade	\$3,093.04
Attica	\$2,203.19
Bennington	\$4,214.59
Castile	\$2,443.39
Covington	\$700.37
Eagle	\$1,443.77
Gainesville	\$1,286.33

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Genesee Falls	\$240.30
Java	\$1,678.33
Middlebury	\$1,479.09
Orangeville	\$634.72
Perry	\$2,907.79
Pike	\$632.15
Sheldon	\$2,563.28
Warsaw	\$3,607.15
Wethersfield	\$635.38
<b>Grand Totals:</b>	<b>\$29,762.87</b>

Let this be your Warrant for Such Payment: **\$29,762.87** (Twenty-nine thousand seven hundred sixty-two dollars and eighty-seven cents) IN WITNESS WHEREOF, I have hereunto set my hand and seal of the Board of Supervisors this 10<sup>th</sup> day of July, 2007.

*s/ Cheryl J. Ketchum*, Clerk  
Board of Supervisors

**Carried: Ayes: 1618 Noes: Absent: Abstain:**

**#30**

**RESOLUTION NO. 07-250  
(July 10, 2007)**

By Mr. Davis, Chairman of Finance Committee:

**MEMORIALIZING THE GOVERNOR AND NEW YORK STATE LEGISLATURE TO AMEND THE GENERAL CONSTRUCTION LAW TO ALLOW PAPERS WHICH DO NOT CHARGE FOR THE PAPER, BUT WITH AN ESTABLISHED AND LARGE CIRCULATION, TO BE CONSIDERED NEWSPAPERS IN CERTAIN INSTANCES.**

**WHEREAS**, Current restrictions require public notices to be published in paid dailies and weeklies; and

**WHEREAS**, It has become increasingly difficult to purchase adequate citizen coverage under current restrictions regarding what can be designated as an official newspaper; and

**WHEREAS**, The cost of publishing in an official newspaper could become costly; and

**WHEREAS**, Studies show the decline in local daily and weekly newspaper readership is accelerating; and

**WHEREAS**, Studies also show an increase in circulation from 30 million in 1968 to 88 million in 2000 of free community papers; and

**WHEREAS**, The intent of public notice requirements is to increase the likelihood that citizens are well informed regarding local government actions, finances and plans; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors urges the Governor and the New York State Legislature to amend the General Construction Law to allow papers, which do not charge for the paper, but with an established and large circulation to be considered newspapers in certain instances, to permit towns and other local governments to place the legal notices in local publications which may reach a larger audience and/or be less expensive to publish; and be it further

**RESOLVED**, That certified copies of this resolution be sent to Governor Spitzer; Senator Volker, Assemblyman Burling, InterCounty Association of Western New York; the Majority and Minority Leaders of the New York State Assembly and Senate; the New York State Association of Counties; and the Adirondack InterCounty Association.

**Carried: Ayes: 1618 Noes: Absent: Abstain:**

#31

**RESOLUTION NO. 07-251  
(July 10, 2007)**

By Mr. Davis, Chairman of Finance Committee:

**SET PUBLIC HEARING – INTRODUCTORY LOCAL LAW  
NO. C YEAR 2007**

**WHEREAS**, There has been duly presented and introduced at a meeting of this Board of Supervisors of Wyoming County on this 10<sup>th</sup> day of July, 2007, a proposed local law entitled, “**Local Law Introductory No. C, Year 2007, “ADOPTION OF SENIOR CITIZENS EXEMPTION OPTIONS,”** and

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**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 on the said proposed Local Law by this Wyoming County Board of Supervisors on the 14<sup>th</sup> day of August, 2007 at 2:00 PM at the Wyoming County Fair Grounds, Pike, New York.

**Carried: Ayes: 1618 Noes: Absent: Abstain:**

#32

**RESOLUTION NO. 07-252  
(July 10, 2007)**

By Mr. Davis, Chairman of Finance Committee:

**ONE (1) POSITION OF AGING SERVICES AIDE, PT (.50 fte) CREATED IN THE OFFICE FOR THE AGING**

**BE IT RESOLVED**, That one (1) position of *Aging Services Aide, PT (.5 fte)* be hereby created in the Office for the Aging. Said position to be equivalent to Grade 2 Step 1 (\$12.69/hr. plus 10%) with only those benefits mandated by law.

**Carried: Ayes: 1618 Noes: Absent: Abstain:**

#33

**RESOLUTION NO. 07-253  
(July 10, 2007)**

By Mr. Davis, Chairman of Finance Committee:

**ONE (1) POSITION OF PUBLIC HEALTH NURSE (1.00 fte) CREATED IN THE PUBLIC HEALTH DEPARTMENT**

**BE IT RESOLVED**, That one (1) position of *Public Health Nurse (1.00 fte)* be created in the Public Health Department; effective immediately.

**Carried: Ayes: 1618 Noes: Absent: Abstain:**

**RESOLUTION NO. 07-254  
(July 10, 2007)**

By Mr. Davis, Chairman of Finance Committee:

**ONE (1) POSITION OF LEGAL RESEARCH INTERN (1.00 fte) CREATED IN THE DISTRICT ATTORNEY'S OFFICE**

**BE IT RESOLVED**, That one (1) position of *Legal Research Intern (1.00 fte) (Temporary)* be created in the District Attorney's Office with budgeted funds from the Aid to Prosecution grant. The position pays \$3,000.00 up to 10 weeks plus fringes; position to expire December 31, 2007.

**Carried: Ayes: 1618 Noes: Absent: Abstain:**

#35

**RESOLUTION NO. 07-255  
(July 10, 2007)**

By Mr. Davis, Chairman of Finance Committee:

**TWO (2) POSITIONS OF BUILDING MAINTENANCE HELPER (1.00 fte) CREATED IN THE DEPARTMENT OF BUILDINGS AND GROUNDS**

**BE IT RESOLVED**, That two (2) positions of *Building Maintenance Helper, FT (1.00 fte)* be hereby created in the Department of Buildings and Grounds to be placed on CSEA Salary Schedule "B," Grade 3 (\$11.68 - \$12.63/hr.) effective immediately.

**Carried: Ayes: 1618 Noes: Absent: Abstain:**

#36

**RESOLUTION NO. 07-256  
(July 10, 2007)**

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By Mr. Davis, Chairman of Finance Committee:

**ONE (1) POSITION OF ASSISTANT SUPERINTENDENT  
OF BUILDINGS AND GROUNDS (1.00 fte) CREATED IN  
THE DEPARTMENT OF BUILDINGS AND GROUNDS**

**BE IT RESOLVED**, That one position of Assistant Superintendent of Buildings and Grounds be hereby created in the Department of Buildings and Grounds to be placed on Salary Schedule S; and be it

**FURTHER RESOLVED**, That the salary be set at \$35,000.00/annually.

**Carried: Ayes: 1618 Noes: Absent: Abstain:**

*Chairman Berwanger presented the following resolution by asking if there is any Supervisor that objects to the presentation of UC Resolution Number 37. There being no objections to the presentation of UC Resolution Number 37, Chairman Berwanger asked Finance Chair, Supervisor Davis, T/Covington to elaborate on the necessity for this appropriation.*

*Supervisor Davis stated that this spending is a requirement of the \$700,000 Radio Communications Project grant as matching funds. Once the grant funds are in the county's treasury it will be used to pay the \$500,000.00 B.A.N. payment, due August 10, 2007, established on behalf of the radio project in 2005.*

*Also, before the roll call vote was taken Supervisor Davis took the opportunity to thank Beth Pond for her due diligence in regards to the above mentioned grant.*

**Unanimous Consent  
#37**

**RESOLUTION NO. 07-257  
(July 10, 2007)**

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

**FUNDS APPROPRIATED TO VARIOUS 2007 ACCOUNTS**

**BE IT RESOLVED**, That funds are hereby appropriated to the various 2007 accounts as follows:

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<b>Sheriff</b>			
To: 01.37.3110.2.20201 Computer Equipment	\$80,000.00		
01.37.3110.2.23001 Cars	48,939.00		
01.37.3110.4.41410 Software	15,000.00		
<i>From any funds available</i>			
<b>Reason:</b> To purchase items originally listed in grant			
<b>Sheriff's Total</b>			<b>\$143,939.00</b>

**Carried: Ayes: 1618 Noes: Absent: Abstain:**

*Before the meeting was adjourned, Chairman Berwanger offered the floor to County Attorney Dadd. Mr. Dadd felt it necessary to make the Board aware of legislation passed by the NYS Assembly, bill number, A08697, entitled, "An act to amend the public service law and the public authorities law, in relation to the siting of major electric generating facilities; to amend the energy law and the public authorities law, in relation to energy planning; to amend the environmental conservation law, in relation to power plant emissions and performance standards; to amend the state finance law, in relation to establishing the intervenor account; and providing for the repeal of such provisions upon expiration thereof."*

*Basically, this bill transfers siting authority for wind generation facilities away from municipalities and gives it to the State.*

*Currently, this bill has no sponsor in the NYS Senate. Mr. Dadd has also stated that he has checked with Noble Environmental's lobbyists and also Senator Volker's staff, no one thinks there will be any action on this proposed law this year.*

*Meanwhile, Supervisor Davis and Supervisor Bush have been invited to meet with Governor Spitzer on another matter. They have been instructed to inform the Governor of Wyoming County's opposition to the above mentioned proposed legislation.*

There being no further business to come before this Board, Senior Supervisor, Mr. Harold Bush, T/Gainesville adjourned the meeting at 3:25 PM with a rap on his desk.

\*\*\*\*\*

*Respectfully submitted,*

***Cheryl J. Ketchum***

**REGULAR SESSION  
(August 14, 2007)****Tuesday****2:00 PM**

The regular Session of the Wyoming County Board of Supervisors was held at the Wyoming County Fair Grounds, in the Town of Pike, New York with all Supervisors present. Also present were Assistant County Attorney, Jane Monaghan; Deputy Budget Officer, Beth Pond; 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.

Chairman Berwanger thanked the Wyoming County Cornell Cooperative Extension, Fair Association and Supervisor Rogers for the opportunity to hold the monthly Board Meeting at the Fair Grounds, enabling the board to share Wyoming County democracy with the public.

The Veteran leading the Pledge of Allegiance this month was:

**JOSHUA D. KAACK**

Mr. Kaack's service to his country comes while serving with the New York Army National Guard. He graduated from Pioneer Central School in June of 1993 and enlisted in the Army National Guard in July of 1993, completing Basic Training at Fort Leonardwood, Mo.

Mr. Kaack then spent six (6) months at Fort Sam Houston, Texas and six (6) months at Fort Lee, Va., completing 52 weeks of Advanced Individual Training to become an X-Ray Specialist. He then returned to this area and was assigned duties with C Company of the 342 Forward Support Battalion of the National Guard at Masten Ave. Armory.

The following year, Mr. Kaack became a Combat Medic by completing training at Fort Indiantown Gap, Pa. and then Jump School at Fort Benning, Ga. During this period, he also completed L.P.N. School at BOCES and went to work at the Wyoming County Community Hospital in 1996 as a Licensed Practical Nurse.

Mr. Kaack spent 6 years with his unit in Buffalo and then was transferred to Olean to be assigned to A Company of the 127<sup>th</sup> Armor, 42d Infantry Division of the National Guard where he drilled for the next 3 years as an Abrahams Tank Crewman. During this period, he was deployed, first to Quadamalo as a Combat Medic and then again in 1999 to Fort Drum and the Thousand Islands working on "Search and Rescue" during the Ice Storm of 1999. In 2006, Mr.

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Kaack was reassigned to the 642d Aviation Support Battalion in Niagara Falls Air Base as a Motor Transportation Operator. His unit is expected to be deployed to Fort Drum this fall under the 27<sup>th</sup> Infantry Brigade and destination being Afghanistan.

For his service to his Country, Mr. Kaack has thus far been awarded:

**THE ARMY SERVICE RIBBON  
JUMP WINGS  
OVERSEAS RIBBON**

Mr. Kaack is still presently working at the Wyoming County Community Hospital as a Licensed Practical Nurse in Mental Health and lives in Fillmore.

*The pledge was said by all.*

A certificate of appreciation was presented to Mr. Kaack in honor of his service to his country and also to commemorate his participation in this month's Board Meeting.

Chairman Berwanger offered Mr. Kaack the opportunity to address the Board of Supervisors. Mr. Kaack commented on his participation with his unit and the potential for going to Afghanistan. He thanked the Board for the opportunity to lead in the pledge.

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 2007 is Leo Lawless. Leo goes above and beyond for the clientele he works with putting in many hours and working late. He truly cares about those he works with, especially the elderly. We would like to thank Leo for his service to the community and to the County of Wyoming.

Please join me in recognizing Leo Lawless.

Mr. Lawless declined the opportunity to address the Board of Supervisors

**Communications:**

**C1:** Thank you to the Supervisors from American Red Cross for the June 11, 2007 “Drive Out Breast Cancer” golf tournament for their personal sponsorship.

**RESOLUTION NO. 07-258  
(August 14, 2007)**

By Mr. Copeland, 2<sup>nd</sup> Vice Chairman of the Agriculture Committee:

**WYOMING COUNTY FAIR WEEK PROCLAIMED**

**WHEREAS,** The Wyoming County Fair will be held from August 11<sup>th</sup> through the 18<sup>th</sup> 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 11<sup>th</sup> through August 18<sup>th</sup> in the year 2007 as:

**“WYOMING COUNTY FAIR WEEK”**

and be it

**FURTHER RESOLVED,** That this Board of Supervisors does hereby applaud the annual efforts produced by the Wyoming County Fair Association.

**Carried: XXX Ayes: 1277 Noes: 0 Absent: 127 (Castile) Abstain:**  
**214 (Perry)**  
**341 Total**

*The above proclamation was presented to this year’s Wyoming County Fair Queen, Jenna Fontaine, sponsored by Reisdorf Bros., 9 year 4-H member, and daughter of Jim and Sandy Fontaine of the Town of Sheldon, and this year’s*

*Wyoming County Dairy Princess, Autumn Dell, from the Town of Perry by Supervisor Copeland, T/Wethersfield.*

*Each of the girls were given the opportunity to address the Board of Supervisors. Each graciously declined.*

*Recognition of Special Guests by Chairman Berwanger –*

- *Wyoming County Sheriff – Farris Heimann*
- *Wyoming County Clerk – Janet Coveny*
- *Wyoming County Treasurer – Cheryl Mayer*

*United States Congressman, Thomas Reynolds, from the 26<sup>th</sup> Congressional District was welcomed by the Chairman. Congressman Reynolds stated that Wyoming County is well recognized for getting things done. Working together with New York State Senator Dale Volker and Assemblyman Daniel Burling, they will continue to deliver assistance from the state and federal government. The Congressman also stated that he is thrilled that Patrick Hooker was appointed by Governor Spitzer as Commissioner of Ag and Markets. Thank you for an outstanding job.*

*Chairman Berwanger extended appreciation from Assemblyman Daniel Burling for his many years of support, who was unable to attend this afternoon's meeting. He had to work at his Pharmacy this afternoon. However, the Assemblyman was able to spend some time with the Supervisors and Mr. Hooker at a meeting this morning sponsored by Cornell Cooperative Extension.*

*Next, Chairman Berwanger introduced "a good ole farm boy", newly appointed Commissioner of Ag and Markets, Patrick Hooker.*

*Commissioner Hooker thanked Congressman Reynolds. He stated that he has worked closely with the Congressman for many, many years. One of the things that the Commissioner expressed that he really loves to do is the agriculture policy work; it's about the farmers, the environment they work in, and the economy they create. It is nothing remotely partisan. They work for the betterment of Northeast Agriculture. The Farmers of Wyoming County are productive, good stewards of the land, and a tremendous benefit to our economy. He thanked the Board of Supervisors for their ability to understand the importance of agriculture in Wyoming County. Production levels in Wyoming County are beyond compare.*

*In closing Commissioner Hooker expressed what a good time he was having at the Wyoming County Fair...*

**Open Public Hearing:**

*Local law C(4) of the year 2007, entitled, "A Local Law of the County of Wyoming, Adoption of Senior Citizens Exemption Options"*

**RESOLUTION NO. 07-259  
(August 14, 2007)**

By Mr. Davis, Chairman of the Finance Committee:

**FUNDS TRANSFERRED TO VARIOUS 2007 ACCOUNTS**

**BE IT RESOLVED**, That funds are hereby transferred to the various 2007 accounts as follows:

<b>Worker's Compensation &amp; Insurance /Health Insurance</b>			
<b>From:</b> 01.52.9950.9.99009 Transfer to HR <b>To:</b> 01.52.9950.9.99006 Transfer to Wkrs Comp <b>Reason:</b>	\$19,000.00	\$19,000.00	
<b>Worker's Compensation &amp; Insurance /Health Insurance Total</b>			<b>\$19,000.00</b>
<b>Board of Supervisors</b>			
<b>From:</b> 01.31.1010.8.89001 Medical/Hospital Ins. <b>To:</b> 01.31.1010.1.10401 Longevity of Benefit 01.31.1010.4.40402 Conferences / Conventions <b>Reason:</b> to cover unexpected expenses	\$325.00	150.00 175.00	
<b>Board of Supervisors Total</b>			<b>\$325.00</b>
<b>Treasurer</b>			
<b>From:</b> 01.33.1325.1.10001 Salaries – Fixed Sch S/D/I <b>To:</b> 01.33.1325.8.89001 Medical/Hospitalization Ins. <b>Reason:</b> To cover hospitalization not budgeted	\$11,112.21	\$11,112.21	
<b>Treasurer Total</b>			<b>\$11,112.21</b>
<b>Budget Office</b>			
<b>From:</b> 01.33.1231.1.10001 Salaries -Fixed S/D/I <b>To:</b> 01.33.1231.8.89001 Medical/Hospitalization Ins. <b>Reason:</b> To cover Health Insurance for 2007	\$3,696.92	\$3,696.92	
<b>Budget Office Total</b>			<b>\$3,696.92</b>
<b>Youth Bureau</b>			
<b>From:</b> 01.36.2960.8.89001 Medical/Hospitalization Ins. (PS) 01.38.4059.8.89001 Medical/Hospitalization Ins (ED) <b>To:</b> 01.45.7310.8.89001 Medical/Hospitalization Ins. (YB) <b>Reason:</b> for covering costs associated with Univera Insurance Rate Increase.	\$7,500.00 4,000.00	\$11,500.00	
<b>Youth Bureau Total</b>			<b>\$11,500.00</b>

**Carried: XXX Ayes: 1277 Noes: 0 Absent: 127 (Castile) Abstain:**  
**214 (Perry)**  
**341 Total**

**RESOLUTION NO. 07-260  
(August 14, 2007)**

By Mr. Davis, Chairman of the Finance Committee:

**FUNDS APPROPRIATED TO VARIOUS 2007 ACCOUNTS**

**BE IT RESOLVED**, That funds are hereby appropriated to the various 2007 accounts as follows:

<b>Workmen's Compensation</b>			
To: 05.58.1710.1.10001 Salaries -Fixed Sch S/D/I	\$12,795.00		
05.58.1710.4.40007 Telephone (Basic)	125.00		
05.58.1710.4.41010 Misc. Office Operating Supplies	527.00		
05.58.1710.8.82001 DBL	61.00		
05.58.1710.8.83001 FICA	793.29		
05.58.1710.8.85001 Medicare- FICA	185.51		
05.58.1710.8.89001 Health Insurance	<u>4,513.20</u>		
w/05.13.1710.5031 Interfund Transfer Revenue		\$19,000.00	
<b>Reason:</b> funds needed for staffing changes to department			
<b>Workmen's Compensation Total</b>			<b>\$19,000.00</b>
<b>Information Technology</b>			
To: 01.34.1680.8.84001 Unemployment Insurance	\$1,457.00		
<i>From any funds available</i>			
<b>Reason:</b> Two seasonal positions that claimed unemployment			
<b>Information Technology Total</b>			<b>\$1,457.00</b>
<b>Buildings &amp; Grounds</b>			
To: 01.34.1620.1.10001 Salaries -Fixed Sch S/D/I	\$16,157.00		
01.34.1620.1.10101 Full Time CSEA Contract	22,426.00		
01.34.1620.8.83001 FICA	2,393.00		
01.34.1620.8.85001 Medicare FICA	561.00		
01.34.1620.8.81001 Retirement	4,630.00		
01.34.1620.8.82001 CSEA Disability	161.00		
01.34.1620.8.89001 Health Insurance	<u>12,888.00</u>		
<i>From any funds available</i>			
<b>Reason:</b> To cover the expenses of 3 new positions within the department.			
<b>Buildings &amp; Grounds Total</b>			<b>\$59,216.00</b>
<b>Department of Social Services</b>			
To: 01.39.6015.2.20001 Furniture	\$3,000.00		
01.39.6015.2.20201 Computer Equipment	2,000.00		
01.39.6015.4.42306 Misc. Other	<u>47,000.00</u>		
w/01.11.6015.3615 State Aid Pt. of Entry		\$52,000.00	
<b>Reason:</b> Adjustment to 2007 Budget.			
<b>Department of Social Services Total</b>			<b>\$52,000.00</b>
<b>Public Health</b>			
To: 01.38.4010.4.42429 Rabies Treatment	\$10,000.00		
<i>from any funds available</i>			
<b>Reason:</b> To appropriate for Rabies Vaccine & Immune Globuline for rabies treatment for human exposure			
To: 01.38.4013.2.20201 Computer Equipment	\$1,816.00		
01.38.4013.4.40508 Private Auto Repair	410.00		
01.38.4013.4.41010 Misc. OFC/Operating Supplies	600.00		
01.38.4013.4.41214 Supplies Purchased	<u>750.00</u>		
w/01.12.4013.448916 Fed. Aid Bio-T Grant		\$3,576.00	
<b>Reason:</b> To appropriate for a laptop computer and other			

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necessary expenses relating to the Bioterrorism Grant			
<b>To:</b> 01.38.4050.4.40508 Private Auto Repair w/01.08.4050.2680 Home Care Ins. Recovery <b>Reason:</b> To appropriate funds toward the repair of vehicle	\$600.55	\$600.55	
<b>Public Health Total</b>			<b>\$14,176.55</b>
<b>District Attorney</b>			
<b>To:</b> 01.32.1165.1.10202 - DA Temporary Salaries 01.32.1165.8.83001- FICA 01.32.1165.8.85001- Medicare FICA <i>from any available funds</i> <b>Reason:</b> To pay salary and fringes for temporary employee filling in for employee out on medical leave.	\$3,888.81 241.11 <u>56.39</u>	\$4,186.31	
<b>District Attorney Total</b>			<b>\$4,186.31</b>
<b>Sheriff</b>			
<b>To:</b> 01.37.3110.4.40508 Private Auto Repair w/01.08.3110.2680 Insurance Recovery <b>Reason:</b> to pay for repair for car 7 from insurance company.	\$279.62	\$279.62	
<b>To:</b> 01.37.3110.2.20501 Law Enf. Fire & Safety Equip w/01.12.3110.448917 Byrne Justice Assistance Grant (JAG) <b>Reason:</b> funding for the above grant for purchase of a radar trailer per Resolution #07-211	\$10,000.00	\$10,000.00	
<b>Sheriff Total</b>			<b>\$10,279.62</b>
<b>Emergency Services</b>			
<b>To:</b> 01.37.3020.4.40301 911 Prof. Service Contracts w/01.02.3020.1140 911 Surcharge <b>Reason:</b> Robert Jae contract for the balance of 2007.	\$25,000.00	\$25,000.00	
<b>To:</b> 01.37.3640.8.84001 Unemployment Ins. <i>from any funds available</i> <b>Reason:</b> Unforeseen Unemployment Benefit Expenses	\$2,070.51	\$2,070.51	
<b>Emergency Services Total</b>			<b>\$27,070.51</b>
<b>Probation</b>			
<b>To:</b> 01.37.3140.4.40701 Electronic Monitoring w/01.03.3140.128914 Electronic Monitoring Inc -rev <b>Reason:</b> More defendants ordered to electronic monitoring than anticipated. Less monies collected than budgeted in 2007. Already shifted \$500 from the budget into this.	\$1,000.00	\$1,000.00	
<b>Probation Total</b>			<b>\$1,000.00</b>

**Carried: XXX Ayes: 1277 Noes: 0 Absent: 127 (Castile) Abstain:**  
**214 (Perry)**  
**341 Total**

Mr. Bush, T/Gainesville, Chairman of the Audit Committee, presented bills totaling **\$3,792,255.31** for the month of **July 2007**.

**Carried: XXX Ayes: 1277 Noes: 0 Absent: 127 (Castile) Abstain:**  
**214 (Perry)**  
**341 Total**

*There was a motion by Mr. Patti, T/Attica, to combine resolutions #4 and #5. A voice vote was taken and all voted aye.*

*Chairman Berwanger asked if there were any questions or comments on the presentation of these resolutions. Supervisor Davis T/Covington commented on the request for a reduced speed limit on Wyoming Road in Pavilion. Supervisor*

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*Davis has been working closely with State and Local Officials to revise the speed limit on this stretch of road. The only obstacle at this point seems to be the New York State Department of Transportation.*

#4

**RESOLUTION NO. 07-261  
(August 14, 2007)**

By Mr. Patti, Chairman of Public Works Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT  
WITH UCC CONSTRUCTORS, INC. ON BEHALF OF  
COUNTY HIGHWAY**

**BE IT RESOLVED**, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to award a bid and sign a contract for the replacement of Pike Bridge No. 11 (Hillside Road Bridge over Trout Brook) OSC contract #D030018; PIN 4754.05; BIN 3320150 on behalf of County Highway. Said contract awarded to ***UCC Constructors, Inc., P. O. Box 648, 105 Center Street, W. Seneca, NY 14224*** in an amount not to exceed three hundred fifty-seven thousand seven hundred fifty-three dollars (\$357,753.00).

**Carried: XXX Ayes: 1277 Noes: 0 Absent: 127 (Castile) Abstain:  
214 (Perry)  
341 Total**

#5

**RESOLUTION NO. 07-262  
(August 14, 2007)**

By Mr. Patti, Chairman of Public Works Committee:

**WYOMING COUNTY BOARD OF SUPERVISORS  
SUPPORTS EFFORTS BY THE TOWN OF COVINGTON  
TO OBTAIN SPEED LIMIT ON WYOMING ROAD**

**WHEREAS**, The Town of Covington is desirous of a reduced speed limit on a one mile stretch of Wyoming Road in the Town of Covington; and

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**WHEREAS**, Wyoming Road is one of the highest traveled roads in Wyoming County. Travelers north and south find that Wyoming Road is a great shortcut from the Pavilion Route 19 roadway to Warsaw, NY. Many commute to the Rochester area for employment and use this roadway; and

**WHEREAS**, The terrain of the hills and curves on this mile long stretch of road, and with farmers on the roadway as well as pedestrian traffic using this road for walking, the large amount of traffic should warrant a reduced speed; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors supports the efforts of the Covington Town Board in their pursuit of a 45 MPH speed limit to be placed on this roadway from State Route 19 on the north end for a distance of one mile to the south.

**Carried: XXX Ayes: 1277 Noes: 0 Absent: 127 (Castile) Abstain:**  
**214 (Perry)**  
**341 Total**

*There was a motion by Mrs. Totline, T/Genesee Falls, to combine resolutions #6 and #7. A voice vote was taken and all voted aye.*

#6

**RESOLUTION NO. 07-263**  
**(August 14, 2007)**

By Mrs. Totline, Chairman of Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN VARIOUS  
 CONTRACTS ON BEHALF OF WYOMING COUNTY  
 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 following various contracts on behalf of the Wyoming County Youth Bureau:

- **Deborah Ulbright**, 6596 Groveland Hill Road Groveland, NY 14462 for Early Intervention Services; effective July 1, 2007 – June 30, 2009, not to exceed budget. Amount varies depending on # of services.

- ***Jody VonSanden***, P.O. Box 433 Pavilion, NY 14525 for Pre-School related services; effective July 1, 2007 – June 30, 2009, not to exceed budget. Amount varies depending on # of services.
- ***Strong Center for Developmental Disabilities University of Rochester Medical Center***, 601 Elmwood Avenue, Box 671 Rochester, NY 14642 for Pre-School related services; effective July 1, 2007 – June 30, 2009, not to exceed budget. Amount varies depending on # of services.

**Carried: XXX Ayes: 1277 Noes: 0 Absent: 127 (Castile) Abstain:  
214 (Perry)  
341 Total**

#7

**RESOLUTION NO. 07-264  
(August 14, 2007)**

By Mrs. Totline, Chairman of Human Services Committee:

**CHILD SUPPORT AWARENESS MONTH PROCLAIMED**

**WHEAREAS**, Our children are our most precious and valuable resource and by investing in them, we secure a future of hope and opportunity for us all; and

**WHEREAS**, The welfare of our children is the most important responsibility we have as parents and a child should be able to rely on parental support; and

**WHEREAS**, Children who receive adequate emotional and financial support from both parents may experience less difficulty in becoming healthy, happy and productive citizens; and

**WHEREAS**, Prior to 1975, child support enforcement was primarily accomplished in the private sector through civil actions by private attorneys; and

**WHEREAS**, The public sector of Child Support Enforcement was established in 1975 under Title IV-D of the Social Security Act, making child support enforcement a joint federal, state and local partnership in order to ensure that children are financially support by both parents. In addition to the efforts made by the public sector, private attorneys will continue to play an active role in child support enforcement; and

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**WHEREAS**, Concerned and dedicated child support workers, clerks of the court, county attorneys, support magistrates, judges and deputy sheriffs throughout the County work diligently to establish and enforce child support obligations for the benefit of children in Wyoming County; now therefore

**BE IT RESOLVED**, The Board of Supervisors of Wyoming County do hereby proclaim **August 2007** as

CHILD SUPPORT AWARENESS MONTH

in the County of Wyoming.

**Carried: XXX Ayes: 1277 Noes: 0 Absent: 127 (Castile) Abstain:**  
**214 (Perry)**  
**341 Total**

*Supervisor Totstline, T/Genesee Falls, was asked to present the above Proclamation to the Commissioner of Social Services, Deborah Schmitt who brought with her Social Services staff from the Child Support Unit, Anne Wallace, Candie Snyder, Sandy Ess. Through the efforts of these individuals support dollars are collected on behalf of Wyoming County children.*

#8

**RESOLUTION NO. 07-265**  
**(August 14, 2007)**

By Mr. Kushner, Chairman of Public Health Committee:

**RESOLUTION NUMBER 96-202 AMENDED**

**WHEREAS**, Resolution Number 96-202, passed on November 12, 1996 established a fee schedule for services rendered in connection with a deceased individual; now therefore

**BE IT RESOLVED**, That resolution number 96-202 be hereby amended to reflect the following fifty dollar (\$50.00) increase in removals from within the County of Wyoming to a location outside of the County of Wyoming to set the fee at two hundred dollars (\$200.00) effective immediately.

**Carried: XXX Ayes: 1277 Noes: 0 Absent: 127 (Castile) Abstain:**  
**214 (Perry)**  
**341 Total**

**RESOLUTION NO. 07-266  
(August 14, 2007)**

By Mr. Fleischman, Chairman of Planning Committee:

**OPPOSING LEGISLATION FOR THE INCLUSION OF  
THE SITING OF WINDMILLS IN ARTICLE X OF THE  
PUBLIC SERVICE LAW**

**WHEREAS**, Article X of the Public Service Law provides a streamlined siting permit procedure for certain power generation facilities and the law expired on December 21, 2002; and

**WHEREAS**, Since January 01, 2003 power generation facilities have been sited via local zoning and state DEC review; and

**WHEREAS**, There is currently a proposal by Governor Spitzer before the Legislature to renew and revise Article X of the Public Service Law that would also include the siting of windmills; and

**WHEREAS**, The 16 Towns that make up the County of Wyoming, along with numerous other municipalities throughout New York State, have undergone considerable time and expense to developed and implement windmill siting policies that best fit our community; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors is opposed to any inclusion of the siting of windmills in Article X of the Public Service Law as it removes local control of our landscape and violates the principals of Home Rule that has been the guiding force of our state; and be it

**FURTHER RESOLVED**, That the Wyoming County Board of Supervisors encourages any revision of Article X to address health and environmental issues for those who live and work near power generation facilities; and be it

**FURTHER RESOLVED**, That the Clerk of the Board of Supervisors is hereby directed to forward copies of this resolution to Governor Eliot Spitzer and elected officials.

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**Carried: XXX Ayes: 1277 Noes: 0 Absent: 127 (Castile) Abstain:  
214 (Perry)  
341 Total**

*Supervisor Davis commented on the proposed resolution as being another unfunded mandate by the State of New York. Governor Spitzer informed numerous elected officials from across the state back in January 2007 that there would be no more unfunded mandates. This policy is mandated by New York State. Supervisor Davis will be voting no.*

*There was a motion by Mrs. Meeder, T/Middlebury, to combine resolutions #10 through #12. A voice vote was taken and all voted aye.*

**Non-Consent  
#10**

**RESOLUTION NO. 07-267  
(August 14, 2007)**

By Mrs. Meeder, Chairman of Human Resource Committee:

**RESOLUTION NUMBER 06-346 AMENDED**

**WHEREAS**, Resolution Number 06-346, passed on November 14, 2006 by the Wyoming County Board of Supervisors established a Breast Cancer Screening / Mammography Policy; and

**WHEREAS**, This policy was prepared in accordance with Civil Service Law §159 (b) Chapter 362 of the Laws of 2006; now therefore

**BE IT RESOLVED**, That in accordance with Civil Service Law §159 (c) Chapter 111 of the Laws of 2007 the Breast Cancer Screening / Mammography Policy adopted by Wyoming County is hereby amended to include 4 hours of prostate cancer screening; effective August 02, 2007.

**Carried: XXX Ayes: 1096 Noes: 127 (Bennington) Absent: 127 (Castile) Abstain:  
54 (Covington) 214 (Perry)  
181 Total 341 Total**

**ADMINISTRATIVE POLICY AND PROCEDURE**

Effective Date: 9/15/06 8/02/07	Reviewed by:	Department: Wyoming County Human Resource
Date Developed: 10/20/06	Department Head's Signature:	Supersedes: 9/15/06
WCCH CEO signature:  Chairman of the Board of Supervisor's Signature:	PREPARED BY: Brenda Jones HR Director	REFERENCES: Section I. 159-b Civil Service Law Chapter 362. A6112 Brodsky /S5181 Morahan (Chapter 111 of 2007).

**BREAST CANCER SCREENING/PROSTATE CANCER SCREENING**

**POLICY:** Procedure for Breast Cancer Screening and Prostate 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 and prostate cancer for county employees.

**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. An additional 4 hour leave per year shall be granted for prostate cancer screening. Pre-approved scheduling with the employee's manager needs to be done before the appointment.

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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 other wise entitled. This is paid time off in addition to existing negotiated paid leave provisions. The time allotted for breast cancer screening and prostate 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) The office of Employee Relations leaves it up to each county agency and their supervisory personnel to determine what level of documentation is required. Each department may 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 from 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.

#11

**RESOLUTION NO. 07-268**  
**(August 14, 2007)**

By Mrs. Meeder, Chairman of Human Resource Committee:

**CHAIRMAN AUTHORIZED TO SIGN GRANT  
 ACCEPTANCE AWARD WITH THE STATE EDUCATION  
 DEPARTMENT ON BEHALF OF THE COUNTY CLERK'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 the

Regular Session

LGRMIF Grant Acceptance Award with the State Education Department, 9A81 Cultural Education Center, Albany NY 12230 on behalf of the County Clerk's Office. Said grant is to provide for back scanning, imaging, microfilming, and indexing Deeds re: land access records from 1960 forward. The grant also, will enable offices and the general public to access records from their offices, homes, and the county clerk's office and will provide increased revenue and will be in a minimum amount of forty-eight thousand eight hundred forty dollars (\$48,840.00); effective August 01, 2007 through July 31, 2008.

**Carried: XXX Ayes: 1277 Noes: 0 Absent: 127 (Castile) Abstain:**  
**214 (Perry)**  
**341 Total**

#12

**RESOLUTION NO. 07-269**  
**(August 14, 2007)**

By Mrs. Meeder, Chairman of Human Resource Committee:

**CHAIRMAN AUTHORIZED TO SIGN GRANT  
ACCEPTANCE AWARD WITH THE STATE EDUCATION  
DEPARTMENT ON BEHALF OF THE COUNTY CLERK'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 the LGRMIF Grant Acceptance Award with the State Education Department, 9A81 Cultural Education Center, Albany NY 12230 on behalf of the County Clerk's Office. Said grant is to provide for x-ray and box shelving and two (2) occupational platform ladders for the new records retention center in a minimum amount of seventy-four thousand six dollars (\$74,006.00); effective August 01, 2007 through July 31, 2008.

**Carried: XXX Ayes: 1277 Noes: 0 Absent: 127 (Castile) Abstain:**  
**214 (Perry)**  
**341 Total**

*There was a motion by Mr. Rogers, T/Pike, to combine resolutions #13 through #18. A voice vote was taken and all voted aye.*

August 14, 2007

**RESOLUTION NO. 07-270  
(August 14, 2007)**

By Mr. Rogers, 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 maintenance contract with Wilmac, 73 State Street, Rochester NY 14614 for the provision of 24 hr support coverage of the Digital Recorder in an amount not to exceed five thousand four hundred ninety-five dollars (\$5,495.00); effective September 01, 2007 through August 31, 2008.

**Carried: XXX Ayes: 1277 Noes: 0 Absent: 127 (Castile) Abstain:  
214 (Perry)  
341 Total**

#14

**RESOLUTION NO. 07-271  
(August 14, 2007)**

By Mr. Rogers, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A GRANT  
ACCEPTANCE AWARD WITH THE NEW YORK STATE  
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 a Hazardous Materials Emergency Preparedness (HMEP) Grant with the NYS Emergency Management Office, 1220 Washington Ave., Bldg. 22, Suite 101, Albany, NY 12226-2251 on behalf of Emergency Services. Said grant is to improve and implement emergency plans in a minimum amount of two thousand six hundred six dollars (\$2,606.00); effective Federal Fiscal Year 2007.

Regular Session

Carried: XXX Ayes: 1277 Noes: 0 Absent: 127 (Castile) Abstain:  
214 (Perry)  
341 Total

#15

**RESOLUTION NO. 07-272**  
**(August 14, 2007)**

By Mr. Rogers, Chairman of Public Safety Committee:

**JAMES CLEVELAND APPOINTED TO THE FIRE  
ADVISORY BOARD**

**BE IT RESOLVED**, That James Cleveland (T/Genesee Falls), 6676 Hamilton St., Portageville, NY 14536 is hereby appointed to the Fire Advisory Board *to fill the vacant unexpired term created by Daniel Farnsworth; effective through July 10, 2008.*

Carried: XXX Ayes: 1277 Noes: 0 Absent: 127 (Castile) Abstain:  
214 (Perry)  
341 Total

#16

**RESOLUTION NO. 07-273**  
**(August 14, 2007)**

By Mr. Rogers, 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'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 New York State Division of Criminal Justice Service, Four Tower Place, Albany, NY 12203-3764 on behalf of the Public Defender's Office. Said grant is for the provision of the Indigent Parole Program funding for Attica

August 14, 2007

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Legal Aid in the minimum amount of one hundred eighty thousand dollars (\$180,000.00); effective April 01, 2007 through September 15, 2008.

**Carried: XXX Ayes: 1277 Noes: 0 Absent: 127 (Castile) Abstain:  
214 (Perry)  
341 Total**

#17

**RESOLUTION NO. 07-274  
(August 14, 2007)**

By Mr. Rogers, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT  
WITH THE 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 grant is to provide funding for the Probation Eligible Diversion Program in a minimum amount of thirteen thousand four hundred dollars (\$13,400.00); effective January 01, 2007 through December 31, 2007.

**Carried: XXX Ayes: 1277 Noes: 0 Absent: 127 (Castile) Abstain:  
214 (Perry)  
341 Total**

#18

**RESOLUTION NO. 07-275  
(August 14, 2007)**

By Mr. Rogers, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT  
WITH THE DIVISION OF PROBATION AND  
CORRECTIONAL ALTERNATIVES ON BEHALF OF  
PROBATION**

Regular Session

**BE IT RESOLVED**, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a the contract with the Division of Probation and Correctional Alternatives , 80 Wolf Rd., Albany, NY 12205 on behalf of Wyoming County Probation. Said contract is for Regular State Aid for probation in a minimum amount of sixty-six thousand five hundred dollars (\$66,500.00) per year; effective January 01, 2007 through December 31, 2007.

**Carried: XXX Ayes: 1277 Noes: 0 Absent: 127 (Castile) Abstain:**  
**214 (Perry)**  
**341 Total**

*There was a motion by Mr. Davis, T/Covington, to combine resolutions #19 and #25. A voice vote was taken and all voted aye.*

**#19**

**RESOLUTION NO. 07-276**  
**(August 14, 2007)**

By Mr. Davis, Chairman of Finance Committee:

**AUTHORIZATION TO ACQUIRE SURPLUS DOT  
PROPERTY AT ROUTES 78 AND 362 IN THE TOWN OF  
WETHERSFIELD**

**WHEREAS**, The County of Wyoming has learned that the New York State Department of Transportation (hereinafter “DOT”) has determined that certain property located at the corner of Routes 78 and 362 in the Town of Wethersfield, New York is no longer needed for State purposes and that such property may be available to the County of Wyoming; now therefore

**BE IT RESOLVED**, That the Chairman of this Board and the Wyoming County Attorney are hereby authorized to take whatever steps are necessary to effectuate a request to the New York State Department of Transportation to abandon and turn over to the County DOT surplus property at the corner of Routes 78 and 362 in the Town of Wethersfield, New York.

**Carried: XXX Ayes: 1277 Noes: 0 Absent: 127 (Castile) Abstain:**  
**214 (Perry)**  
**341 Total**

August 14, 2007

**RESOLUTION NO. 07-277**  
**(August 14, 2007)**

By Mr. Davis, Chairman of Finance Committee:

**RICHARD DEAN REAPPOINTED DIRECTOR OF  
REAL PROPERTY TAX SERVICES**

**BE IT RESOLVED**, That *Richard L. Dean*, 25 Pickett Street, Town of Castile, Castile, New York 14427, is hereby reappointed to a 6 year term as Director of Real Property Tax Services *per RPTL §1530; effective October 1, 2007 through September 30, 2013.*

**Carried: XXX Ayes: 1277 Noes: 0 Absent: 127 (Castile) Abstain:**  
**214 (Perry)**  
**341 Total**

#21

**RESOLUTION NO. 07-278**  
**(August 14, 2007)**

By Mr. Davis, Chairman of Finance Committee:

**SALARY SCHEDULE “S” AND “D” AMENDED**

**BE IT RESOLVED**, That the Wyoming County Salary Schedule Plan which became effective January 01, 1967, as amended, is hereby amended as follows:

- *Salary Schedule “S” annexed hereto*
  - shall be amended to set the salary of the Reimbursement and Budget Administrator at \$55,000.00; effective August 13, 2007.
- *Salary Schedule “D” annexed hereto*

Regular Session

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- shall be amended to set the salary of the Director of Aging and Youth at \$48,000.00; effective July 01, 2007.

**Carried: XXX Ayes: 1277 Noes: 0 Absent: 127 (Castile) Abstain:**  
**214 (Perry)**  
**341 Total**

#22

**RESOLUTION NO. 07-279**  
**(August 14, 2007)**

By Mr. Davis, Chairman of Finance Committee:

**SET PUBLIC HEARING – INTRODUCTORY LOCAL LAW**  
**NO. D YEAR 2007**

**WHEREAS**, There has been duly presented and introduced at a meeting of this Board of Supervisors of Wyoming County on this 14<sup>th</sup> day of August, 2007, a proposed local law entitled, **“Local Law Introductory No. D Year 2007, “A LOCAL LAW PROVIDING SALARIES FOR CERTAIN COUNTY OFFICERS FOR THE YEAR 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 will be held on the said proposed Local Law by this Wyoming County Board of Supervisors on the 11<sup>th</sup> day of September, 2007 at 3:00 PM at the Wyoming County Government Center, Warsaw, New York.

**Carried: XXX Ayes: 1277 Noes: 0 Absent: 127 (Castile) Abstain:**  
**214 (Perry)**  
**341 Total**

#23

**RESOLUTION NO. 07-280**  
**(August 14, 2007)**

By Mr. Davis, Chairman of Finance Committee:

**RESOLUTION NUMBER 07-186 AMENDED**

August 14, 2007

**Proceedings of the Board of Supervisors**

**WHEREAS**, Resolution Number 07-186 created a Student Aid (Seasonal Intern) position in the Department of Planning & Development and set the salary at \$10.00/hr.; now therefore

**BE IT RESOLVED**, That the hourly rate be increased to \$15.00/hr., with only those benefits mandated by law, as per the recommendation of the Planning Committee, effective through December 31, 2007.

**Carried: XXX Ayes: 1277 Noes: 0 Absent: 127 (Castile) Abstain:**  
**214 (Perry)**  
**341 Total**

#24

**RESOLUTION NO. 07-281**  
**(August 14, 2007)**

By Mr. Davis, Chairman of Finance Committee:

**ONE (1) POSITION OF DEPUTY SHERIFF  
 INVESTIGATOR (1.00 fte) CREATED IN THE SHERIFF'S  
 OFFICE**

**BE IT RESOLVED**, That one (1) position of Deputy Sheriff Investigator (1.00 fte) be hereby created in the Sheriff's Office and placed on the appropriate step and grade of the Deputy Sheriff Employee's Association Union Contract.

**Carried: XXX Ayes: 1277 Noes: 0 Absent: 127 (Castile) Abstain:**  
**214 (Perry)**  
**341 Total**

#25

**RESOLUTION NO. 07-282**  
**(August 14, 2007)**

By Mr. Davis, Chairman of Finance Committee:

**ONE (1) POSITION OF PROBATION OFFICER  
(TEMPORARY) (1.00 fte) CREATED IN THE PROBATION  
DEPARTMENT**

**BE IT RESOLVED**, That one (1) position of Probation Officer Trainee (Temporary) be hereby created in the Probation Department; effective August 14, 2007 through November 01, 2007.

**Carried: XXX Ayes: 1277 Noes: 0 Absent: 127 (Castile) Abstain:  
214 (Perry)  
341 Total**

*Recap of resolution number 24. The purpose for this creation is to assist with Welfare Fraud at the Department of Social Services. Commissioner Schmitt made a presentation in favor of adding this position to both the Human Services Committee and in partnership with the Sheriff to the Public Safety Committee. Judy Gardner was on hand to present 2007 Year to Date statistics on the Welfare Fraud Investigations in Wyoming County. (See attachment)*

*Supervisor Rogers stated that the Public Safety Committee has also noticed that if applicants have to meet also with a Wyoming County Deputy it discourages dishonest applications.*

*Sheriff Heimann stated that applications have been withdrawn when the applicants learn they will need to meet with a Deputy Sheriff Investigator.*

*Chairman Berwanger explained the reason for proposed Unanimous Consent resolution #26 before the roll call vote was taken.*

**Unanimous Consent  
#26**

**RESOLUTION NO. 07-283  
(August 14, 2007)**

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

**CHAIRMAN AUTHORIZED TO SIGN GRANT  
APPLICATION AND ACCEPTANCE AWARD WITH THE  
NEW YORK STATE OFFICE OF PARKS, RECREATION,**

August 14, 2007

**Proceedings of the Board of Supervisors**  
**AND HISTORIC PRESERVATION 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 Grant Application and Acceptance Award with the *New York State Office of Parks, Recreation, and Historic Preservation*, The Governor Nelson A. Rockefeller Empire State Plaza Agency Building 1, Albany, NY 12238 on behalf of Buildings and Grounds. Said grant is to fund renovations of the Wyoming County Public Defenders Office on Linwood Ave, Warsaw, NY in minimum amount of forty-five thousand dollars (\$45,000.00); effective April 1, 2007 through June 30, 2008.

**Carried: XXX Ayes: 1277 Noes: 0 Absent: 127 (Castile) Abstain:**  
**214 (Perry)**  
**341 Total**

**Public Comment:**

**None**

*A motion was made by Supervisor Rogers to close the Public Hearing. This was seconded by Supervisor Kushner and all voted aye.*

**Public Hearing**  
**#27**

**RESOLUTION NO. 07-284**  
**(August 14, 2007)**

By Mr. Davis, Chairman of Finance Committee:

**LOCAL LAW 4 (INTRODUCTORY C) - YEAR 2007, County**  
**of Wyoming, Adoption of Senior Citizens Exemption Options,**  
**ADOPTED**

**WHEREAS**, There was duly presented and introduced at a meeting of this Board, held on the 10<sup>th</sup> day of July, 2007, a proposed local law of the County, designated as Local Law Introductory No. C, for the year 2007, entitled, **A Local Law of the County of Wyoming, Adoption of Senior Citizens Exemption Options**; and

**WHEREAS**, In accordance with the provisions of Resolution No. 07-251, there was a public hearing held by this Board of Supervisors on this 14<sup>th</sup> day of August, 2007 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 2007, County of Wyoming, New York, as presented to this Board on the 10<sup>th</sup> day of July, 2007, is hereby adopted, enacted and passed by this Board in its amended form as follows:

**BE IT ENACTED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF WYOMING AS FOLLOWS:**

**WHEREAS**, State legislation has been enacted allowing municipalities to increase the maximum income eligibility for senior citizens to receive a real property tax exemption, and

**WHEREAS**, Pursuit to state law, eligible senior citizens are those persons 65 years of age or older who have owned their property for the past 12 consecutive months prior to filing for the exemption and have incomes that do not exceed the maximum level set by law, and

**WHEREAS**, Senior citizens, in order to be eligible for the property tax exemption, must list their property as their legal address and must also reside there, and

**WHEREAS**, A Public Hearing, pursuit to State Real Property Tax Law, was duly advertised and held on Tuesday, August 14<sup>th</sup>, 2007 at 2:00 p.m. by the County of Wyoming on the proposal to increase the maximum income eligibility level,

**NOW, THEREFORE, BE IT**

**RESOLVED**, That the County of Wyoming, pursuit to Section 467, paragraph 1(a) of Real Property Tax Law, hereby grants so as to increase the maximum income eligibility levels for county tax purposes, in accordance with the following schedule:

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**Annual Income**

Less than \$14,000	50%
\$14,000 or more but less than \$15,000	45%
\$15,000 or more but less than \$16,000	40%
\$16,000 or more but less than \$17,000	35%
\$17,000 or more but less than \$17,900	30%
\$17,900 or more but less than \$18,800	25%
\$18,800 or more but less than \$19,700	20%
\$19,700 or more but less than \$20,600	15%
\$20,600 or more but less than \$21,500	10%
\$21,500 or more but less than \$22,400	5%

**RESOLVED**, That this exemption schedule shall apply to assessment rolls prepared, with taxable status dates after January 1, 2008.

**Carried: XXX Ayes: 1277 Noes: 0 Absent: 127 (Castile) Abstain:**  
**214 (Perry)**  
**341 Total**

*Recognition of a few more county officials, Jane Monaghan – Assistant County Attorney and Beth Pond – Deputy Budget Officer, recently retired county employee, Kathy Schwab and her husband Jerry. Thank you to Board Clerk and Deputy Board Clerk for moving the board meeting material to the Fairgrounds. The Chairman also thanked Todd MacConnell for his expertise in getting the necessary equipment up and running for the fair meeting.*

*Ms. Janet Miller, Chairperson for the Capital One Campaign for the hospital renovations was invited to address the Board. She thanked the Board and our state and federal representatives for their support and all that they have done to accomplish the goal set by the campaign committee.*

*Chairman Berwanger recognized OFA retiree, Wendy Rogers.*

*There being no further business to come before this Board, Senior Supervisor, Mr. Harold Bush, T/Gainesville adjourned the meeting at 3:00 PM with a rap on his desk.*

\*\*\*\*\*

*Respectfully submitted,*

**Cheryl J. Ketchum**  
 Clerk to the Board of Supervisors

**REGULAR SESSION  
(September 11, 2007)**

**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; Deputy Budget Officer, Beth Pond; Clerk to the Board of Supervisors, Cheryl Ketchum and Deputy Clerk to the Board, Brenda Ferrell.

At 3:00 PM Chairman Berwanger, T/Arcade, called the meeting to order.

The Veteran leading the Pledge of Allegiance this month was:

**Donald E. Whiting**

Mr. Whiting's service to his country comes while serving with the United States Navy. At the age of 22 and after 1 ½ years at KR Wilson Trucking, Mr. Whiting enlisted in the United States Navy in February of 1943. He completed Basic Training at Sampson Naval Station in the Finger Lakes and Advanced Individual Training of Gunnery School at Little Creek, Virginia. Mr. Whiting served about 2 months with the "Armed Guard" before being assigned to his first ship, the SS Atlantic City in the Spring of 1943. The SS Atlantic City was a Merchant Marine Vessel that carried US Troops and supplies from the US to England. While assigned to this ship, Mr. Whiting served on the Gunnery Crew seeing action as they made seven trips from England to the shores of France, to include those on the beaches of the Normandy Invasion. Mr. Whiting was then assigned duties aboard the SS Benjamin Hawkins, a Merchant Marine Vessel that did Troop Transport and Convoy escorts in the Mediterranean Sea and Suez Canal. Mr. Whiting also served aboard the SS Augustine Heard that delivered pilots to and from Karachi, India. Mr. Whiting's service also took him with duties in the North Sea above England. Mr. Whiting returned to the US and was honorably discharged on November 10, 1945 at the Lido Beach Naval Station, Long Island, N.Y.

Following the war, Mr. Whiting returned to this area and his former position with KR Wilson and worked the next 5 years a truck driver, delivering farmer's milk to Buffalo for processing. In 1954, Mr. Whiting went to work for R. A. Drennan as a truck driver hauling bulk milk to plants in Buffalo. In 1958, Mr. Whiting went to work for Red Arrow Express as a truck driver until his retirement in 1982.

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Mr. Whiting played on the Arcade Town Teams of Basketball and Baseball. He still enjoys bowling. He is a Life Member of Hendershott-Mannes VFW Post 374 and has been active for the past 28 years. Mr. Whiting has been married for 65 years to his wife Betty and they live in Arcade.

***The pledge was said by all.***

A certificate of appreciation was presented to Mr. Whiting in honor of his service to his country and also to commemorate his appearance here today.

Chairman Berwanger offered Mr. Whiting the opportunity to address the Board of Supervisors. Mr. Whiting thanked the Board for the opportunity to lead in the pledge.

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 2007 is Tammy Matthews. She has worked as part of the clerical support staff at DSS since 2000.

Tammy is being recognized today for the quality of her daily job performance and also for the outstanding job she did in reorganizing the file system for eligibility programs, in chronological order; some dating back as far as the 1980's. This has helped all of the staff in locating needed documentation at a much easier and quicker timeline than before.

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

Please join me in recognizing Tammy Matthews.

**Communications:**

**None**

**RESOLUTION NO. 07-285  
(September 11, 2007)**

By Mr. Davis, Chairman of the Finance Committee:

**FUNDS TRANSFERRED TO VARIOUS 2007 ACCOUNTS**

**BE IT RESOLVED**, That funds are hereby transferred to the various 2007 accounts as follows:

<b>Planning &amp; Development</b>			
<b>From:</b> 01.42.6421.1.10001Salaries S/D/1 <b>To:</b> 01.42.6421.4.40301 Professional Service <b>Reason:</b> To cover Clark Patterson & Associates agreement with amendments.	\$15,000.00	\$15,000.00	
<b>Planning &amp; Development Total</b>			<b>\$15,000.00</b>

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

#2

**RESOLUTION NO. 07-286  
(September 11, 2007)**

By Mr. Davis, Chairman of the Finance Committee:

**FUNDS APPROPRIATED TO VARIOUS 2007 ACCOUNTS**

**BE IT RESOLVED**, That funds are hereby appropriated to the various 2007 accounts as follows:

<b>Information Technology</b>			
<b>To:</b> 01.34.1680.4.40017 Intra-net connections <i>From any funds available</i> <b>Reason:</b> To Cover WAN Cost for the rest of the year. Revenue of \$3000 per month will be credited off ACS bill when the WAN Project is completed.	\$13,800.00	\$13,800.00	
<b>Information Technology Total</b>			<b>\$13,800.00</b>
<b>Office for the Aging</b>			
<b>To:</b> 01.44.6772.4.40924 Homemaker Services w/ 01.11.6772.377203 EISEP Revenue <b>Reason:</b> Supplement to budgeted allocation from NYSOFA	\$13,564.00	\$13,564.00	
<b>To:</b> 01.44.6772.4.41204 Advertising 01.44.6772.4.40503 Gas 01.44.6772.4.40507 Highway Dept. Repair 01.44.6772.4.42306 Other w/01.11.6772.377211 Transp. Grant Rev. <b>Reason:</b> Increase allocation amount.	\$1,000.00 500.00 500.00 3,000.00	\$5,000.00	

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<b>Office for the Aging Total</b>			<b>\$18,564.00</b>
<b>Mental Health</b>			
To: 01.38.4250.4.40926 ARA, Inc. w/01.11.4250.3490 Alcoholic Addiction Control Rev <b>Reason:</b> Increase of 100% State Aid for a Youth Program increase granted by NYS OASAS funding increase by NYS OASAS. No County Levy.	\$22,248.00	\$22,248.00	
<b>Mental Health Total</b>			<b>\$22,248.00</b>
<b>Sheriff's Department</b>			
To: 01.37.3110.1.10201 Part-time 01.37.3110.1.10301 Overtime 01.37.3110.1.10501 Shift Differential 01.37.3110.8.81001 Retirement 01.37.3110.8.83001 FICA 01.37.3110.8.85001 Medicare -FICA w/01.03.3110.1289 Other Dept Income <b>Reason:</b> reimbursement received for salaries and benefits for the Buffalo Hill Concert	\$ 485.82 8,126.70 131.98 1,524.62 541.90 126.73	\$10,937.75	
<b>Sheriff's Department Total</b>			<b>\$10,937.75</b>
<b>Emergency Services</b>			
To: 01.37.3989.4.40507 Highway Repairs <i>From any funds available</i> <b>Reason:</b> Necessary Repairs to Haz-Mat Truck	\$1,188.26	\$1,188.26	
<b>Emergency Services Total</b>			<b>\$1,188.26</b>
<b>Probation</b>			
To: 01.37.3140.4.40401 Training/Education 01.37.3140.4.40405 Employee Expenses w/01.11.3140.331006 Shared Services Grant  <b>Reason:</b> This grant was approved by the Board on May 8 <sup>th</sup> , 2007. This represents the expenses of the Probation Department for trainings given and taken, and the cost of the trainer. The contract for this cost was approved by the Board on 6/12/07.	\$2,123.05 37.39	\$2,160.44	
<b>Probation Total</b>			<b>\$2,160.44</b>
<b>Highway</b>			
To: 03.54.5130.2.23001 Motor Vehicles w/03.05.5130.241401 CIP Roads Rental <b>Reason:</b> To allocate funds from fund 17 reimbursements for Project Coordinator's Pickup truck to purchase Co. Supt. a vehicle.	\$15,736.30	\$15,736.30	
<b>Highway Total</b>			<b>\$15,736.30</b>

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

Mr. Bush, T/Gainesville, Chairman of the Audit Committee, presented bills totaling **\$2,114,871.66** for the month of **August 2007**.

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

*There was a motion by Mrs. Totline, T/Genesee Falls, to combine resolutions #3 through #5. A voice vote was taken and all voted aye*

**#3**

**RESOLUTION NO. 07-287**  
**(September 11, 2007)**

Regular Session

By Mrs. Totslin, Chairman of Human Services Committee:

**POW/MIA RECOGNITION DAY PROCLAIMED**

**WHEREAS**, The Federal Government has designated Friday, September 21, 2007 as National POW/MIA Recognition Day; and

**WHEREAS**, Over 55,000 members of our Armed forces are still listed as POW/MIAs from the major conflicts, to include WW I, and we demand an accurate accounting of those still listed as POW/MIAs; 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

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors does hereby proclaim September 21, 2007 as:

***NATIONAL POW/MIA RECOGNITION DAY***

in Wyoming County; and be it further

**RESOLVED**, That the Clerk of this Board is hereby directed to forward certified copies of this resolution to President George W. Bush, U.S. Senators Charles Schumer and Hillary Rodham Clinton, Congressman Thomas M. Reynolds, NYS Senator Dale M. Volker, and Assemblyman Daniel Burling.

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

**#4**

**RESOLUTION NO. 07-288  
(September 11, 2007)**

By Mrs. Totslin, Chairman of Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT  
WITH BETH SMITH 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 Beth Smith, 23 Washington Street, Castile, NY 14427 on behalf of

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the Office for the Aging. Said contract is to provide for HEAP processing services in an amount not to exceed two thousand seven hundred fifty dollars (\$2,750.00) at the rate of \$10.00 per hour; effective September 24, 2007 to approximately November 20, 2007.

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

**#5**

**RESOLUTION NO. 07-289  
(September 11, 2007)**

By Mrs. Totslin, Chairman of Human Services Committee:

**CHAIRMAN / COMMISSIONER AUTHORIZED TO SIGN  
AN AGREEMENT 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 an agreement with Adecco, 230 East Main Street, Arcade NY 14009 on behalf of the Department of Social Services. Said Agreement is to provide for two (2) Temporary Energy Resource Aides to assist in processing the HEAP Program in an amount not to exceed thirty-one thousand nine hundred dollars (\$31,900.00); effective September 12, 2007 through June 30, 2008.

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

*The proclamation for Resolution Office Number 3, POW / MIA RECOGNITION DAY PROCLAIMED, was presented by Mrs. Totslin to the Assistant Director of Veteran's Services, Mr. Bill Wilkinson.*

*There was a motion by Mr. Kushner, T/Eagle, to combine resolutions #6 through #8. A voice vote was taken and all voted aye*

**#6**

**RESOLUTION NO. 07-290  
(September 11, 2007)**

By Mr. Kushner, Chairman of Public Health Committee:

Regular Session

**MARY GILLILAND REAPPOINTED TO THE  
WYOMING COUNTY BOARD OF HEALTH**

**BE IT RESOLVED**, That *Mary Gilliland*, 6688 Church Street, Portageville, NY is hereby reappointed to the Wyoming County Board of Health *for a corrected six (6) year term effective through December 31, 2013.*

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

**#7**

**RESOLUTION NO. 07-291  
(September 11, 2007)**

By Mr. Kushner, Chairman of Public Health Committee:

**FAMILY DAY PROCLAIMED IN WYOMING COUNTY**

**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

**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 crucial factors in determining the likelihood of substance abuse by teenagers; and

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**WHEREAS**, Family dinners have long constituted a substantial pillar of family life in America; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors does hereby proclaim Monday, September 24<sup>th</sup> as

*Family Day in Wyoming County*

a day to eat dinner with your children and urge all citizens to recognize and participate in its observance.

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

**#8**

**RESOLUTION NO. 07-292  
(September 11, 2007)**

By Mr. Kushner, Chairman of Public Health Committee:

**RESOLUTION NUMBER 06-379 AMENDED**

**WHEREAS**, Resolution Number 06-379 provides for various Mental Health contracts for the year 2007, as amended by resolutions numbered 07-101 and 07-231; 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 Association, Inc., 4222 Bolivar Road, Wellsville, NY 14895 on behalf of Mental Health. Said amendment is to provide for Adolescent Treatment in a minimum amount of twenty-two thousand two hundred forty-eight dollars (\$22,248.00); effective August 1, 2007 through December 31, 2007.

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

*There was a motion by Mr. Rogers, T/Pike, to combine resolutions #9 through #11. A voice vote was taken and all voted aye*

**#9**

**RESOLUTION NO. 07-293  
(September 11, 2007)**

Regular Session

By Mr. Rogers, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT  
WITH HENRY HAAS 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 Henry Haas, 2538 Main Street, P. O. Box 610, Varysburg, NY 14167 on behalf of the District Attorney's Office. Said contract is for the provision of investigative services in an amount not to exceed four thousand dollars (\$4,000.00), cost covered by the Aid to Prosecution Grant; effective September 15, 2007 through September 14, 2008.

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

**#10**

**RESOLUTION NO. 07-294  
(September 11, 2007)**

By Mr. Rogers, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A GRANT  
ACCEPTANCE AWARD WITH THE DIVISION OF  
CRIMINAL JUSTICE SERVICE 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 Division of Criminal Justice Service, Four Tower Place, Albany, NY 12203-3764 on behalf of the District Attorney's Office. Said grant is to provide funding for the prosecution of drug cases in collaboration with the Wyoming County Drug Task Force in a minimum amount of thirty-two thousand five hundred dollars (\$32,500.00); effective October 01, 2007 through September 30, 2008.

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

**RESOLUTION NO. 07-295  
(September 11, 2007)**

By Mr. Rogers, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT  
WITH THE STATE OF NEW YORK UNIFIED COURT  
SYSTEM 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 State of New York Unified Court System, 8<sup>th</sup> Judicial District, 92 Franklin Street, 3<sup>rd</sup> Floor, Buffalo NY 14202 on behalf of the Sheriff's Department. Said contract is for the provision of funding for Court Security in a minimum amount of two hundred six thousand three hundred dollars (\$206,300.00); effective April 01, 2007 through March 31, 2008.

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

*There was a motion by Mr. Fleischman, T/Java, to combine resolutions #12 through #14. A voice vote was taken and all voted aye.*

#12

**RESOLUTION NO. 07-296  
(September 11, 2007)**

By Mr. Fleischman, Chairman of Planning Committee:

**MEMBERS REAPPOINTED TO THE MICRO-LOAN  
REVIEW COMMITTEE**

**BE IT RESOLVED**, That *Howard Wood*, 170 S. Main St, Perry, NY 14530 and *James Pierce (Wyoming County Chamber of Commerce)*, 6470 Route 20A, Suite 2, Perry, NY 14530-9798 are hereby reappointed to the Micro-Loan Review Committee *for a two (2) year term; effective October 01, 2007 through*

Regular Session

September 30, 2009.

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

#13

**RESOLUTION NO. 07-297  
(September 11, 2007)**

By Mr. Fleischman, Chairman of Planning Committee:

**RESOLUTION NUMBER 07-136 AMENDED**

**WHEREAS**, Resolution Number 07-136, adopted by this Board of Supervisors on April 10, 2007, approves a contract with Clark Patterson and Associates, 186 N. Water Street, Rochester, NY 14604 to provide temporary Planning Services through the absence of a Director of Planning and Development in an amount not to exceed five thousand dollars (\$5,000.00) at a rate of \$75.00 per hour; 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 increasing the amount to \$15,000.00 providing Planning Services through the absence of a Director of Planning and Development.

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

#14

**RESOLUTION NO. 07-298  
(September 11, 2007)**

By Mr. Fleischman, Chairman of Planning Committee:

**MEMBERS REAPPOINTED TO THE EMPIRE ZONE  
ADMINISTRATIVE BOARD**

**BE IT RESOLVED**, That the following members are hereby reappointed to the Empire Zone Administrative Board (EZAB) establishing staggered terms as follows:

- **Two (2) year terms; effective August 15, 2007 through August 14, 2009.**  
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- David Caster (Local Financial Institution), 55 N. Main St., Warsaw, NY 14569
  - Cindy Feroletto (Local Organized Labor), 5780 Rt. 19A, Castile, NY 14427
  - Howard Payne (Local Resident), 11 Glenwood Dr., Arcade, NY 14009
  - Sam Gullo (Local Resident), 3863 Luther Road, Silver Springs, NY 14550
  - A. Douglas Berwanger (Local Resident / EZAB Chairman as per *Local Law 2, Year 2006*), 6608 E. Arcade Rd., Arcade, NY 14009
- **One (1) year corrected term; effective August 15, 2007 through August 14, 2008.**
    - Daniel Kirsch (Local Business / Local Resident), 1176 Minkel Rd., Strykersville, NY 14145
    - David DeLaVergne (Community Organization), 133 Center St., Perry, NY 14530
    - Ron Smith (Local Resident), 4553 Route 20A, Warsaw, NY 14569
    - Larry Slanovich (Local Education), 21 Glenwood Dr., Arcade, NY 14009

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

*Supervisor Brick, T/Perry asked to be excused from the meeting to attend to an unexpected emergency.*

*There was a motion by Mr. Patti, T/Attica, to combine resolutions #15 through #22. A voice vote was taken and all voted aye.*

**#15**

**RESOLUTION NO. 07-299  
(September 11, 2007)**

By Mr. Patti, Chairman of Public Works Committee:

**CHAIRMAN AUTHORIZED TO SIGN SUPPLEMENTAL  
AGREEMENT NO. 1 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 Supplemental Agreement No. 1 with LaBella Associates, 300 State Street, Suite 201, Rochester, NY 14614 on behalf of the Highway Department. Supplemental Agreement No. 1 is to provide for construction inspection for the replacement of Pike Bridge No. 11 (Hillside Road Bridge over Trout Brook) OSC contract #D030018; PIN 4754.05; BIN 3320150 in an amount not to exceed fifty-three thousand eight hundred thirty-four dollars (\$53,834.00).

**Carried: XXX Ayes: 1404 Noes: Absent: 214 (Perry) Abstain: #16**

**RESOLUTION NO. 07-300  
(September 11, 2007)**

By Mr. Patti, Chairman of Public Works Committee:

**2007 – 2008 SALT BID APPROVED**

**BE IT RESOLVED**, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to award a bid for the purchase of salt for the *2007 – 2008 Snow Season* to American Rock Salt Co., LLC, P. O. Box 190; Mt. Morris, NY 14510 in the amount of \$30.26 per ton.

**Carried: XXX Ayes: 1404 Noes: Absent: 214 (Perry) Abstain: #17**

**RESOLUTION NO. 07-301  
(September 11, 2007)**

By Mr. Patti, Chairman of Public Works Committee:

**WYOMING COUNTY BOARD OF SUPERVISORS  
SUPPORTS EFFORTS TO OBTAIN A STOP SIGN  
AT THE ROUTE 78 AND EAST ARCADE ROAD  
INTERSECTION**

**WHEREAS**, There is currently a yield sign at the intersection of Route 78 and East Arcade Road in the Town of Java; and

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**WHEREAS**, The Wyoming County Board of Supervisors supports efforts to change the yield sign to a stop sign at this dangerous intersection; and

**WHEREAS**, Due to a recent fatality at this intersection, the terrain of the hills and curves on this section of Route 78, and the large amount of traffic should warrant a stop sign at that intersection; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors hereby supports all efforts by local and state officials to obtain a stop sign at this intersection.

**Carried: XXX Ayes: 1404 Noes: Absent: 214 (Perry) Abstain: #18**

**RESOLUTION NO. 07-302  
(September 11, 2007)**

By Mr. Patti, Chairman of Public Works Committee:

**TODD GADD APPOINTED COUNTY HIGHWAY  
SUPERINTENDENT**

**BE IT RESOLVED**, That Todd Gadd, 618 Clinton St., Cowlesville, NY 14037 is hereby appointed to the position of County Highway Superintendent, *pursuant to County Highway Law §100, for a term of four (4) years; effective October 01, 2007 through September 30, 2011.*

**Carried: XXX Ayes: 1404 Noes: Absent: 214 (Perry) Abstain: #19**

**RESOLUTION NO. 07-303  
(September 11, 2007)**

By Mr. Patti, Chairman of Public Works Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT  
WITH THE NEW YORK STATE UNIFIED COURT  
SYSTEM 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 maintenance contract with the State of New York Unified Court System, 8<sup>th</sup> Judicial District, 92 Franklin Street, 3<sup>rd</sup> Floor, Buffalo NY 14202 on behalf of Buildings and Grounds. Said agreement is in a minimum amount of sixty -one thousand six hundred twelve dollars (\$61,612.00); effective April 01, 2007 through March 31, 2008.

**Carried: XXX Ayes: 1404 Noes: Absent: 214 (Perry) Abstain: #20**

**RESOLUTION NO. 07-304  
(September 11, 2007)**

By Mr. Patti, Chairman of Public Works Committee:

**CHAIRMAN AUTHORIZED TO SIGN A RENEWAL  
CONTRACT WITH COVER-ALL 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 renewal contract with Cover – All Cleaning Concepts (Penny Wright) Franchisee, 6265 Sheridan Dr., Suite 106, Williamsville, NY 14422 on behalf of Buildings and Grounds. Said contract to provide cleaning services throughout the county in an amount not to exceed eighty-two thousand four hundred four dollars (\$82,404.00); effective September 15, 2007 through September 14, 2008.

**Carried: XXX Ayes: 1404 Noes: Absent: 214 (Perry) Abstain: #21**

**RESOLUTION NO. 07-305  
(September 11, 2007)**

By Mr. Patti, Chairman of Public Works Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT  
WITH FERGUSON ELECTRIC SERVICE COMPANY ON  
BEHALF OF 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 Ferguson Electric Service Company Inc., 321 Ellicott St. Buffalo, NY 14203 on behalf of Buildings and Grounds. Said contract to provide for testing of the electrical distribution systems in an amount not to exceed three thousand five hundred seventy-seven dollars (\$3,577.00) per year for the next 3 years, total contract not to exceed ten thousand seven hundred thirty-one dollars (\$10,731.00); effective May 01, 2007 through April 30, 2010.

**Carried: XXX Ayes: 1404 Noes: Absent: 214 (Perry) Abstain: #22**

**RESOLUTION NO. 07-306  
(September 11, 2007)**

By Mr. Patti, Chairman of Public Works Committee:

**CHAIRMAN AUTHORIZED TO SIGN A GRANT  
APPLICATION AND ACCEPTANCE AWARD WITH THE  
NEW YORK STATE DEPARTMENT OF STATE 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 grant application and acceptance award with the New York State Department of State, Contract Administration Unit, 41 State Street, Albany, NY 12231-0001 with the support of Senator Dale Volker on behalf of Buildings and Grounds. Said grant to provide for funding assistance with the replacement of the government center roof in the amount of thirty thousand dollars (\$30,000.00); effective April 01, 2007 through July 31, 2008.

**Carried: XXX Ayes: 1404 Noes: Absent: 214 (Perry) Abstain:**

*Mr. Patti was asked to officially introduce the new County Highway Superintendent. Mr. Patti offered the following statement:*

*"I would like to thank the search committee of Supervisor Knab, Supervisor Bush and Supervisor Gozelski who along with myself had the task of trying to fill the Highway Superintendent position, as our current Superintendent, Jack Beachel moves into the position of Construction Projects Coordinator for the 12 million dollar road reconstruction project the County is undertaking.*

*I would also like to thank the entire Public Works Committee for their patience and support through out this long and time consuming process.*

*We reviewed and amended the job qualifications. We received 16 applications for the position. We conducted 8 interviews and five 2<sup>nd</sup> interviews. After conducting background checks and contacting references, we then selected the individual we felt could best lead the Wyoming County Highway Department for many years.*

*He comes to us with a wealth of knowledge, and experience. He is a graduate of Attica High School, a graduate of Alfred State College with an Associates Degree in Civil Engineering, a graduate of Clarkson University with a Bachelors Degree in Civil Engineering, and for the last 9 ½ years he has been employed by Union Concrete Construction Company, which includes the past 8 years as a Project Manager and Superintendent.*

*He lives in Cowlesville in the Town of Bennington with his wife, Brittany and their 2 children. It is my pleasure to introduce the new Wyoming County Highway Superintendent, Mr. Todd Gadd.*

*Mr. Gadd and his wife were in attendance for today's meeting. Mr. Gadd was offered the opportunity to address the Board. He did so by expressing his thanks for their selection.*

*There was a motion by Mr. Davis, T/Covington, to combine resolutions #23 through #29. A voice vote was taken and all voted aye.*

*Supervisor Brick, T/Perry returned to the meeting prior to reading of resolution office numbers 23 through 29.*

**#23**

**RESOLUTION NO. 07-307  
(September 11, 2007)**

By Mr. Davis, Chairman of Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT  
WITH RMSCO, INC. ON BEHALF OF THE WORKMEN'S  
COMPENSATION OFFICE**

**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 renewal contract with RMSCO, Inc., 115 Continuum Drive, Liverpool, NY 13088 on behalf of the Workmen's Compensation Office. Said contract is to provide for a Wyoming County Workmen's Compensation Third Party Administrator in an amount not to exceed two hundred seventeen thousand eight hundred dollars (\$217,800.00) in three years. This renewal contract includes a bill review savings fee in an amount not to exceed nine thousand dollars (\$9,000.00) per year; effective January 1, 2008 through December 31, 2010.

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

**#24**

**RESOLUTION NO. 07-308  
(September 11, 2007)**

By Mr. Davis, Chairman of Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT  
WITH GROVER & BATES 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 3-year Tax Map Maintenance Renewal Contract with Grover & Bates, 65 South Main St., Perry, NY 14530 on behalf of Real Property Tax Service. Said renewal changes to cover digital map changes in an amount not to exceed forty-five thousand dollars (\$45,000.00) in three years; effective September 01, 2007 through August 31, 2010.

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

**#25**

**RESOLUTION NO. 07-309  
(September 11, 2007)**

By Mr. Davis, Chairman of Finance Committee:

**CORRECTION OF ERRORS IN THE TOWN OF ATTICA  
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:** Town of Attica, Tax Map # 562289 33.-2-59.2

**OWNER:** Ian A. McLeod  
Christina M. McLeod  
4075 Plowe Rd.  
Attica, NY 14011

**ERROR:** NONE

**AUTHORITY:** RPTL §550.3(b)

**ACTION:** DENY refund application.  
Owner contends 2006 Assessed Value was in error  
due to incorrect inventory.  
Owner filed Grievance with 2006 Board of  
Assessment Review.  
Board of Assessment Review decision – no reduction granted.

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

#26

**RESOLUTION NO. 07-310  
(September 11, 2007)**

By Mr. Davis, Chairman of Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT  
WITH APPLIED BUSINESS SYSTEM (ABS) ON BEHALF  
THE 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 with Applied Business Systems (ABS), 26 Harvester Ave., Batavia, NY 14020 on behalf of Real Property Tax Service. Said contract is for the provision

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of Tax Bill Laser Printing and insert processing in an amount not to exceed fourteen thousand two hundred twenty - nine dollars (\$14,229.00); effective August 17, 2007 through August 16, 2008.

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

#27

**RESOLUTION NO. 07-311  
(September 11, 2007)**

By Mr. Davis, Chairman of Finance Committee:

**INCREASING THE RATE OF TAXES ON SALES AND  
USES OF TANGIBLE PERSONAL PROPERTY AND OF  
CERTAIN SERVICES, AND ON OCCUPANCY OF HOTEL  
ROOMS AND AMUSEMENT CHARGES, PURSUANT TO  
ARTICLE 29 OF THE TAX LAW OF THE STATE OF NEW  
YORK**

**BE IT ENACTED** by the Wyoming County Board of Supervisors as follows:

**SECTION 1.** The first sentence of section two of Resolution No. 80-284, as enacted November 25, 1980, as amended, is amended to read as follows:

**SECTION 2.** Imposition of sales tax. On and after March 1, 1981, there is hereby imposed and there shall be paid a tax of three percent upon, and for the period commencing December 1, 1992, and ending November 30, 2009, there is hereby imposed and there shall be paid an additional tax of one percent upon:

**SECTION 2.** Subdivision (f) of section three of Resolution No. 80-284 as enacted in nineteen hundred eighty, as amended, is amended to read as follows:

(f) With respect to the additional tax of one percent imposed for the period commencing December 1, 1992, and ending November 30, 2009, the provisions of subdivisions (a), (b), (c), (d) and (e) of this section apply, except that for the purposes of this subdivision, all references in said subdivisions (a), (b), (c) and (d) to an effective date shall be read as referring to December 1, 1992, all references in said

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subdivision (a) to the date four months prior to the effective date shall be read as referring to August 1, 1992, and the reference in subdivision (b) to the date immediately preceding the effective date shall be read as referring to November 30, 1992. Nothing herein shall be deemed to exempt from tax at the rate in effect prior to December 1, 1992, any transaction which may not be subject to the additional tax imposed effective on that date.

**SECTION 3.** Section four of Resolution No. 80-284 as enacted in nineteen hundred eighty, as amended, is amended to read as follows:

**SECTION 4.** Imposition of compensating use tax.

(a) Except to the extent that property or services have already been or will be subject to the sales tax under this enactment, there is hereby imposed on every person a use tax for the use within this taxing jurisdiction on and after December 1, 1992, except as otherwise exempted under this enactment, (A) of any tangible personal property purchased at retail, (B) of any tangible personal property (other than computer software used by the author or other creator) manufactured, processed or assembled by the user, (I) if items of the same kind of tangible personal property are offered for sale by him in the regular course of business or (ii) if items are used as such or incorporated into a structure, building or real property, by a contractor, subcontractor or repairman in erecting structures or buildings, or building on, or otherwise adding to, altering, improving, maintaining, servicing or repairing real property, property or land, as the terms real property, property or land are defined in the real property tax law, if items of the same kind are not offered for sale as such by such contractor, subcontractor or repairman or other user in the regular course of business, (c) of any of the services described in paragraphs (1), (7) and (8) of subdivision (c) of section two, (D) of any tangible personal property, however acquired, where not acquired for purposes of resale, upon which any of the services described under paragraphs (2), (3) and (7) of subdivision (c) of section two have been performed, (E) of any telephone answering service described in subdivision (b) of section two and (F) of any computer software written or otherwise created by the user if the user offers software of a similar kind for sale as such or as a component part of other property in the regular course of business.

(b) For purposes of clause (A) of subdivision (a) of this section, for the period commencing December 1, 1992, and ending November 30, 2009, the tax shall be at the rate of four percent, and on

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and after December 01, 2009, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for such property, or for the use of such property, including any charges for shipping or delivery as described in paragraph three of subdivision (b) of section one, but excluding any credit for tangible personal property accepted in part payment and intended for resale.

(c) For purposes of subclause (I) of clause (B) of subdivision (a) of this section, for the period commencing December 1, 1992, and ending November 30, 2009, the tax shall be at the rate of four percent, and on and after December 01, 2009, the tax shall be at the rate of three percent, of the price at which items of the same kind of tangible personal property are offered for sale by the user, and the mere storage, keeping, retention or withdrawal from storage of tangible personal property by the person who manufactured, processed or assembled such property shall not be deemed a taxable use by him.

(d) For purposes of subclause (ii) of clause (B) of subdivision (a) of this section, for the period commencing December 1, 1992, and ending November 30, 2009, the tax shall be at the rate of four percent, and on and after December 01, 2009, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the tangible personal property manufactured, processed or assembled into the tangible personal property the use of which is subject to tax, including any charges for shipping or delivery as described in paragraph three of subdivision (b) of section one.

(e) Notwithstanding the foregoing provisions of this section, for purposes of clause (B) of subdivision (a) of this section, there shall be no tax on any portion of such price which represents the value added by the user to tangible personal property which he fabricates and installs to the specifications of an addition or capital improvement to real property, property or land, as the terms real property, property or land are defined in the real property tax law, over and above the prevailing normal purchase price prior to such fabrication of such tangible personal property which a manufacturer, producer or assembler would charge an unrelated contractor who similarly fabricated and installed such tangible personal property to the specifications of an addition or capital improvement to such real property, property or land.

(f) For purposes of clauses (C), (D) and (E) of subdivision (a) of this section, for the period commencing December 1, 1992, and ending November 30, 2009, the tax shall be at the rate of four percent, and on and after December 01, 2009, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the service, including the consideration of any tangible personal property transferred in conjunction with the performance of the service and also including any charges for shipping and delivery of the property so transferred and of the tangible personal property upon which the service was performed as such charges are described in paragraph three of subdivision (b) of section one.

(g) For purposes of clause (F) of subdivision (a) of this section, for the period commencing December 1, 1992, and ending November 30, 2009, the tax shall be at the rate of four percent, and on and after December 01, 2009, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the tangible personal property which constitutes the blank medium, such as disks or tapes, used in conjunction with the software, or for the use of such property, and the mere storage, keeping, retention or withdrawal from storage of computer software described in such clause (F) by its author or other creator shall not be deemed a taxable use by such person.

**SECTION 4.** Subdivision (k) of section six of Resolution No. 80-284 as enacted in nineteen hundred eighty, as amended, is amended to read as follows:

(h) Exemption of certain energy sources and related services from additional one percent rate of tax. Notwithstanding any inconsistent provision of this resolution, receipts from the retail sale or use of fuel oil and coal used for residential purposes; the receipts from the retail sale or use of wood used for residential heating purposes; and the receipts from every sale, other than for resale, or use of propane (except when sold in containers of less than one hundred pounds), natural gas, electricity, steam and gas, electric and steam services used for residential purposes shall be exempt from the additional one percent rate of sales and compensating use taxes imposed, by sections 2 and 4, respectively, of this resolution for the period commencing December 1, 1992, and ending November 30, 2009.

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**SECTION 5.** Paragraph (B) of subdivision one of section eleven of Resolution No.80-284 as enacted in nineteen hundred eighty, as amended, is amended to read as follows:

(B) With respect to the additional tax of one percent imposed for the period beginning December 1, 1992, and ending November 30, 2009, in respect to the use of property used by the purchaser in this County prior to December 1, 1992.

**SECTION 6.** This enactment shall take effect on December 01, 2007.

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

**#28**

**RESOLUTION NO. 07-312  
(September 11, 2007)**

By Mr. Davis, Chairman of Finance Committee:

**ONE (1) POSITION OF SENIOR SOCIAL SERVICES  
PROGRAM SPECIALIST (1.00 fte) CREATED WITHIN  
THE TEMPORARY ASSISTANCE UNIT AT THE  
DEPARTMENT OF SOCIAL SERVICES**

**BE IT RESOLVED,** That one (1) position of Senior Social Services Program Specialist (1.00fte) within the Department of Social Services Temporary Assistance Employment Unit is hereby created in the Department of Social Services and placed on the appropriate CSEA salary schedule, step, and grade.

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

**RESOLUTION NO. 07-313  
(September 11, 2007)**

By Mr. Davis, Chairman of Finance Committee:

**SALARY SCHEDULES “S” AND “D” AMENDED**

**BE IT RESOLVED**, That the Wyoming County Salary Schedule Plan which became effective January 01, 1967, as amended, is hereby amended as follows:

- **Salary Schedule “S” annexed hereto**
  - Shall be amended to provide a one time stipend in the amount of \$2,000.00 for the Secretary to the District Attorney; effective January 01, 2008.
- **Salary Schedule “D” annexed hereto**
  - Shall be amended to set the salary of the County Highway Superintendent at \$70,000/annually; effective October 01, 2007.

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

**Public Comment:**  
**None**

*There was a motion by Supervisor Kushner to close the public hearing. This was seconded by Supervisor Knab and all voted aye.*

**Public Hearing  
#30**

**RESOLUTION NO. 07-314  
(September 11, 2007)**

By Mr. Davis, Chairman of the Finance Committee:

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**LOCAL LAW INTRODUCTORY NO. D (5) YEAR 2007,**  
**ADOPTED**

**WHEREAS**, there was duly presented and introduced at a meeting of this Board, held on the 14<sup>th</sup> day of August, 2007, a proposed local law of the County, designated as Local Law Introductory No. D, for the year 2007, entitled, **A Local Law of the County of Wyoming, Providing Salaries for Certain County Officers for the year 2007**; and

**WHEREAS**, in accordance with the provisions of Resolution No. 07-279, there was a public hearing held by this Board of Supervisors on this 11<sup>th</sup> day of September, 2007 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 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. D, Year 2007, County of Wyoming, New York, as presented to this Board on the 11<sup>th</sup> day of September, 2007, 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 Director of Aging and Youth shall be increased by \$1,000.00.

Section 2. All salaries set forth herein shall be effective as of July 1, 2007.

Section 3. 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 4. This Local Law is subject to permissive referendum.

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

**RESOLUTION NO. 07-315  
(September 11, 2007)**

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

**APPROVING AGREEMENT BETWEEN TOWN OF  
COVINGTON AND MONROE COUNTY WATER  
AUTHORITY**

**WHEREAS**, The Town of Covington has approved an Agreement with Monroe County Water Authority for water supply and services; and

**WHEREAS**, Said agreement, in accordance with New York State Public Authority Law, Title 5, §1096, is contingent upon the Wyoming County Board of Supervisors' approval of said agreement; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors hereby approves the agreement between the Town of Covington and the Monroe County Water Authority.

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

*Supervisor Davis, T/Covington offered a brief explanation of the above proposed unanimous consent resolution number 31. He did state that it was basically a housekeeping measure. This pertains to a water district that has been in existence for a number of years.*

#32

**RESOLUTION NO. 07-316  
(September 11, 2007)**

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

**AUTHORIZING SETTLEMENT OF ALL CLAIMS  
BROUGHT AGAINST THE COUNTY OF WYOMING BY  
KATHLEEN MURTHA**

September 11, 2007

**Proceedings of the Board of Supervisors**

**WHEREAS**, The Wyoming County Board of Supervisors, under the New York County Law, is empowered and authorized to settle claims against the County of Wyoming; and

**WHEREAS**, A former employee, Kathleen Murtha, has asserted claims in a lawsuit instituted in 2002 against the County of Wyoming and Jeannette Wallace, individually and in her capacity as the then Commissioner of Social Services, regarding the facts and circumstances surrounding her separation from County employment and said lawsuit has been defended and litigated by the County of Wyoming’s insurance carrier New York Mutual Insurance Reciprocal (NYMIR); and

**WHEREAS**, The County has been advised by NYMIR that it has negotiated a settlement of all claims brought by Kathleen Murtha and further that to effectuate such settlement, the County of Wyoming must contribute to the total settlement fund.

**NOW, THEREFORE**, It is hereby resolved that the County of Wyoming shall settle all claims brought against the County of Wyoming and Jeannette Wallace, individually and in her capacity as the former Wyoming County Commissioner of Social Services, for the total amount of \$350,000.00, consisting of \$150,000.00 to be paid by the County of Wyoming and \$200,000.00 to be paid by NYMIR; and it is further

**RESOLVED**, That the Chairman of the Wyoming County Board of Supervisors is authorized to execute whatever agreements or documents that may be necessary to effectuate this settlement agreement.

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

*There being no further business to come before this Board, Senior Supervisor, Mr. Harold Bush, T/Gainesville adjourned the meeting at 4:12 PM with a rap on his desk.*

\*\*\*\*\*

*Respectfully submitted,*

*Cheryl J. Ketchum*

**REGULAR SESSION  
(October 9, 2007)**

**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; Reimbursement and Budget Administrator, Janis Cook; 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 was:

**CHIEF PETTY OFFICER DANIEL H. BRAZEAU  
U.S. COAST GUARD RETIRED**

Chief Petty Officer Brazeau's service to his country comes while serving with the United States Coast Guard during the Post Vietnam Era and during the Gulf War. Chief Brazeau enlisted in the United States Coast Guard in August of 1976. He completed Basic Training at Cape May Naval Base in New Jersey and then completed Advanced Individual Training at Yorktown, Virginia where he became qualified as a "Machine Technician". His first assignment was aboard the Coast Guard Cutter "PlaneTree" as a mechanic while on Tour at Juno, Alaska for 18 months. He then was assigned duties at the Coast Guard Support Center in Boston, Mass. where he spent the next 19 months in maintenance repair. Chief Brazeau's next assignment was at Port Isabelle, Texas, where he spent 2 years in station and boat maintenance and then assigned to Port Houston, Texas, a "Search and Rescue" Station where he worked in Safety and Environment Inspections for the next 5 years. Following this tour, Chief Brazeau returned to sea aboard the U.S. Coast Guard Cutter Attu as its 2<sup>nd</sup> Engineer and patrolled the waters around San Juan, Puerto Rico for the next 18 months doing "Search & Rescue and Drug Traffic Control". He then returned to shore duty assigned to Sandy Hook, New Jersey under station and boat maintenance for 4 years and then assigned to the Marine Safety Office in New Haven, Conn. for 4 years under environmental safety. Chief Brazeau again returned to sea duty for 3 years aboard the U.S. Coast Guard Polar Star, which was an ice-breaker and made 2 tours of 6 months each to the Antarctic and one 6 month tour to the Artic. He then spent 3 years at a Coast Guard Station in Seattle, WA. Chief Brazeau's final assignment brought him to the Coast Guard Station in Buffalo, New York for 2 ½ years working as the Assistant Engineer Officer, retiring on November 30, 2006 with 30 years of service.

For his Service to His Country, Chief Petty Officer Brazeau has been awarded:

**National Defense Service Medal**  
**Secretaries Outstanding Unit Award**  
**Antarctica Service Medal w/one Silver Star**  
**Coast Guard Meritorious Team Commendation Ribbon w/2 Gold Stars**  
**Coast Guard Sea Service Ribbon**  
**Coast Guard Special Operations Service Ribbon w/2 Bronze Stars**  
**Coast Guard Unit Commendation Ribbon w/3 Gold Stars**  
**Commandant's Letter Of Commendation Ribbon w/1 Gold Star**  
**Coast Guard Achievement Medal w/1 Gold Star**  
**Global War on Terrorism Service Medal**  
**Humanitarian Service Medal w/1 Bronze Star**  
**Military Outstanding Volunteer Service Medal**  
**Ninth Coast Guard Good Conduct Award**

Chief Petty Officer Brazeau enjoys Gardening, Hunting, Woodworking, Camping, & is presently serving as Scout Master for Boy Scout Troop 474 in Bennington. Chief Brazeau and his wife

Maria have 3 sons and they live in Cowlesville.

*The pledge was said by all.*

A certificate of appreciation was presented to Chief Petty Officer Brazeau in honor of his service to his country and also to commemorate his appearance here today.

Chairman Berwanger offered the Chief Petty Officer the opportunity to address the Board of Supervisors. He thanked the Board for the opportunity to lead in the pledge.

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 October 2007 is Cheri Fisher. She has been with our Accounting Department since April, 2001 working with resource recovery. Cheri is being recognized for her work integrity and ability to recover monies for the county. Most importantly though is her courteous handling of clients who

are distraught or angered by certain circumstances. She takes extra time to ensure their understanding of the processes involved when recouping funds.

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

Please join me in recognizing Cheri Fisher.

Ms. Fiser was unavailable to attend the meeting.

**Communications:**

**C1: Chairman Berwanger read a thank you from the Department of Social Services employees for the Chicken Barbeque on September 21, 2007.**

Chairman Berwanger commented on hearing nothing but good about the barbeque and they plan on doing same next year.

#1

**RESOLUTION NO. 07-317  
(October 09, 2007)**

By Mr. Davis, Chairman of the Finance Committee:

**FUNDS TRANSFERRED TO VARIOUS 2007 ACCOUNTS**

**BE IT RESOLVED**, That funds are hereby transferred to the various 2007 accounts as follows:

<b>Board of Supervisors</b>			
<b>From:</b> 01.31.1010.8.89001 Medical / Hosp. Ins. To: 01.31.1010.4.42308 Employee Recognition 01.31.1010.4.40407 Supervisor Mileage <b>Reason:</b> To cover 09/21/07 Employee Appreciation Chicken BBQ & Supervisor mileage expense through the end of 2007.	\$8,025.00	\$3,275.00 4,750.00	
<b>From:</b> 01.31.1010.8.89001 Medical / Hosp. Ins. To: 01.31.1010.4.40101 Property 01.31.1010.4.40402 Conferences & Conventions 01.31.1010.4.40503 gas 01.31.1010.4.42301 Books, Pub. & Subs. <b>Reason:</b> To cover Property Insurance, Conferences / Conventions, Gas, Books, Pub., and Sub.	\$892.68	\$21.00 700.00 23.18 148.50	
<b>Board of Supervisors Total</b>			<b>\$8,917.68</b>
<b>Workmen's Compensation</b>			
To: 05.58.1710.1.10001 Salaries 05.58.1710.8.83001 FICA 05.58.1710.8.85001 Medicare w/05.13.1710.5031 Interfund Revenue -Self Ins. Fund <b>Reason:</b> To cover stipend for 2007	\$4,000.00 248.00 58.00	\$4,306.00	

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<b>Workmen's Compensation Total</b>			<b>\$4,306.00</b>
<b>Emergency Services</b>			
<b>From:</b> 01.37.3645.2.20401 Misc. Equip. 01.37.3645.2.20201 Comp. Equip. 01.37.3645.2.20101 Telecomm. <b>To:</b> 01.37.3645.4.42102 Safety Exp. <b>Reason:</b> Transfer funds to purchase personal protective equipment outlined on grants	\$2,811.82 43.65 444.53	\$3,300.00	
<b>Emergency Services Total</b>			<b>\$3,300.00</b>
<b>Wyoming County Community Health System</b>			
<b>From:</b> 01.52.9950.9.99008 WCCH Transfer <b>To:</b> 01.40.6102.4.42250 MMIS IGT/DSH Pmt <b>Reason:</b> to Reduce WCCH subsidy.	\$5,118.50	\$5,118.50	
<b>Wyoming County Community Health System Total</b>			<b>\$5,118.50</b>

**Carried: XXX Ayes: 1522 Noes: Absent: 96 (Gainesville) Abstain: #2**

**RESOLUTION NO. 07-318  
(October 09, 2007)**

By Mr. Davis, Chairman of the Finance Committee:

**FUNDS APPROPRIATED TO VARIOUS 2007 ACCOUNTS**

**BE IT RESOLVED**, That funds are hereby appropriated to the various 2007 accounts as follows:

<b>Youth Bureau</b>			
<b>To:</b> 01.45.7310.4.42434 Stars of Tomorrow w/01.03.7310.1289 Other Dept. Income <b>Reason:</b> Funds needed to cover additional babysitting course.	\$500.00	500.00	
<b>Youth Bureau Total</b>			<b>\$500.00</b>
<b>Public Health</b>			
<b>To:</b> 01.38.4010.4.42429 Rabies Treatment <i>from any funds available</i> <b>Reason:</b> To appropriate for Rabies Vaccine & IG for rabies treatment for human exposure.	\$10,000.00	\$10,000.00	
<b>Public Health Total</b>			<b>\$10,000.00</b>
<b>Mental Health</b>			
<b>To:</b> 01.38.4220.2.20201 Computer Equipment 01.38.4220.2.20601 Instruct Audio Photo Equip. 01.38.4220.4.41404 Copiers 01.38.4220.4.41410 Software 01.38.4220.4.42306 Miscellaneous Other w/01.12.4220.4491 Mental Health SICA Grant increased by <b>Reason:</b> Allocate unspent 2006/2007 DFC grant funds to 2007 budget.	\$2,067.00 1,727.79 1,200.00 897.00 288.49	\$6,180.28	
<b>Mental Health Total</b>			<b>\$6,180.28</b>
<b>Workmen's Compensation</b>			
<b>To:</b> 01.52.9950.9.99006 Transfer to Workers Comp <i>From any funds available</i> <b>Reason:</b> To cover stipend for 2007	\$4,306.00	\$4,306.00	
<b>Workmen's Compensation Total</b>			<b>\$4,306.00</b>

October 9, 2007

<b>Civil Service</b>			
To: 01.34.1430.8.81001 Retirement <i>from any funds available</i>	\$2,592.69	\$2,592.69	
Reason: To cover cost of retirement of extra employee.			
<b>Civil Service Total</b>			<b>\$2,592.69</b>
<b>Probation</b>			
To: 01.37.3140.4.40701 Electronic Monitoring w/01.03.3140.128914 Electronic Monitoring Revenue	\$5,000.00	\$5,000.00	
REASON: We collect the costs of electronic monitoring from the people who use it. This year, we have run out of budgeted monies but collected enough to cover it. This is the second time this year we have had to do this and this appropriation should last us until year end.			
<b>Probation Total</b>			<b>\$5,000.00</b>

**Carried: XXX Ayes: 1522 Noes: Absent: 96 (Gainesville) Abstain:**

Mr. Davis, T/Covington, Vice Chairman of the Audit Committee, presented bills totaling **\$1,888,590.17** for the month of **September 2007**.

**Carried: XXX Ayes: 1522 Noes: Absent: 96 (Gainesville) Abstain:**

*There was a motion by Mrs. Totline, T/Genesee Falls, to combine resolutions #3 through #7. A voice vote was taken and all voted aye*

**#3**

**RESOLUTION NO. 07-319  
(October 09, 2007)**

By Mrs. Totline, Chairman of Human Services Committee:

**GARY COUSINS REAPPOINTED DIRECTOR OF  
VETERANS' SERVICES**

**BE IT RESOLVED**, That Gary Cousins, 154 North Maple Street, Warsaw, NY 14569 is hereby reappointed to the position of Director of Veterans' Services, *pursuant to County Law §800, for a term of two (2) years; effective November 15, 2007 through November 14, 2009.*

**Carried: XXX Ayes: 1522 Noes: Absent: 96 (Gainesville) Abstain:**

**RESOLUTION NO. 07-320**  
**(October 09, 2007)**

By Mrs. Totstline, Chairman of Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN A LEASE  
AGREEMENT WITH TOMPKINS LEASING SERVICES  
ON BEHALF OF THE OFFICE FOR THE AGING 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 lease agreement with Tompkins Leasing Services, P.O. Box 460 Ithaca, NY 14581 on behalf of the Office for the Aging and Youth Bureau. Said lease is to provide for a copier through Complete Office Solutions, Inc. and a 36 month copier lease with monthly payments in an amount not to exceed four hundred eighty-eight dollars and seventy-one cents (\$488.71) a month plus a one hundred dollar (\$100.00) acquisition fee; effective October 01, 2007 through September 30, 2010.

Contingent upon the availability of funds.

**Carried: XXX Ayes: 1522 Noes: Absent: 96 (Gainesville) Abstain: #5**

**RESOLUTION NO. 07-321**  
**(October 09, 2007)**

By Mrs. Totstline, Chairman of Human Services Committee:

**MEMBERS APPOINTED / REAPPOINTED TO  
THE WYOMING COUNTY YOUTH BOARD**

**BE IT RESOLVED**, That the following individuals are appointed / reappointed to the Wyoming County Youth Bureau as Agency Representatives

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for an unexpired two (2) year term effective September 01, 2007 through December 31, 2007:

- Colin Reagan, Wyoming County Sheriff's Department, 151 North Main Street, Warsaw, NY 14569, replacing A. Anderson.
- Tamara Whelan, Wyoming County Probation, 143 North Main Street, Warsaw, NY 14569, replacing K. George.

**Carried: XXX Ayes: 1522 Noes: Absent: 96 (Gainesville) Abstain: #6**

**RESOLUTION NO. 07-322  
(October 09, 2007)**

By Mrs. Totline, Chairman of Human Services Committee:

**RESOLUTION NUMBER 07-127 AMENDED**

**WHEREAS**, Resolution Number 07-127 provides for WRAP Coordinator Services with Daniel J. Perkins, 101 West Court Street, Warsaw NY 14569 in an amount not to exceed a total contract amount of twenty-five thousand five hundred eleven dollars and fifty-four cents (\$25,511.54); effective April 01, 2007 through September 30, 2007; now therefore

**BE IT RESOLVED**, That Resolution Number 07-127 be hereby amended to extend the contract to December 31, 2007 in an amount not to exceed two thousand five hundred dollars (\$2,500.00) per month.

Contingent upon the availability of funds.

**Carried: XXX Ayes: 1522 Noes: Absent: 96 (Gainesville) Abstain: #7**

**RESOLUTION NO. 07-323  
(October 09, 2007)**

By Mrs. Totline, Chairman of Human Services Committee:

Proceedings of the Board of Supervisors**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT  
WITH AMERICORP VISTA ON BEHALF OF THE OFFICE  
FOR THE AGING**

**BE IT RESOLVED**, That the Chairman of this Board with approval of the County Attorney is hereby authorized and directed to sign a contract with Americorp VISTA, 2001 Union Road, West Seneca, NY 14224 on behalf of the Office for the Aging. Said contract is for the provision of a volunteer connection program for Wyoming County Office for the Aging in an amount not to exceed five thousand dollars (\$5,000.00) (paid quarterly); effective October 01, 2007 through September 30, 2008.

Contingent upon the availability of funds.

**Carried: XXX Ayes: 1522 Noes: Absent: 96 (Gainesville) 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. 07-324  
(October 09, 2007)**

By Mr. Kushner, Chairman of Public Health Committee:

**NATIONAL BREAST CANCER AWARENESS MONTH  
PROCLAIMED**

**WHEREAS**, This year nearly 180,000 women in the United States will be diagnosed with breast cancer and more than 40,000 women will lose their lives nationwide, including nearly 3,000 in New York State alone; and

**WHEREAS**, Early detection and prompt treatment can significantly reduce the suffering caused by this disease. Monthly self breast exams and regular mammograms are the most effective methods to detect changes that may be cancer;

**NOW THEREFORE**, In recognition of the fact that there are two million breast cancer survivors in the United States today, The Board of Supervisors of the County of Wyoming does hereby proclaim the month of **October 2007** as:

October 9, 2007

**“NATIONAL BREAST CANCER AWARENESS MONTH”**

And be it

**FURTHER RESOLVED**, That all women of Wyoming County are urged to care for themselves and to seek information on cancer prevention and early detection from the Wyoming County Health Department Cancer Services Program.

**Carried: XXX Ayes: 1522 Noes: Absent: 96 (Gainesville) Abstain: #9**

**RESOLUTION NO. 07-325  
(October 09, 2007)**

By Mr. Kushner, Chairman of Public Health Committee:

**NATIONAL CHILDHOOD LEAD POISONING  
PREVENTION WEEK PROCLAIMED**

**WHEREAS**, Each year, approximately 310,000 children are lead poisoned and lead poisoning remains the number one preventable environmental threat to children’s health in the United States. Although many lead poisoned children do not look or feel sick, even a small amount of lead can cause learning and behavioral problems such as lower IQ, hearing loss, growth problems and anemia; and

**WHEREAS**, Children living in homes built before 1978 are at greatest risk due to exposure to lead paint, however, lead poisoning is a danger to every family regardless of where they live. The only way to know for certain if a child has lead poisoning is to get a blood lead test; in New York State all children must be tested for lead exposure at ages one and two years.

**NOW THEREFORE**, In recognition of the fact that every case of childhood lead poisoning is entirely preventable, this Wyoming County Board of Supervisors does hereby proclaim the week of *October 21 through 27, 2007* as:

**“NATIONAL CHILDHOOD LEAD POISONING PREVENTION WEEK”**  
And be it

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**FURTHER RESOLVED**, That parents whose children ages 6 months to 6 years old, and have never been lead tested are urged to contact their child's physician or the Wyoming County Health Department for information on prevention of lead poisoning, including the latest lead-contaminated product recalls and to schedule a lead test.

**Carried: XXX Ayes: 1522 Noes: Absent: 96 (Gainesville) Abstain: #10**

**RESOLUTION NO. 07-326  
(October 09, 2007)**

By Mr. Kushner, Chairman of Public Health Committee:

**CHAIRMAN AUTHORIZED TO SIGN THE DRUG FREE  
COMMUNITY GRANT APPLICATION AND  
ACCEPTANCE AWARD ON BEHALF OF THE MENTAL  
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 Grant Application and Acceptance Award for the Drug Free Community Grant for year five of a five year grant; effective September 29, 2007 through September 30, 2008 with the Department of Health & Human Services, Substance Abuse and Mental Health Services Administration, Division of Grants Management, 1 Choke Cherry Road, Rockville, MD 20850 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: 1522 Noes: Absent: 96 (Gainesville) Abstain: #11**

**RESOLUTION NO. 07-327  
(October 09, 2007)**

By Mr. Kushner, Chairman of Public Health Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT  
WITH THE COUNTRY COURIER ON BEHALF OF THE  
MENTAL 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 the Country Courier, 11 South Main Street, Warsaw, NY 14569 for the provision of 51 weekly ads in the Country Courier and Arcade Herald to satisfy requirements for the Drug Free Grant; in an amount not to exceed four thousand nineteen dollars and eighty-nine cents (\$4,019.89); effective October 15, 2007 through October 15, 2008.

Contingent upon the availability of funds.

**Carried: XXX Ayes: 1522 Noes: Absent: 96 (Gainesville) Abstain:**

*Supervisor Kushner was invited to present the National Breast Cancer Awareness Month and National Lead Poisoning Prevention Week proclamations. Supervisor Kushner introduced Public Health Administrator, Laura Paolucci to read the National Breast Cancer Awareness Month Proclamation and Wyoming County Commissioner of Public Health, Dr. Gregory Collins to read the National Lead Poisoning Prevention Week proclamation.*

*Ms. Paolucci further recognized Karen Ruzala, Partnership Coordinator at the Public Health Department for her work with the program.*

**#12**

**RESOLUTION NO. 07-328  
(October 09, 2007)**

By Mr. Fleischman, Chairman of Planning Committee:

**CHANGE A LIGHT DAY PROCLAIMED IN WYOMING  
COUNTY**

**WHEREAS**, Energy efficiency is important to Wyoming County, because it saves consumers and businesses money, and helps protect the environment because it lessens greenhouse gas emissions and reduces air pollution; and

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**WHEREAS**, New York State counties are committed to maintaining secure, safe and affordable energy resources for their citizens; and

**WHEREAS**, Lights replaced with energy-efficient ones can add up in energy, monetary, and environmental savings. ENERGY STAR-qualified light bulbs and fixtures use 75 percent less energy than standard incandescent bulbs and can last up to 10 times longer. Just one ENERGY STAR-qualified light bulb can save about \$30 or more in energy costs over its lifetime, while preventing more than 400 pounds of greenhouse gas emissions; and

**WHEREAS**, Wyoming County is proud to do its part in this nationwide effort, celebrating this day, ENERGY STAR “Change a Light Day” to promote energy efficiency and environmental stewardship in every household, by installing ENERGY STAR qualified lighting as a significant first step; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors do hereby proclaim *October 9, 2007*, as:

*ENERGY STAR “Change a Light Day”*

and be it

**FURTHER RESOLVED**, That all citizens, government agencies, public and private institutions, and businesses in Wyoming County are urged to participate in conserving energy.

**Carried: XXX Ayes: 1522 Noes: Absent: 96 (Gainesville) Abstain:**

*Supervisor Fleischman was invited to present this proclamation by Chairman Berwanger. The Supervisor explained that because Thomas Edison was unavailable to accept the above proclamation he spoke with the man in charge of changing our light bulbs, Wyoming County Superintendent of Buildings and Grounds, Dennis Halstead. Supervisor Fleischman removed his suit coat as a gesture to make Mr. Halstead more comfortable as he did not have a suit coat this day...*

*There was a motion by Mr. Rogers, T/Pike, to combine resolutions #13 through #15. A voice vote was taken and all voted aye*

**RESOLUTION NO. 07-329  
(October 09, 2007)**

By Mr. Rogers, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A GRANT  
ACCEPTANCE AWARD WITH THE DEPARTMENT OF  
CRIMINAL JUSTICE SERVICE 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 from the Department of Criminal Justice Service, Four Tower Place, Albany, NY for the District Attorney's Recruitment and Retention Program in the amount of five thousand nine hundred sixteen dollars (\$5,916.00), a one time pay out in 2008 of two thousand nine hundred fifty-eight dollars (\$2,958.00) for each assistant DA, inclusive of all fringe benefits, with no county match. Contract Period: April 01, 2007 through March 31, 2009, however, contract is deemed complete once all salaries and fringes are expended.

Contingent upon the availability of funds.

**Carried: XXX Ayes: 1522 Noes: Absent: 96 (Gainesville) Abstain:  
#14**

**RESOLUTION NO. 07-330  
(October 09, 2007)**

By Mr. Rogers, Chairman of Public Safety Committee:

**RESOLUTION NUMBER 03-241 AMENDED**

**WHEREAS**, Resolution Number 03-241 provides for a copier lease with First Niagara Leasing on behalf of the District Attorney's Office; now therefore

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**BE IT RESOLVED**, That Resolution Number 03-241 be hereby amended to reflect an extended expiration date of November 15, 2007 with all other provisions of the current lease remaining unchanged.

Contingent upon the availability of funds.

**Carried: XXX Ayes: 1522 Noes: Absent: 96 (Gainesville) Abstain: #15**

**RESOLUTION NO. 07-331  
(October 09, 2007)**

By Mr. Rogers, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A GRANT APPLICATION AND ACCEPTANCE AWARD WITH THE NEW YORK STATE OFFICE OF HOMELAND SECURITY ON BEHALF OF THE SHERIFF'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 Application and Acceptance Award with New York State Office of Homeland Security, 1220 Washington Ave., Building 2A, Albany NY 12226 on behalf of the Sheriff's Office. Said grant is to provide funding through the LETPP (Law Enforcement Terrorism Prevention Program) for the provision of 9-1-1 Backup System funding support and other law enforcement equipment in a minimum amount of sixty-six thousand nine hundred (\$66,900.00); effective July 01, 2007 through June 30, 2010.

**Carried: XXX Ayes: 1522 Noes: Absent: 96 (Gainesville) Abstain:**

*There was a motion by Mr. Patti, T/Attica, to combine resolutions #16 and #17. A voice vote was taken and all voted aye*

**#16**

**RESOLUTION NO. 07-332  
(October 09, 2007)**

By Mr. Patti, Chairman of Public Works Committee:

**CHAIRMAN AUTHORIZED TO SIGN AGREEMENT  
NO. 1 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 Agreement No. 1 on behalf of County Highway with LaBella Associates, 300 State Street, Suite 201, Rochester, NY 14614 to design the replacement of Bennington Bridge No. 04 (Tooley Road Bridge over Cayuga Creek) BIN: 3319590 in an amount not to exceed one hundred twenty-five thousand dollars (\$125,000.00) upon the approval of the NYSDOT.

Contingent upon the availability of funds.

**Carried: XXX Ayes: 1522 Noes: Absent: 96 (Gainesville) Abstain: #17**

**RESOLUTION NO. 07-333  
(October 09, 2007)**

By Mr. Patti, Chairman of Public Works Committee:

**CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN A  
CONTRACT WITH SPRING SHEET METAL AND  
ROOFING 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 award a bid and sign a contract with Spring Sheet Metal and Roofing, 678 Clinton Avenue South, Rochester, New York 14620 on behalf of Buildings and Grounds. Said contract is for the provision of a complete roof tear off of the existing slate roofing system on the Government Center, the addition of a composite insulation board and the application of a synthetic slate roofing system in an amount not to exceed three hundred twenty-nine thousand six hundred ninety dollars (\$329,690.00); effective upon the signing of the contract through a project completion date of June 01, 2008.

Contingent upon the availability of funds.

**Carried: XXX Ayes: 1522 Noes: Absent: 96 (Gainesville) Abstain:**

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*Chairman Berwanger invited Supervisor Patti to make a few introductions. In doing so Supervisor Patti reintroduced County Highway Superintendent, Todd Gadd. Supt. Gadd was invited to make the introduction of his Deputy County Highway Superintendent, Chris Oliverie. Mr. Oliverie is a Bennington resident and comes to the county from the NYS Thruway Authority with over 23 years of experience. Mr. Oliverie is joined today by his wife, Debbie and their one daughter, Shana. Mr. Oliverie thanked the Board for their hard work and for his recommendation for appointment.*

**Non-Consent  
#18**

**RESOLUTION NO. 07-334  
(October 09, 2007)**

By Mr. Davis, Chairman of Finance Committee:

**SALARY SCHEDULE “D” AMENDED**

**BE IT RESOLVED**, That the Wyoming County Salary Schedule Plan which became effective January 01, 1967, as amended, is hereby amended as follows:

**Salary Schedule “D:”**

- Include a separate stipend for the position of Workers’ Compensation Program Administrator for the provision of temporary Human Resource services in an amount not to exceed eight thousand dollars (\$8,000.00) annually; effective July 01, 2007 until such time a more permanent solution is found.

**Carried: XXX Ayes: 1522 Noes: Absent: 96 (Gainesville) Abstain:**

*There was a motion by Mr. Davis, T/Covington, to combine resolutions #19 through #26. A voice vote was taken and all voted aye*

**#19**

**RESOLUTION NO. 07-335  
(October 09, 2007)**

By Mr. Davis, Chairman of Finance Committee:

**SET PUBLIC HEARING – INTRODUCTORY LOCAL LAW  
NO. E YEAR 2007**

October 9, 2007

**WHEREAS**, There has been duly presented and introduced at a meeting of this Board of Supervisors of Wyoming County on this 9<sup>th</sup> day of October, 2007, a proposed local law entitled, **“Local Law Introductory No. E Year 2007, “A LOCAL LAW PROVIDING SALARIES FOR CERTAIN COUNTY OFFICERS FOR THE YEAR 2008,”** 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 on the said proposed Local Law by this Wyoming County Board of Supervisors on the 13<sup>th</sup> day of November, 2007 at 3:00 PM at the Wyoming County Government Center, 143 N. Main St., Warsaw, New York.

**Carried: XXX Ayes: 1522 Noes: Absent: 96 (Gainesville) Abstain: #20**

**RESOLUTION NO. 07-336  
(October 09, 2007)**

By Mr. Davis, Chairman of Finance Committee:

**ONE (1) POSITION OF MEAL SITE MANAGER, PT  
CREATED IN THE OFFICE FOR THE AGING**

**BE IT RESOLVED**, That one (1) position of Meal Site Manager, PT, be hereby created in the Office for the Aging and placed on Salary Schedule “F;” effective immediately.

**Carried: XXX Ayes: 1522 Noes: Absent: 96 (Gainesville) Abstain: #21**

**RESOLUTION NO. 07-337  
(October 09, 2007)**

By Mr. Davis, Chairman of Finance Committee:

Regular Session

**ONE POSITION OF COMMUNITY SERVICES WORKER  
(1.00 fte) CREATED IN THE DEPARTMENT OF SOCIAL  
SERVICES**

**BE IT RESOLVED**, That one (1) position of Community Services Worker (1.00 fte) be hereby created in the Employment Unit at the Department of Social Services; and be it

**FURTHER RESOLVED**, That this position be placed on Salary Schedule “A” grade 6 of the current CSEA Agreement; effective with the establishment of a Civil Service Eligible List.

**Carried: XXX Ayes: 1522 Noes: Absent: 96 (Gainesville) Abstain:  
#22**

**RESOLUTION NO. 07-338  
(October 09, 2007)**

By Mr. Davis, Chairman of Finance Committee:

**SALARY SCHEDULES “S,” “D,” AND “T” AMENDED**

**BE IT RESOLVED**, That the Wyoming County Salary Schedule Plan which became effective January 01, 1967, as amended, is hereby amended as follows:

**Salary Schedule “S”:**

- Amend Resolution Number 07-156 to extend the position of Assistant Director of Nursing (CHHA), PT, through December 31, 2007 at current salary level and amend the salary schedule to reflect same; and
- Set the salary of the Fiscal Administrator in the Public Health Department at \$40,000.00 annually; effective September 12, 2007; and
- Combine positions Public Health Sanitarian (CSEA Grade 14/Step 6) and Director of Environmental Health (Stipend on Schedule S) into one position –“Director of Environmental Health.” Amend Schedule S for a total annual salary of \$51,415.00 effective January 1, 2008.

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Salary Schedule "D":

- Add the title of Construction Projects Coordinator (Temporary) in the Highway Department and set the salary at \$70,000 / annually; effective October 01, 2007.

Salary Schedule "T":

- Set the salary of the County Clerk at \$45,000.00 annually; effective January 01, 2008; to be revisited in six months.

**Carried: XXX Ayes: 1522 Noes: Absent: 96 (Gainesville) Abstain: #23**

**RESOLUTION NO. 07-339  
(October 09, 2007)**

By Mr. Davis, Chairman of Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT  
WITH ACS 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 three year renewal contract with ACS, 1800 M. Street, NW, Washington, DC, 20036 on behalf of Information Technology. Said contract will provide for Financial, HR, Payroll, County Clerk's and Public Health software in an amount not to exceed six hundred ninety-six thousand three hundred eighty-nine dollars (\$696,389.00); effective January 01, 2008 through December 31, 2010.

Contingent upon the availability of funds.

**Carried: XXX Ayes: 1522 Noes: Absent: 96 (Gainesville) Abstain: #24**

**RESOLUTION NO. 07-340  
(October 09, 2007)**

Regular Session

By Mr. Davis, Chairman of Finance Committee:

**ONE POSITION OF DEPUTY CONSTRUCTION  
PROJECTS COORDINATOR (TEMPORARY) CREATED  
IN THE HIGHWAY DEPARTMENT**

**BE IT RESOLVED**, That one (1) position of Deputy Construction Projects Coordinator (Temporary) (1.00 fte) be hereby created in the Highway Department; and be it

**FURTHER RESOLVED**, That this newly created position be placed on Salary Schedule "S" with an annual salary of forty-eight thousand eight hundred ninety dollars (\$48,890.00); effective October 01, 2007 through December 31, 2007.

**Carried: XXX Ayes: 1522 Noes: Absent: 96 (Gainesville) Abstain:  
#25**

**RESOLUTION NO. 07-341  
(October 09, 2007)**

By Mr. Davis, Chairman of Finance Committee:

**RESOLUTION TO AWARD FIVE YEAR CONTRACT  
FOR THE COUNTY OF WYOMING EMPLOYEE'S  
MODEL DEFERRED COMPENSATION PLAN**

**WHEREAS**, The County of Wyoming did establish a Model Deferred Compensation Plan for its employees adopted July 9, 1991 for eligible County employees and elected or appointed officials; and

**WHEREAS**, Section 9003 of the New York State Rules & Regulations require all contracts or agreements with Administrative Service Agencies and Financial Organizations be awarded for a duration not to exceed five (5) years. The County of Wyoming's current agreement for the administration and funding of the County's deferred compensation plan has expired and the County of Wyoming did publish in the New York State Register and local paper(s) soliciting competitive proposals; and

**WHEREAS**, The Deferred Compensation Committee did accept and evaluated competitive proposals, the County of Wyoming's Deferred Compensation Committee has recommended that the County enter into a five (5)

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year contract offered by the Hartford Life Insurance Company as the administrator and financial provider and State Street Investment Bank & Trust Company, as Trustee; and

**WHEREAS,** The County of Wyoming hereby selects Hartford Life Insurance Company as the administrator and financial provider and State Street Investment Bank & Trust Company as the trustee, now therefore

**BE IT RESOLVED,** That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to execute such agreements and the appropriate contracts with Hartford Life Insurance Company and State Street Investment Bank & Trust Company. Hartford Life will provide all paperwork to be submitted to the NYS Civil Service. All contracts entered into shall contain a provision that the agreement or contract is subject to the New York State Rules and Regulations and the amended and restated Model Plan effective January 1, 2002 (including Amendments through May 21, 2004). This Contract will be in effect for a period of five (5) years beginning January 01, 2008 through December 31, 2012.

**Carried: XXX Ayes: 1522 Noes: Absent: 96 (Gainesville) Abstain: #26**

**RESOLUTION NO. 07-342  
(October 09, 2007)**

By Mr. Davis, Chairman of Finance Committee:

**POSITIONS CREATED AND ABOLISHED IN RECORDS  
RETENTION**

**BE IT RESOLVED,** That one (1) position of Records Clerk (1.00 fte) be hereby created in Records Retention to be placed on the appropriate grade and step of the current CSEA Agreement, effective immediately; and be it

**FURTHER RESOLVED,** That one (1) position of Records Clerk (Temporary) in Records Retention be hereby abolished effective immediately; and be it

**FURTHER RESOLVED,** That one (1) position of Records Clerk (1.00 fte / Position Code: 004.285) in Records Retention be hereby abolished

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effective as of the close of business on December 19, 2007.

**Carried: XXX Ayes: 1522 Noes: Absent: 96 (Gainesville) Abstain:  
Unanimous Consent  
#27**

**RESOLUTION NO. 07-343  
(October 09, 2007)**

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

**SALARY SCHEDULE “S” AMENDED**

**BE IT RESOLVED**, That the Wyoming County Salary Schedule Plan which became effective January 01, 1967, as amended, is hereby amended as follows:

**Salary Schedule “S:”**

- Set the salary of the Deputy Highway Superintendent at sixty thousand dollars (\$60000.00) annually; effective October 22, 2007.

**Carried: XXX Ayes: 1309 Noes: 213 (Warsaw) Absent: 96 (Gainesville) Abstain:  
Unanimous Consent  
#28**

**RESOLUTION NO. 07-344  
(October 09, 2007)**

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

**RESOLUTION CALLING FOR THE COLLECTION OF  
SALES AND EXCISE TAXES ON TRIBAL LANDS**

**WHEREAS**, During the pendency of land claims brought by Indian tribes for large tracts of land across New York State, tribal governments purported to assert jurisdiction over taxation, law enforcement, gambling, boxing, motor vehicle licensing, land use, environmental regulation, laws enforcement and other matters; and

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**WHEREAS**, During the pendency of these land claims the State of New York elected to exercise forbearance on counter-assertions of state jurisdiction over these matters; and

**WHEREAS**, Recent court decisions by the United States Supreme Court in the *City of Sherrill v. Oneida Indian Nation of New York (No. 03-855)* and by the Second Circuit Court of Appeals in the *Cayuga Indian Nation of New York, et al. vs. Pataki, et al. (2<sup>nd</sup> Cir. Docket No 02-6111(L))* have significantly altered the legal landscape and have affirmed, unequivocally, comprehensive state and local jurisdiction over lands and issues in question; and

**WHEREAS**, Tribal governments in every part of New York State: from Long Island to the Canadian border; from Lake Ontario to the Pennsylvania border; from the Hudson Valley to the Finger Lakes and the Niagara frontier and Central New York continue to raise significant controversy through litigation focused on jurisdiction, property rights, Indian gaming, and tribal sovereignty; and

**WHEREAS**, Numerous federal court cases involving the application of state and local excise and sales taxes to sales by tribal retailers to non-tribal members, including the United States Supreme Court case of *Department of Taxation and Finance of New York et. al. v. Milhelm Attea and Bros., Inc., et. al. (No. 93-377)*, have repeatedly affirmed that states have a right to the sales and excise tax revenues on such transactions; and

**WHEREAS**, Failure to collect sales and excise taxes on tribal and Indian sales to non-tribal members has been particularly damaging to the citizens and governments of New York because this failure deprives the State of New York and local governments of legitimate, legal revenues which are desperately needed for public programs; and

**WHEREAS**, Failure to collect these taxes on tribal and Indian sales further creates a grossly unfair business environment for non-Indian retailers across the State of New York by diverting business to tribal and Indian retailers and by giving tribal and Indian retailers a grossly unfair competitive advantage; and

**WHEREAS**, The Legislature of the State of New York, by legislation contained in Chapter 62 of 2003 amending various laws of the State regarding taxation, required the Commissioner of Taxation and Finance to implement, not later than September 16, 2003, measures to effectively collect sales and excise taxes on tribal and Indian sales of tobacco and motor fuels to non-tribal members; and

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**WHEREAS**, The Commissioner of Taxation and Finance previously published rules and regulations which would attempt to collect those taxes upstream from the point of sale, the implementation of which was postponed until March 01, 2006; and

**WHEREAS**, The Governor introduced language in the 2006-07 Executive Budget Proposal to effectively delay collection of sales and excise taxes on Native American lands until January 01, 2007; and

**WHEREAS**, The State of New York delayed the collection of sales tax despite its statutory authority and obligation; and

**WHEREAS**, The State Legislature in 2006 passed legislation (A10859A/S7568A) that would have prohibited cigarette manufacturers from delivering their product to any licensed distributor who has been identified by the Attorney General, the NYS Department of Taxation and Finance or the City of New York as an illegal supplier of unstamped cigarettes; and

**WHEREAS**, Governor Pataki vetoed that legislation in August of 2006; and

**WHEREAS**, Governor Spitzer and his new administration pledged to begin collecting sales tax on goods sold on Native American lands to non Native Americans and included revenues from those collections in the 2007-08 State Budget; and

**WHEREAS**, New York State has, on this date, still not begun to collect sales and excise taxes on Native American lands; and

**WHEREAS**, The New York State Association of Counties and its individual members have repeatedly expressed unqualified, strong support for implementation of such measures to collect these taxes on tribal sales to non-Indians; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors hereby supports the New York State Association of Counties to call on the Governor of the State of New York to take any and all necessary action to insure collection of all sales and excise taxes on tribal and Indian sales of all goods and services to non-tribal members for the benefit of state and local governments without further delay; and be it

**FURTHER RESOLVED**, That New York State take action to affirmatively assert its sovereign prerogatives and jurisdiction consisted with recent court decisions, New York State and federal law; and be it

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**FURTHER RESOLVED**, That the Clerk to this Board shall forward copies of this Resolution to the New York State Association of Counties, Governor Spitzer, the New York State Legislature and all others deemed necessary and proper.

Carried: XXX Ayes: 1121 Noes: 127 (Bennington) Absent: 96 (Gainesville) Abstain:  
49 (Eagle)  
20 (Genesee Falls)  
93 (Java)  
64 (Middlebury)  
48 (Orangeville)  
401 Total

*There being no further business to come before this Board, and in the absence of Senior Supervisor, Mr. Harold Bush, T/Gainesville, ranking Supervisor, Chairman Berwanger adjourned the meeting at 3:45 PM with a rap on his desk.*

\*\*\*\*\*

*Respectfully submitted,*

*Cheryl J. Ketchum*

**REGULAR SESSION  
(November 13, 2007)****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 Assistant County Attorney, Jamie Welch; Deputy Budget Officer, Beth Pond; Clerk to the Board of Supervisors, Cheryl Ketchum and Deputy Clerk to the Board, Brenda Ferrell.

At 3:02 PM Chairman Berwanger, T/Arcade, called the meeting to order.

The Veteran leading the Pledge of Allegiance this month was:

**THOMAS PATRICK MADISON**

Mr. Madison's service to his country comes while serving during the Vietnam War Era.

He enlisted in the United States Air Force on December 11, 1961 and completed Basic Training at Lakeland AFB, San Antonio, Texas and Advanced Training at Keesler AFB in Mississippi where he became qualified as a Site Development Technician. Mr. Madison's first permanent assignment was with the 93<sup>rd</sup> Civil Engineer Squadron at Castle AFB, CA. During his assignment in California, he attended Golden State College in San Francisco and earned an Associate Degree in Applied Science in the field of Civil Engineering.

Mr. Madison then spent a Tour in Taiwan at the Shu-Lin-Koa AFB. His third assignment was at Goodfellow AFB in Texas, then returned to Overseas Duty and spent two Tours in Korea. While stationed in Korea he attended the Air Force Community College and earned a Secondary Associates Degree of Applied Science in Civil Engineering. Mr. Madison also served a Tour in Vietnam and was stationed at TuyHoa AFB and Natrang AFB where he worked in Site Development and Engineering for "Revetment and Hardbacking" of the runways and airstrips for helicopters and aircraft.

Mr. Madison returned to the United States and was assigned duties of engineering at the following units:

823<sup>rd</sup> Civil Engr Sqd – Elgin AFB, Florida  
3245<sup>th</sup> Civil Engr Sqd – Hansom AFB, Massachusetts  
HQ Air Force Engr Service Command – Tyndall AFB, Florida

During these assignments, he worked with a Mobile Evaluation Team that traveled around the world to both Air Force Bases and Airstrips to Evaluate the

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“Hydro-Planing and Skid Resistance” of the runways. Mr. Madison was Honorably Retired and Discharged on 31<sup>st</sup> of December 1981 after 20 years of service at the rank of Master Sergeant.

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

**The NCOPD Ribbon w/device**  
**The Humanitarian Service Medal**  
**The Air Force Longevity Ribbon w/4 devices**  
**The National Defense Service Medal**  
**The Air Force Unit Outstanding Unit Award w/device**  
**The Air Force Presidential Unit Citation Award w/5 devices**  
**The Air Force Commendation Medal w/3 devices**  
**The Vietnam Service Ribbon**  
**The Vietnam Campaign Medal w/device**  
**The Vietnam Gallantry Cross w/device**  
**The Air Force Good Conduct Medal**

Mr. Madison returned to this area and spent the next 21 years working for the Veterans Administration as an Engineer Technician in Construction Management and retired in 2006. He has been an active member for over 25 years in the VFW, American Legion, NARFT (National Association of Retired Federal Employees) and AARP. Holding offices in each organizations including being the 8<sup>th</sup> District Commander of the American Legion and preparing taxes for the Seniors in AARP. Mr. Madison and his wife Bonnie presently live in the Town of Pike, where he has also been an Election Inspector for the past 12 years.

***The pledge was said by all.***

A certificate of appreciation was presented to Mr. Madison in honor of his service to his country and also to commemorate his appearance today.

Mr. Madison shared with the Board a recent experience he, his wife, and children were part of in Washington D. C. where they were part of a 25<sup>th</sup> Anniversary service of the Vietnam Wall Memorial. Mr. Madison took part in reading part of the thousands of names on the memorial. Mr. Madison stated that while at this Anniversary service he realized the reason for such monuments was to remind people of the horrible losses suffered so that it may never happen again.

***MIA/POW Ceremony was presented by Director of Veteran’s Services, Gary Cousins; Deputy Director of Veterans’ Services, William Wilkinson, and today’s veteran, Mr. Thomas Madison.***

In honor of Veteran's Day Chairman Berwanger called for the presentation of Resolution Office Number 5 to be presented at this time.

#5

**RESOLUTION NO. 07-349  
(November 13, 2007)**

By Mrs. Totslin, Chairman of Human Services Committee:

**VETERANS AWARENESS AND APPRECIATION MONTH  
PROCLAIMED**

**WHEREAS**, Since our nation's founding, the U.S. Military has been dispatched all over the world to defend our freedom and the freedoms 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**, Armed Forces Day having its origin when President Truman declared May 20, 1950 as the first official day to celebrate and honor all branches of the Armed Forces; 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

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors does hereby designate the month of November 2007 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.

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

*Supervisor Bush, T/Gainesville; Veteran and Senior Supervisor was asked to present the above adopted proclamation to Veterans' Services.*

*Director Cousins thanked the Board for their continued support of the department and shared with the members of the board a very generous donation of \$4,000 made by the Board of Supervisors in 1919 order to construct a victory arch shortly after the end of WWI in commemoration of Armistice Day. His department is currently researching what happened to that most impressive piece of Wyoming County history as it no longer exists 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 November 2007 is Beth Gloss. Beth began her career as a clerk in January 1984 and is now the Administrative Assistant working in the Administrative office. Beth took on additional duties, in 2005, as the clerical staff supervisor. She has organized and restructured processes in all clerical areas and has increased productivity and customer service awareness. We would like to thank Beth for her service to the community and to the County of Wyoming.*

*Please join me in recognizing Beth Gloss.*

*Ms. Gloss was able to attend the meeting and was asked to stand to be recognized.*

**Communications:**

**None**

**Open Public Hearing:**

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**Local Law E (6) of the year 2007, entitled, "A LOCAL LAW PROVIDING SALARIES FOR CERTAIN COUNTY OFFICERS FOR THE YEAR 2008"**

**RESOLUTION NO. 07-345  
(November 13, 2007)**

By Mr. Davis, Chairman of the Finance Committee:

**FUNDS TRANSFERRED TO VARIOUS 2007 ACCOUNTS**

**BE IT RESOLVED**, That funds are hereby transferred to the various 2007 accounts as follows:

<b>Buildings and Grounds/CIP</b>			
<b>From:</b> 12.61.9950.9.99004 Interfund Transfer	\$329,690.00		
<b>To:</b> 12.61.1620.2.21003 Govt Ctr Repairs		\$329,690.00	
<b>Reason:</b> To transfer appropriation for cost of the contract with Spring Sheet Metal and Roofing.			
<b>Buildings and Grounds Total</b>			<b>\$329,690.00</b>
<b>Information Technology</b>			
<b>From:</b> 01.34.1681.4.40301 Professional Services	\$8,134.19		
<b>To:</b> 01.34.1680.1.10202 Temporary		\$3,000.00	
01.34.1681.4.41402 Computers		5,000.00	
01.34.1681.4.40405 Employee Exp.		20.60	
01.34.1681.4.41010 Misc. Office Operation Supplies		113.59	
<b>Reason:</b> To cover overages			
<b>Information Technology Total</b>			<b>\$8,134.19</b>
<b>Records Retention</b>			
<b>From:</b> 01.34.1460.8.81001 Retirement	\$878.65		
01.34.1460.8.89001 Health Insurance	<u>1,134.61</u>		
<b>To:</b> 01.34.1460.1.10202 Temporary		\$2,013.26	
<b>Reason:</b> Records Clerk Salary & Benefits to 12/31/2007			
<b>Records Retention Total</b>			<b>\$2,013.26</b>
<b>Sheriff</b>			
<b>From:</b> 01.37.3110.4.40305 Other(Drug Task Force)	\$1,947.66		
<b>To:</b> 01.37.3110.1.10301 Overtime		\$1,947.66	
<b>Reason:</b> Transfer our share of the Drug Task Force Grant			
<b>Sheriff Total</b>			<b>\$1,947.66</b>

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

**RESOLUTION NO. 07-346  
(November 13, 2007)**

By Mr. Davis, Chairman of the Finance Committee:

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**Proceedings of the Board of Supervisors**  
**FUNDS APPROPRIATED TO VARIOUS 2007 ACCOUNTS**

**BE IT RESOLVED**, That funds are hereby appropriated to the various 2007 accounts as follows:

<b>Buildings and Grounds</b>			
To: 01.34.1620.1.10202 Temporary	\$26,829.00		
01.34.1620.1.10601 Unused Benefit Time	136.48		
01.34.1620.8.83001 FICA	1,670.91		
01.34.1620.8.85001 Medicare FICA	<u>391.00</u>		
w/01.03.1620.1289 Other Departmental Income Rev.		\$29,027.39	
<b>Reason:</b> To cover overdrafts in salary for employees working on CIP projects.			
<b>Buildings and Grounds Total</b>			<b>\$29,027.39</b>
<b>Youth Bureau</b>			
To: 01.36.2960.4.41501 ED Preschool Tuition	<u>\$165,000.00</u>		
w/01.11.2960.327702 Education to PHC		98,175.00	
<i>Any Funds Available</i>			
<b>Reason:</b> Funds needed to cover remaining 2007 tuition expenses (mandated program).			
To: 01.36.2960.4.41502 Preschool Transportation	<u>\$90,000.00</u>		
w/01.11.2960.327702- Education to PHC		53,550.00	
(59.5% SED reimbursement)		\$36,450.00	
<i>Any Funds Available</i>			
<b>Reason:</b> Funds needed to cover remaining 2007 tuition expenses (mandated program.)			
<b>Youth Bureau Total</b>			<b>\$255,000.00</b>
<b>Office For the Aging</b>			
To: 01.44.6772.4.42306 – Other	\$5,362.24		
w/01.03.6772.1289 – Other Dept. Income		\$5,362.24	
<b>Reason:</b> Reimbursement for Point of Entry expenses paid by OFA prior to DSS appropriating the grant fund in their budget			
To: 01.44.6772.4.40301 Professional Services	\$1,449.00		
w/01.12.6772.477202 OFA Title III-B: Sup Services		\$1,449.00	
<b>Reason:</b> Increase in 2007 Allocation			
<b>Office For the Aging Total</b>			<b>\$6,811.24</b>
<b>Public Health</b>			
To: 01.38.4035.1.10001 Salaries – Fixed SDI	\$1,121.97		
01.38.4035.1.10101 Full Time CSEA Contract	3,958.37		
01.38.4035.1.10601 Unused Benefit Time	2,656.56		
01.38.4035.4.41706 Medical & Safety Supplies	<u>1,746.10</u>		
w/01.12.4035.4489 Other		\$9,483.00	
<b>Reason:</b> To appropriate for a 5.16% Cost of Living adjustment (COLA) for Family Planning.			
<b>Public Health Total</b>			<b>\$9,483.00</b>
<b>Mental Health</b>			
To: 01.38.4325.4.42445 Supported Apartment	\$1,868.00		
w/01.11.4325.3490 Mental Health Rev.		\$1,868.00	
<b>Reason:</b> Increase to annual rent stipend per NYS OMH. 100% State Aid. No County Levy.			
<b>Mental Health Total</b>			<b>\$1,868.00</b>
<b>Records Retention</b>			
To: 01.34.1460.1.10101 Salary fit CSEA	\$6,053.63		
01.34.1460.1.10202 Temporary	514.70		
01.34.1460.4.40406 Employee Mileage	200.00		
01.34.1460.8.83001 FICA	480.16		
01.34.1460.8.85001 Medicare FICA	112.32		
<i>From any Funds available</i>			
<b>Reason:</b> To cover expenses through end of 2007			
To: 01.34.1460.2.20401 Misc. Office Equipment	\$74,006.00		
w/01.11.1460.306001 Records Retention Shelving Rev.		\$74,006.00	
<b>Reason:</b> Grant monies received for Shelving/Ladders at records retention facility			
<b>Records Retention Total</b>			<b>\$81,366.81</b>

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<b>Sheriff</b>			
<b>To:</b> 01.37.3110.4.40305 Other - Drug Task Force w/01.12.3110.448917 Byrne JAG Drug Task Force <b>Reason:</b> funding for the above grant for personnel expenses per Resolution #07-212	\$15,000.00	\$15,000.00	
<b>To:</b> 01.37.3110.4.40508 Private Auto Repair w/01.08.3110.2680 Insurance Recovery <b>Reason:</b> offset of insurance co payments	\$1,849.88	\$1,849.88	
<b>To:</b> 01.37.3110.2.23001 Cars w/01.13.3110.5031 Interfund Transfer <b>Reason:</b> Allow for CIP funds to be transferred and new patrol cars to be purchased.	\$95,000.00	\$95,000.00	
<b>Sheriff Total</b>			<b>\$111,849.88</b>
<b>Treasurer</b>			
<b>To:</b> 01.49.8710.4.41802 Taxes/Spec-Assmt. Cty Prop. <i>From any funds available</i> <b>Reason:</b> In order to pay unbudgeted reforestation assessment	\$1,260.42	\$1,260.42	
<b>To:</b> 01.42.6420.4.40901 Bed Tax-Tourism w/01.02.1000.1113 Tax on Hotel Room Occupancy Rev <b>Reason:</b> To expend funds to Tourism (less 5% Administrative fee)	\$18,000.00	\$18,000.00	
<b>Treasurer Total</b>			<b>\$19,260.42</b>

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

Mr. Bush, T/Gainesville, Chairman of the Audit Committee, presented bills totaling **\$2,634,911.41** for the month of **October 2007**.

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

*There was a motion by Mr. Patti, T/Attica, to combine resolutions #3 and #4. A voice vote was taken and all voted aye*

**#3**

**RESOLUTION NO. 07-347  
(November 13, 2007)**

By Mr. Patti, Chairman of Public Works Committee:

**CHAIRMAN AUTHORIZED TO SIGN LEASE  
AGREEMENT WITH PROLIFT, INC., 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 lease agreement with Prolift, Inc., 1835 Dale Road, Buffalo, NY 14225 for the

purchase a replacement for the Two (2) forklifts that were disposed of prior to Supt. Gadd's appointment with one (1) 2004 CAT P5000 LPG Pneumatic Tire Forklift from an amount not to exceed seventeen thousand five hundred dollars (\$17,500); and be it

**FURTHER RESOLVED**, That further permission is granted to enter into a 1 - 3 month trial period lease through December 31, 2007 at \$700/month with the option to buy. At the end of the three month lease period, if the county should decide to purchase the machine, the entire amount paid toward the lease payments would be applied against the cost of the machine. Contingent on the availability of funds.

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

**#4**

**RESOLUTION NO. 07-348  
(November 13, 2007)**

By Mr. Patti, Chairman of Public Works Committee:

**MEMBERS REAPPOINTED TO THE TRAFFIC SAFETY BOARD**

**BE IT RESOLVED**, That the following members are hereby reappoint to the Wyoming County Traffic Safety Board for a term of three (3) years; effective November 11, 2007 through November 10, 2010:

- James Daniel (Town of Orangeville), 4286 Liberty Street, Warsaw, NY 14569
- James Wright (Town of Perry) 2462 Simmons Road, Perry, NY 14530
- David Ricketson (Town of Sheldon) 2011 French Road, Varysburg, NY 14167
- Shirley Humphrey (Town of Warsaw) 3459 Truesdale Road, Warsaw, NY 14569
- John Copeland (Town of Wethersfield) 5888 Sheppard Road, Bliss, NY 14024

And be it

**FURTHER RESOLVED**, That *William Hicks (Town of Arcade)* 158 North Street, Arcade, NY 14009 be hereby appointed to a vacant three (3) year

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term created with the resignation of Alton (Pete) Pettit on June 01, 2007; effective November 13, 2007 through November 07, 2008.

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

*There was a motion by Mrs. Totline, T/Genesee Falls, to combine resolutions #6 through #12. A voice vote was taken and all voted aye*

**#6**

**RESOLUTION NO. 07-350  
(November 13, 2007)**

By Mrs. Totline, Chairman of Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN CONTRACTS 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 following contracts on behalf of the Youth Bureau:

- Stephen Tarbell, 4270 Fairview Road Castile, NY 14427 for the provision of Youth Court Consultant services in an amount not to exceed four thousand eight hundred dollars (\$4,800); effective January 01, 2008 through December 31, 2008.
- Rochelle Kenny, 220 Forest Drive, Orchard Park, NY 14127 for the provision of Preschool Related Services in an amount not to exceed 2007-2009 budgeted amounts; effective December 01, 2007 through June 30, 2009.

Contingent on the availability of funds.

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

**#7**

**RESOLUTION NO. 07-351  
(November 13, 2007)**

Regular Session

By Mrs. Totslin, Chairman of Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN A GRANT APPLICATION AND ACCEPTANCE AWARD WITH NYS OFFICE OF CHILDREN AND FAMILY SERVICES 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 grant application and acceptance award with NYS Office of Children and Family Services, Capital View Office Park, 52 Washington Street, Rensselaer, NY 12144, for the provision of funding for Youth Bureau administration costs, Stars of Tomorrow Program, Omega Program, Youth Court Program, partial funding for Juvenile Officer, Town and Village Recreation programs, in a minimum amount of ninety-seven thousand one hundred ninety-nine dollars (\$97,199.00); effective January 01, 2008 through December 31, 2008. Max. 50% of some grants.

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

**#8**

**RESOLUTION NO. 07-352  
(November 13, 2007)**

By Mrs. Totslin, Chairman of Human Services Committee:

**2008 – 2009 ANNUAL IMPLEMENTATION 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 the 2008 – 2009 Annual Implementation Plan with the New York State Office for the Aging, 2 Empire State Plaza, Albany, NY 12223 on behalf of the Office for the Aging. Said plan is for the provision of funding for services to be provided in approximate amount of six hundred twenty-nine thousand four hundred sixty dollars (\$629,460.00); effective January 01, 2008 through December 31, 2008 (Federal Grants) and April 01, 2008 through March 31, 2009 (State Grants).

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

November 13, 2007

**RESOLUTION NO. 07-353**  
**(November 13, 2007)**

By Mrs. Totstline, Chairman of Human Services Committee:

**NATIONAL FAMILY CAREGIVERS MONTH**  
**PROCLAIMED**

**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 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 2007 as:

*National Family Caregivers Month*

And urge all citizens to recognize and participate in its observance.

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

Regular Session

**RESOLUTION NO. 07-354  
(November 13, 2007)**

By Mrs. Totslie, Chairman of Human Services Committee:

**RESOLUTION NUMBER 06-222 AMENDED**

**WHEREAS**, Resolution number 06-222 passed by this Board of Supervisors on July 11, 2006 provides for 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; now therefore

**BE IT RESOLVED**, That resolution number 06-222 be hereby amended to reflect an increase in the contract amount of two thousand hundred dollars (\$2,000.00) for a total contract amount of five thousand five hundred dollars (\$5,500.00) per calendar year.  
Contingent on the availability of funds.

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

**#11**

**RESOLUTION NO. 07-355  
(November 13, 2007)**

By Mrs. Totslie, Chairman of Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN A GRANT  
ACCEPTANCE AWARD FOR NEW YORK STATE FOOD  
STAMP NUTRITION EDUCATION PLAN WITH  
CORNELL COOPERATIVE EXTENSION ON BEHALF 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 Grant Acceptance Award for the NYS Food Stamp Nutrition Education Plan

November 13, 2007

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through Cornell Cooperative Ext. on behalf of the Department of Social Services. Said contract is for Federal fiscal year 2007 with approval from Office for Temporary Disability Assistance in a minimum amount of one hundred fifty-three thousand five hundred eighty-two dollars (\$153,582.00) (\$76,791 non-federal funds and \$76,791 federal funds); effective October 1, 2007 through September 30, 2008.

**Carried: XXX**

**Ayes: 1618**

**Noes:**

**Absent: Abstain:**

**#12**

**RESOLUTION NO. 07-356  
(November 13, 2007)**

By Mrs. Totline, Chairman of Human Services Committee:

**NATIONAL ADOPTION AWARENESS MONTH  
PROCLAIMED**

**WHEREAS**, November 2007 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 and Adoption Day help to raise public awareness of the fact that there are children available who are waiting for caring families; and

**WHEREAS**, In 2007, one of Wyoming County's foster families adopted a child that was in foster care. Wyoming County still has up to six pending adoptions remaining for this year; and

**WHEREAS**, There are approximately 30 children Wyoming County currently has in foster care; and there are 16 registered foster care homes and more are desperately needed to help care for our children. The valuable contributions 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

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**BE IT RESOLVED**, That the Wyoming County Board of Supervisors does hereby proclaim November 2007 as:

NATIONAL ADOPTION AWARENESS MONTH

In Wyoming County; and be it

**FURTHER RESOLVED**, That it is the desire of this Board of Supervisors and 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:**

*Mrs. Totslie was invited to present the proclamations for National Family Caregivers Month and National Adoption Awareness Month. Mrs. Totslie invited Andrea Aldinger, Director of OFA and Youth to accept the proclamation. Ms. Aldinger commented on the growing population of Wyoming County seniors as being one of the fastest growing populations in New York State.*

*Dave Rumsey, Director of Children and Family Services with the Department of Social Services was invited to read the proclamation for National Adoption Awareness Month.*

*There was a motion by Mr. Kushner, T/Eagle, to combine resolutions #13 through #16. A voice vote was taken and all voted aye*

**#13**

**RESOLUTION NO. 07-357  
(November 13, 2007)**

By Mr. Kushner, Chairman of Public Health Committee:

**DR. JAMES WAWRZYNIAK APPOINTED TO THE  
BOARD OF HEALTH**

**BE IT RESOLVED**, That Dr. James Wawrzyniak, 727 Getman Road, Alden, NY 14004, be hereby appointed to the Wyoming County Board of Health to complete the unexpired vacant 6 year term of Mark Cali; effective October 18, 2007 through a corrected expiration date of December 31, 2009.

November 13, 2007

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

#14

**RESOLUTION NO. 07-358  
(November 13, 2007)**

By Mr. Kushner, Chairman of Public Health Committee:

**RESOLUTION NUMBER 06-379 AMENDED**

**WHEREAS**, Resolution number 06-379 provides for various 2007 Mental Health contracts, as amended by resolution numbers 07-50, 07-101, and 07-231; now therefore

**BE IT RESOLVED**, That Resolution number 06-379 be further amended to authorize the Chairman of this Board with the approval of the County Attorney to sign amended contracts with Living Opportunities of DePaul, 2240 Old Union Road, Cheektowaga, NY 14227-2728 for the provision of increased rent stipends, in an amount not to exceed one thousand eight hundred sixty eight dollars (\$1,868.00) for a total contract amount not to exceed one hundred seventy-six thousand sixty dollars (\$176,060.00); effective January 01, 2007 through December 31, 2007.  
Contingent on the availability of funds.

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

#15

**RESOLUTION NO. 07-359  
(November 13, 2007)**

By Mr. Kushner, Chairman of Public Health Committee:

**SUE FIRESTINE APPOINTED TO THE ALCOHOL AND  
SUBSTANCE ABUSE SUBCOMMITTEE**

**BE IT RESOLVED**, That *Sue Firestine*, P.O. Box 46, 3980 Lakeside Avenue, Silver Lake, NY 14549 be hereby appointed to the Alcohol and Substance Abuse Subcommittee as a Community at Large member to take the

place of Patricia Meek, for a term of four (4) years; effective January 1, 2008 to December 31, 2011.

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

**#16**

**RESOLUTION NO. 07-360  
(November 13, 2007)**

By Mr. Kushner, Chairman of Public Health Committee:

**CANTER FOR CANCER CELEBRATES 35 YEARS**

**WHEREAS**, Canter for Cancer Walkathon in Wyoming County will be Celebrating 35 years on November 18, 2007; and

**WHEREAS**, Canter for Cancer in Wyoming County came about in 1973 when Pioneer Central School English Teacher and member of the Wyoming County Unit Board of Directors of the American Cancer Society, Janice Weitz, approached Richard Tilton, the Founder & Charter President of the Arcade area Pioneer Jaycees (Jr. Chamber of Commerce), to help organize a Walkathon for Cancer. The Arcade area Pioneer Jaycees sponsored the event for the first ten years and from then on the Java -Strykersville Kiwanis Club sponsored the event; and

**WHEREAS**, In 1976 other area school districts joined the walkathon including Warsaw Central, Letchworth Central, and Wyoming Central. In 1978 Perry Central and Attica Central joined, thus including all school districts in Wyoming County; and

**WHEREAS**, Since its inception 12,750 walkers have raised over \$575,000.00 for the American Cancer Society. Many adults and local industries have joined forces with the students over the years; and

**WHEREAS**, An annual dinner has been held each year to honor the outstanding fund raisers. Many of the speakers at the banquet have been cancer survivors, and county legislators, among others; now therefore

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors does hereby proclaim November 18, 2007 as:

*Canter for Cancer Day*

November 13, 2007

in Wyoming County; and be it

**FURTHER RESOLVED**, That this Board of Supervisors commends all participants past, present, and future for their dedication in organizing, participating, and donating time and money to the walkathon.

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

*Supervisor Kushner was invited to explain what Canter for Cancer is and what it has meant to the community over the years.*

*There was a motion by Mr. Fleischman, T/Java, to combine resolutions #17 through #20. A voice vote was taken and all voted aye*

**#17**

**RESOLUTION NO. 07-361  
(November 13, 2007)**

By Mr. Fleischman, Chairman of Planning Committee:

**RESOLUTION NUMBER 06-177 AMENDED**

**WHEREAS**, Resolution number 06-177 provides for the 2007 Matching Funds Program for tourists promotional activities and commits the County of Wyoming to thirty thousand dollars (\$30,000.00) in matching funds, which is in addition to the operational budget amount included in the year 2007 County Budget; contingent upon the availability of funds from New York State; now therefore

**BE IT RESOLVED**, That resolution number 06-177 be amended to reflect a reallocation of the \$30,000 Matching Funds as follows:

- \$25,000 in Matching Funds, and
- \$5,000 in Operations;

in order to assist Wyoming County Tourist Promotion Agency with the balance of their 2007 operational budget.

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

**RESOLUTION NO. 07-362  
(November 13, 2007)**

By Mr. Fleischman, Chairman of Planning Committee:

**MARK ROUNTREE APPOINTED TO THE GLOW  
ADVISORY COMMITTEE**

**BE IT RESOLVED**, That Mark Rountree, 6470 Route 20A, Suite 4, Perry, NY 14530 be hereby appointed to the GLOW Advisory Committee to fill the unexpired vacant term of Richard Tindell through December 31, 2007.

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

**#19**

**RESOLUTION NO. 07-363  
(November 13, 2007)**

By Mr. Fleischman, Chairman of Planning Committee:

**MARK ROUNTREE APPOINTED TO THE GLOW  
REGIONAL SOLID WASTE COMMITTEE**

**BE IT RESOLVED**, That Mark Rountree, 6470 Route 20A, Suite 4, Perry, NY 14530 be hereby appointed to the GLOW Regional Solid Waste Committee to fill the unexpired vacant term of Richard Tindell through December 31, 2007.

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

**#20**

**RESOLUTION NO. 07-364  
(November 13, 2007)**

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By Mr. Fleischman, Chairman of Planning Committee:

**MARK ROUNTREE APPOINTED TO THE GLOW  
PLANNING COMMITTEE**

**BE IT RESOLVED**, That Mark Rountree, 6470 Route 20A, Suite 4, Perry, NY 14530 be hereby appointed to the GLOW Planning Committee to fill the unexpired vacant term of Richard Tindell through December 31, 2007.

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

**#21**

**RESOLUTION NO. 07-365  
(November 13, 2007)**

By Mrs. Meeder, Chairman of Human Resource Committee:

**CHAIRMAN AUTORIZED TO SIGN RENEWAL  
CONTRACT FOR EMPLOYEE ASSISTANCE PROGRAM  
ON BEHALF OF 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 contract for the Employee Assistance Program with Royal Employer Services, 430 East Main Street, Batavia, NY 14020 in an amount not to exceed twelve thousand eight hundred twenty-five dollars (\$12,825.00) annually for two years; effective January 1, 2008 to December 31, 2009.  
Contingent on the availability of funds.

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

*There was a motion by Mr. Rogers, T/Pike, to combine resolutions #22 through #25. A voice vote was taken and all voted aye.*

**#22**

**RESOLUTION NO. 07-366  
(November 13, 2007)**

By Mr. Rogers, Chairman of Public Safety Committee:

**RESOLUTION NUMBER 07-213 AMENDED**

**WHEREAS**, Resolution Number 07-213 provides for the Local Emergency Management Performance Grant Participation Agreement with NYS Emergency Management Office, 1220 Washington Avenue, Building 22, Suite 101, Albany NY 12226-2251 on behalf of Emergency Services. Said grant is for the provision of reimbursement of personnel and administrative expenses that support readiness, response, and recovery activities for disasters and emergencies that threaten our community. Said grant to be in a minimum amount of fourteen thousand six hundred eight dollars and twenty-eight cents (\$14,608.28); effective October 01, 2006 through September 30, 2007; now therefore

**BE IT RESOLVED**, That Resolution number 07-213 be amended to reflect a decrease in award amount of two thousand three hundred twenty-one dollars and twenty-eight cents (\$2,321.28) to reflect an award amount of twelve thousand two hundred eighty-seven dollars (\$12,287.00).

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

**#23**

**RESOLUTION NO. 07-367  
(November 13, 2007)**

By Mr. Rogers, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN LEASE  
AGREEMENT WITH WELLS FARGO FINANCIAL  
LEASING, INC., 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 48 month lease agreement with Wells Fargo Financial Leasing, Inc., 365 W. Passiac St., 1<sup>st</sup> Floor, Rochelle, NJ 07662 (Attn: MAC:S5625-011) on behalf of the District Attorney's Office. Said lease agreement is for the provision of a Savin 4045 espf digital copier in an amount not to exceed seven thousand ninety-three dollars and ninety-two cents (\$7,093.92) monthly payment of \$147.79; effective date of signing.  
Contingent on the availability of funds.

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

November 13, 2007

**RESOLUTION NO. 07-368  
(November 13, 2007)**

By Mr. Rogers, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN CONTRACT WITH  
SECURE ALERT 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 Secure Alert, 150 West Civic Center Drive, Suite 400, Sandy, Utah 84070 on behalf of Probation. Said lease to provide for a new electronic monitoring device that utilizes gps. in an amount not to exceed \$8.00/day; effective date signed through the date the cost of the unit changes. Contingent on the availability of funds.

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

#25

**RESOLUTION NO. 07-369  
(November 13, 2007)**

By Mr. Rogers, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN MAINTENANCE  
AGREEMENT WITH SIMPLEX GRINNELL 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 maintenance agreement with Simplex Grinnell, 1999 Mt Read Blvd, Bldg 1, Rochester, NY 14615 on behalf of the County Jail. Said agreement is for the provision of maintenance and repair of control room equipment, and smoke and fire alarm maintenance for the Public Safety Bldg in an amount not to exceed eleven thousand four hundred seventy-two thousand dollars (\$11,472.00); effective January 01, 2008 through December 31, 2008. Contingent on the availability of funds.

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

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*There was a motion by Mr. Davis, T/Covington, to combine resolutions #26 through #35. A voice vote was taken and all voted aye*

**RESOLUTION NO. 07-370  
(November 13, 2007)**

Mr. Davis, Chairman of the Finance Committee, presented the **SEMI-ANNUAL MORTGAGE TAX REPORT** for the period of April 1, 2007 through September 30, 2007 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 \$228,389.29 to the several tax districts of Wyoming County, in accordance with the report filed with the Clerk of the Board of Supervisors, as follows:

<b>TAX DISTRICTS</b>	<b>MORTGAGE TAX DISTRIBUTED</b>	<b>VILLAGE</b>	<b>TOWN</b>
Arcade	\$20,817.13	\$5,007.21	\$15,809.92
Attica	\$19,935.40	\$4,014.14	\$15,921.26
Bennington	\$23,898.11		\$23,898.11
Castile	\$20,718.70	\$1,690.78	\$17,749.88
Perry Village		\$1,278.04	
Covington	\$8,534.55		\$8,534.55
Eagle	\$7,793.43		\$7,793.43
Gainesville	\$10,205.82	\$316.19	\$8,534.60
Silver Springs Village		\$1,355.03	
Genesee Falls	\$2,362.13		\$2,362.13
Java	\$14,243.56		\$14,243.56
Middlebury	\$7,916.54	\$751.07	\$7,165.47
Orangeville	\$13,022.77		\$13,022.77
Perry	\$24,027.68	\$6,366.96	\$17,660.72
Pike	\$3,256.14	\$300.26	\$2,955.88
Sheldon	\$15,539.19		\$15,539.19

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Warsaw	\$32,253.28	\$11,265.27	\$20,988.01
Wethersfield	\$3,864.86		\$3,864.86
Total:		<b>\$32,344.95</b>	<b>\$196,044.34</b>
<b>Grand Totals:</b>	<b>\$228,389.29</b>		

Let This Be Your Warrant for Such Payment: \$228,389.29 IN WITNESS WHEREOF, I have hereunto set my hand and seal of the Board of Supervisors this 13<sup>th</sup> day of November 2007.

s/Cheryl J. Ketchum, Clerk

Board of Supervisors

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

**#27**

**RESOLUTION NO. 07-371  
(November 13, 2007)**

By Mr. Davis, Chairman of the Finance Committee:

**2008 EQUALIZATION TABLE PRESENTED**

**BE IT RESOLVED**, That the 2008 Equalization Table is hereby presented; and be it

**FURTHER RESOLVED**, That its adoption be tabled for at least one day.

2008 EQUALIZATION TABLE					
Advisory Equalization Rate	TOWN	Taxable Assessed Value with Partial Exemptions Added	Full Value At State Rate	% of County Tax To Be Paid by Each Town	Taxable Assessed Value
85.00%	ARCADE	175,074,350	205,969,824	0.113679026	175,052,300
99.00%	ATTICA	157,365,503	158,955,054	0.087730598	157,350,803
52.00%	BENNINGTON	110,267,045	212,052,010	0.117035911	110,230,016
100.00%	CASTILE	184,043,034	184,043,034	0.101577175	184,019,534

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100.00%	COVINGTON	55,227,017	55,227,017	0.030480938	55,211,317
100.00%	EAGLE	45,174,703	45,174,703	0.024932857	45,167,403
100.00%	GAINESVILLE	73,306,241	73,306,241	0.040459238	73,293,291
100.00%	GENESEE FALLS	22,552,731	22,552,731	0.012447321	22,542,231
96.00%	JAVA	110,290,199	114,885,624	0.063407763	110,282,699
100.00%	MIDDLEBURY	73,483,099	73,483,099	0.040556849	73,479,599
100.00%	ORANGEVILLE	68,706,055	68,706,055	0.037920300	68,704,155
100.00%	PERRY	159,806,087	159,806,087	0.088200301	159,790,137
100.00%	PIKE	42,953,288	42,953,288	0.023706812	42,948,288
96.00%	SHELDON	124,699,075	129,894,870	0.071691678	124,668,975
100.00%	WARSAW	225,488,039	225,488,039	0.124451535	225,485,039
100.00%	WETHERSFIELD	39,356,548	39,356,548	0.021721697	39,341,348
	<b>TOTALS</b>	<b>1,667,793,014</b>	<b>1,811,854,222</b>	<b>1.000000000</b>	<b>1,667,567,135</b>

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

**#28**

**RESOLUTION NO. 07-372  
(November 13, 2007)**

By Mr. Davis, Chairman of the Finance Committee:

**JANIS COOK APPOINTED BUDGET OFFICER**

**BE IT RESOLVED**, That Janis Cook, 6 East Court Street, Warsaw, NY 14569 be hereby appointed to the position of Budget Officer for a term of two years; effective January 01, 2008 through December 31, 2009; and be it

**FURTHER RESOLVED**, That Salary Schedule "D" be amended to set the salary of the Budget Officer at \$10,000.00 annually.

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

**#29**

November 13, 2007

**RESOLUTION NO. 07-373  
(November 13, 2007)**

By Mr. Davis, Chairman of the Finance Committee:

**DATE OF PUBLIC HEARING FOR  
2008 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 2008 will be held in the Supervisors' Chambers at the County Government Center in the Village of Warsaw, NY, on *Tuesday, December 11<sup>th</sup>, 2007 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, 2007, 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, 2007.

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

**#30**

**RESOLUTION NO. 07-374  
(November 13, 2007)**

By Mr. Davis, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT  
WITH HR BEST PRACTICES 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 a contract with HR Best Practices, 795 Franklin Avenue, Franklin Lakes, NJ 07417 on behalf of the County Insurance Office. Said contract to provide a health benefit dependent eligibility audit on the County Health Insurance on a contingency basis. Cost to the county will be as follows:

- 50% of the projected first year savings due to the results of the audit. Projected first year savings will be determined by the following formula:  $(Y * 1.12)$  not to exceed \$335,000. Y is equal to the medical and Rx claims paid on behalf of the ineligible dependents during the experience period Univera used to calculate the renewal rate. If Y is less than \$35,000 county will not have to pay HRBP anything.

Contingent on the availability of funds.

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

**#31**

**RESOLUTION NO. 07-375  
(November 13, 2007)**

By Mr. Davis, Chairman of the Finance Committee:

**2008 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 2008 budget of \$ 1,735,182.00 (total budget of \$1,778,194.00 minus a \$43,012.00 inter-fund transfer) are as follows:

<b><u>TOWNS</u></b>	
Arcade	\$18,964
Attica	20,862
Bennington	24,295
Castile	19,523
Covington	13,054
Eagle	14,263
Gainesville	15,310
Genesee Falls	11,103
Java	17,555

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Middlebury	18,183
Orangeville	13,601
Perry	16,361
Pike	12,965
Sheldon	20,724
Warsaw	20,651
Wethersfield	11,999
Total	\$269,413

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.

**COUNTY & OUTSIDE AGENCIES**

County Government	\$167,026
County Highway Department	94,784
Wyom. Co Community Hospital	475,548
Community Action	17,330
Wyom. Co. Volunteer Fire Depts	195,641
Soil & Water Conservation	1,860
Total	\$952,189

**VILLAGES**

Arcade	\$ 46,985
Attica-pays in June	33,158
Castile	3,826
Gainesville	16
Perry	40,216
Pike	396
Silver Springs	5,928
Warsaw-pays in June	56,699
Wyoming	3,604
Total	\$190,828

**SCHOOL DISTRICTS**

Attica Central School	\$93,870
Perry Central School	60,644

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Pioneer Central School	139,784
Warsaw Central School	9,187
Wyoming Central School	19,267
Total	\$322,752

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

**#32**

**RESOLUTION NO. 07-376  
(November 13, 2007)**

By Mr. Davis, Chairman of the Finance Committee:

**ONE (1) POSITION OF GIS TECHNICIAN (TEMPORARY)  
(1.00 fte) CREATED IN INFORMATION TECHNOLOGY**

**BE IT RESOLVED**, That one (1) position of GIS Technician (Temporary) be created in Information Technology (1.00 fte); effective January 01, 2008 in order to determine the long term needs of the County's GIS needs; and be it

**FURTHER RESOLVED**, That the Director of Information Technology is hereby directed to review the possibility of utilizing SARA Grant funds for a multi-municipal GIS needs assessment similar to the Genesee County model.

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

November 13, 2007

**RESOLUTION NO. 07-377  
(November 13, 2007)**

By Mr. Davis, Chairman of the Finance Committee:

**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.

49		William George, PO Box 208, Silver Springs, NY 14550 has offered \$6,000.00 for property located at 4 North Main Street, Village of Castile, Tax Map # 147.7-1-10.
60		Brad Hennig, 34 Embury Avenue, PO Box 184, Silver Springs, NY 14549 has offered \$700.00 for property located at 0 Janes Avenue, Town of Castile, Tax Map # 100.18-1-53.1
81		Michael R. Fox, 3461 Garry Road, Bliss, NY 14024 has offered \$8,500.00 for property located at 3502 East Main Street, Town of Eagle, Tax Map # 166.3-2-18.1.
83		Robert A Pavnick & Kimberly Pavnick, 6644 Railroad Avenue, Bliss, NY 14024 has offered \$21,000.00 for property located at 3391 Main Street, Town of Eagle, Tax Map # 166.1-1-17.
92		Timothy J. Roelofs, 88 Meadow Drive, Geneseo, NY 14454 has offered \$20,500.00 for property located at 5510 Route 19, Town of Gainesville, Tax Map # 145.1-11.1
108		Stanford J. VanDorn, 34 Vermont Street, Nunda, NY 14517 has offered \$3,100.00 for property located at 401 Summerset Drive, Town of Java, Tax Map # 140.8-3-29

111		Christopher Preischel, 4250 Keller Road, Eden, NY 14057 has offered \$3,500.00 for property located at 0 Block C (Summerset Drive), Town of Java, Tax Map # 140.8-3-34
112		Jay L. Schmick, 19 N Main , Castile, NY 14427 has offered \$500.00 for property located at 0 Block G (Grouse Street), Town of Java, Tax Map # 140.8-8-12
121		Larry T. Hopkins, 496 Kingsley Road, Wyoming, NY 14591 has offered \$2,100.00 for property located at 460 East Bethany Road, Town of Middlebury, Tax Map # 10.-1-29.11
128		Sally A Speed, 1220 S. Academy Street, Wyoming, NY 14591 has offered \$2,400.00 for property located at 0 Durfee Road, Town of Middlebury, Tax Map # 36.7-1-1
132		John E Bunce, 186 Center Road, West Seneca, NY 14224 has offered \$3500.00 for property located at 0 Almeter Road, Town of Orangeville, Tax Map # 94.-1-32
139		Lawrence Preischel, 3010 Pleasant Avenue, Hamburg, NY 14075 has offered \$2,700.00 for property located at 0 Water & Hope Street, Village of Perry, Tax Map # 88.20-3-92.1
142		Shannon Bernard, 2461 Silver Lake Road, Perry, NY 14530 has offered \$100.00 for property located at 22 Main Street, Village of Perry, Tax Map # 100.11-1-7-11
143		Stanford J VanDorn. 34 Vermont Street, Nunda, NY 14517 has offered \$34,500.00 for property located at 18 Park Avenue, Village of Perry, Tax Map # 100.8-4-33
174		Arnold J Wilkolaski, 4765 Michigan Road, Arcade, NY 14009 has offered \$15,000.00 for property located at 2179 Route 20A, Town of Sheldon, Tax Map # 57.-2-15
203		Lawrence Preischel, 3010 Pleasant Avenue, Hamburg, NY 14075 has offered \$7,100.00 for property located at 0 Route 19, Town of Warsaw, Tax Map # 62.-2-26

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 her on or before December 7, 2007.

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

**RESOLUTION NO. 07-378  
(November 13, 2007)**

By Mr. Davis, Chairman of the Finance Committee:

**2007 TOWN BALANCES APPROVED**

**BE IT RESOLVED**, That the statement of the County Treasurer as to TOWN BALANCES is hereby accepted, and be it

**FURTHER RESOLVED**, That the Clerk of the Board is hereby directed to credit or charge the amounts stated to the 2008 Tax Rolls of the respective towns:

<u><i>Towns</i></u>	<u><i>Debit</i></u>	<u><i>Credit</i></u>
Arcade	\$ -	\$ -
Attica	\$ -	\$ -
Bennington	\$ 388.32	\$ -
Castile	\$ -	\$ -
Covington	\$ -	\$ -
Eagle	\$ -	\$ -
Gainesville	\$ -	\$ -
Genesee Falls	\$ -	\$ -
Java	\$ 119.19	\$ -
Middlebury	\$ 3.36	\$ -
Orangeville	\$ 840.08	\$ -
Perry	\$ 2,516.86	\$ -
Pike	\$ -	\$ -
Sheldon	\$ 142.92	\$ -
Warsaw	\$ -	\$ -
Wethersfield	\$ -	\$ -
<b><i>Town &amp; County Totals</i></b>	<b>\$ 4,010.73</b>	<b>\$ -</b>

Dated: November 7, 2007 Cheryl D. Mayer Treasurer

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

**RESOLUTION NO. 07-379  
(November 13, 2007)**

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, 2007, all rural Wyoming County School Districts return their respective unpaid 2007-2008 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 relevied 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 relevied 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:**

**Public Comment:**  
**None**

*Motion to close the public hearing by Supervisor Kushner and all voted aye.*

**Close Public Hearing**

*Supervisor Grant, T/Bennington stated that she would be abstaining from voting on Resolution Office Number 36.*

**Public Hearing  
#36**

**RESOLUTION NO. 07-380  
(November 13, 2007)**

November 13, 2007

**LOCAL LAW INTRODUCTORY NO. E (6) YEAR 2007,  
ADOPTED**

**WHEREAS**, there was duly presented and introduced at a meeting of this Board, held on the 9<sup>th</sup> day of October, 2007, a proposed local law of the County, designated as Local Law Introductory No. E, for the year 2007, entitled, **A Local Law of the County of Wyoming, Providing Salaries for Certain County Officers for the year 2008**; and

**WHEREAS**, in accordance with the provisions of Resolution No. 07-335, there was a public hearing held by this Board of Supervisors on this 13<sup>th</sup> day of November, 2007 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 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. E, Year 2007, County of Wyoming, New York, as presented to this Board on the 13<sup>th</sup> day of November, 2007, 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 Treasurer shall be increased by \$1,521.00.

Section 2. Effective as hereafter provided, the annual salary of the Commissioner of Elections (2) shall be increased by \$453.00.

Section 3. Effective as hereafter provided, the annual salary of the County Attorney shall be increased by \$1,838.00.

Section 4. Effective as hereafter provided, the annual salary of Director of Community Services shall be increased by \$2,051.00.

Section 5. Effective as hereafter provided, the annual salary of the Public Defender shall be increased by \$1,705.00.

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Section 6. Effective as hereafter provided, the annual salary of the Commissioner of Public Health shall be increased by \$2,278.00.

Section 7. Effective as hereafter provided, the annual salary of the Real Property Tax Director shall be increased by \$1,952.00.

Section 8. Effective as hereafter provided, the annual salary of the Commissioner of Social Services shall be increased by \$2,385.00.

Section 9. Effective as hereafter provided, the annual salary of the Director of Veterans Services shall be increased by \$650.00.

Section 10. Effective as hereafter provided, the annual salary of the Workers' Compensation Program Administrator shall be increased by \$1,409.00.

Section 11. Effective as hereafter provided, the annual salary of the Director of Aging and Youth shall be increased by \$1,680.00.

Section 12. All salaries set forth herein shall be effective as of January 1, 2008.

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: 1491 Noes: Absent: Abstain: 127 (Bennington)**

*Chairman Berwanger asked the Board if any member objected to the presentation of Unanimous Consent Resolution Office Number 37.*

*Hearing no objections he instructed Clerk Ketchum to read Resolution Office Number 37.*

**Unanimous Consent  
#37**

**RESOLUTION NO. 07-381  
(November 13, 2007)**

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

November 13, 2007

**RESOLUTION NUMBER 07-340 AMENDED**

**WHEREAS**, Resolution Number 07-340 provides for the creation of one (1) position of Deputy Construction Projects Coordinator (Temporary) (1.00 fte) in the Highway Department; and places this newly created position on Salary Schedule “S” with an annual salary of forty-eight thousand eight hundred ninety dollars (\$48,890.00); effective October 01, 2007 through December 31, 2007; now therefore

**BE IT RESOLVED**, That Resolution Number 07-340 be amended to reflect a revised expiration date of December 03, 2007.

**Carried: XXX Ayes: 1405 Noes: 213 (Warsaw) Absent: Abstain:**

*Chairman Berwanger recognized Jamie Welch, Asst. County Attorney and thanked him for sitting in for County Attorney Eric Dadd. Chairman Berwanger also recognized the Village of Arcade Mayor, Richard Kozmerl and thanked him for being here today as well.*

*There being no further business to come before this Board, Senior Supervisor Bush, T/Gainesville, adjourned the meeting at 3:48 PM with a rap on his desk.*

\*\*\*\*\*

*Respectfully submitted,*

*Cheryl J. Ketchum*

**REGULAR SESSION  
(December 11, 2007)**

**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; Reimbursement and Budget Administrator, Janis Cook; Clerk to the Board of Supervisors, Cheryl Ketchum and Deputy Clerk to the Board, Brenda Ferrell.

At 3:12 PM Chairman Berwanger, T/Arcade, called the meeting to order.

The Veteran leading the Pledge of Allegiance this month was:

**WAYNE PATRIDGE**

Mr. Patridge's service to his country comes while serving during the post Korea era. Mr. Patridge enlisted in the United States Army in March of 1957 and completed Basic Training at Ft. Benning, GA. He also completed Advanced Individual Training at Ft. Benning, GA becoming qualified in radio repair. Mr. Patridge's first assignment was in Germany, when he was assigned duties with the 237<sup>th</sup> Combat Engineer Battalion. These duties of the unit included erecting portable bridges and the demolition capability of certain types of fixed bridges during times of war. Mr. Patridge spent two years with the Combat Engineer Battalion in Reagansburg and Atilbronn. In 1959, Mr. Patridge was reassigned to the 18<sup>th</sup> Engineer Brigade and would be stationed at Ft. Devens, Mass. for the next 3 years. Here again, he worked with the Combat Engineers in the building of portable bridges and training for the demolition of certain types of fixed bridges. Mr. Patridge was Honorably Discharged in March of 1962 at the rank of SGT E-5.

For His Service to His Country, Mr. Patridge was awarded:

**THE NATIONAL DEFENSE SERVICE MEDAL  
THE ARMY GOOD CONDUCT MEDAL  
THE ARMY MARKSMANSHIP RIFLE BADGE**

Mr. Patridge returned to this area, settled in Pike, N.Y. and became a self-employed electrician. He contracted electrical work in both residential and commercial uses for the next 7 years. In 1970 Mr. Patridge went to work for the

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New York Board of Fire Underwriters as an electrical inspector. He held this position for the next 28 years until his retirement in 1998.

Mr. Patridge's service to his community includes:

28 year member of the Hunt-Stout Post 1670 of the American Legion in Pike  
Past Member & Past Chief of the Pike Fire Department  
Past Member & Past Master of the Fillmore Masons  
Present Member of the Perry Masons  
Past Member and Past President of the International Assoc. of Electrical Inspectors

Mr. Patridge enjoys:

NASCAR Races, Hunting, Fishing, and Boating.

Mr. Patridge and his wife Pamela of 25 years, live in Castile. They have 5 grown children, 10 grandchildren, and 5 great-grandchildren.

***The pledge was said by all.***

A certificate of appreciation was presented to Mr. Patridge in honor of his service to his country and also to commemorate his appearance today.

Chairman Berwanger offered Mr. Patridge the opportunity to address the entire Board of Supervisors, he responded by telling the Board that they did a good job and thanked them for the invitation.

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 2007 is Cindy Flint. Cindy has been employed at DSS since 1974 and is a Senior Program Specialist assisting in all eligibility areas. One of her peers stated the following:

"Cindy exemplifies what a team player should be. She approaches her job each day with a positive attitude and goes out of her way to provide assistance wherever and whenever needed. She is also very knowledgeable about all programs within the agency," making her an invaluable asset to the department.

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

As Ms. Flint was unable to attend the meeting Chairman Berwanger requested a round of applause for her efforts.

Chairman Berwanger requested a moment of silence be observed for Ross Roberts, past Supervisor (1982-1993) and former Chairman of the Board of Supervisors (1986-1989), who passed away recently.

Communications:

**Reminder / Chamber of Commerce** – Graduation Ceremonies for 2007 Leadership Wyoming ceremonies 4-5:30 on Thursday, December 13, 2007

**Open Public Hearing:**

*Adoption of Wyoming County Tentative Budget for the Year 2008*

#1

**RESOLUTION NO. 07-382  
(December 11, 2007)**

By Mr. Davis, Chairman of the Finance Committee:

**FUNDS TRANSFERRED TO VARIOUS 2007 ACCOUNTS**

**BE IT RESOLVED**, That funds are hereby transferred to the various 2007 accounts as follows:

<b>Social Services</b>			
<b>From:</b> 01.40.6102.4.42249 Medical Asst MMIS <b>To:</b> 01.39.6010.2.23001 Motor Vehicles <b>Reason:</b> Transfer necessary to cover costs of two vehicles removed from 2008 budget and advised by Budget Dept. to purchase in 2007.	\$40,000.00	\$40,000.00	
<b>Social Services Total</b>			<b>\$40,000.00</b>
<b>Public Health</b>			
<b>From:</b> 01.38.4035.4.40301 Professional Services <b>To:</b> 01.38.4035.1.10601 Unused Benefit Time <b>Reason:</b> Transfer funds for employee to sell back 70 hours of vacation time @ \$13.85/hr per CSEA Contract.	\$969.50	\$969.50	
<b>Public Health Total</b>			<b>\$969.50</b>
<b>Mental Health</b>			
<b>From:</b> 01.38.4324.4.40401 Training & Education 01.38.4324.4.40406 Employee mileage 01.38.4324.4.41010 Office Supplies 01.38.4324.4.41101 Paper 01.38.4324.4.41201 Postage 01.38.4324.4.41204 Advertising 01.38.4324.4.41510 Educational Materials	\$2,300.00 1,488.00 800.00 640.00 470.00 190.00 2,500.00		

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<b>To:</b> 01.38.4324.2.20401 Misc. Equipment <b>Reason:</b> To purchase above copier with unspent state aid funds in #4324 Mental Health Reinvestments.		\$8,388.00	
<b>Mental Health Total</b>			<b>\$8,388.00</b>
<b>Planning &amp; Development</b>			
<b>From:</b> 01.42.6421.1.10001 Salaries S/D/1 <b>To:</b> 01.42.6421.4.40301 Professional Services <b>Reason:</b> To accommodate amended contract with Clark Patterson.	\$5,000.00	\$5,000.00	
<b>Planning &amp; Development Total</b>			<b>\$5,000.00</b>
<b>Buildings &amp; Grounds</b>			
<b>From:</b> 01.34.1620.4.40803 Building Supplies -Repair <b>To:</b> 01.34.1620.2.23001 Motor Vehicles <b>Reason:</b> To Purchase Ford F-150 Pickup truck, NYS Contract #PC62882, from Fairport Ford, LLC.	\$12,286.01	\$12,286.01	
<b>Buildings &amp; Grounds Total</b>			<b>\$12,286.01</b>

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

#2

**RESOLUTION NO. 07-383  
(December 11, 2007)**

By Mr. Davis, Chairman of the Finance Committee:

**FUNDS APPROPRIATED TO VARIOUS 2007 ACCOUNTS**

**BE IT RESOLVED**, That funds are hereby appropriated to the various 2007 accounts as follows:

<b>Capital Improvement Fund</b>			
<b>To:</b> 12.61.9950.9.99004 Interfund Trans. CIP w/12.13.1620.5031 Interfund Revenue -County Buildings <b>Reason:</b> To increase appropriation and revenues in the Capital Improvement Fund.	\$500,000.00	\$500,000.00	
<b>Capital Improvement Fund Total</b>			<b>\$500,000.00</b>
<b>County Clerk - DMV</b>			
<b>To:</b> 01.34.1411.1.10101 F/T CSEA Contract 01.34.1411.8.83001 FICA 01.34.1411.8.85001 Medicare-FICA 01.34.1411.8.89001 Medical/Hospitalization Ins w/01.03.1411.1255 Clerk Fees/DMV <b>Reason:</b> Raises Retroactive to 01/01/2007 - no appropriation made at that time	21,435.14 1,125.56 263.37 320.79	\$23,144.86	
<b>County Clerk - DMV Total</b>			<b>\$23,144.86</b>
<b>County Attorney</b>			
<b>To:</b> 01.34.1420.4.40008 Telephone (long distance) 01.34.1420.4.40902 Legal Services 01.34.1420.4.42301 Book, Publications, Subscriptions <i>From any funds available</i> <b>Reason:</b> Appropriation necessary to pay vouchers.	\$120.00 1,500.00 1,500.00	\$3,120.00	
<b>County Attorney Total</b>			<b>\$3,120.00</b>

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<b>Probation</b>			
<b>To:</b> 01.37.3141.4.41410 Software (purchase) Correctional Alternatives w/01.04.3141.1515 ALT Incarceration on Fee (Resv) <b>Reason:</b> This adds money to a 2 year old and obsolete purchase order to pay for the necessary upgrade to our software.	\$1,935.74	\$1,935.74	
<b>To:</b> 01.37.3140.4.43001 Grant w/01.11.3140.331006 Probation Grant –Shared Svcs <b>Reason:</b> Shared Services Grant monies will come to Probation and the services rendered by the WCCH can be billed to Probation through this account.	\$30,000.00	\$30,000.00	
<b>Probation Total</b>			<b>\$31,935.74</b>
<b>Highway</b>			
<b>To:</b> 03.54.5130.2.23001 Motor Vehicles w/ 03.08.5130.2665 Sale of Equipment w/ the balance <b>from any funds available</b> <b>Reason:</b> To allocate funds for Sale of Equipment not funded for 2007 and to cover the equipment cost in Highway Dept.	\$25,610.00	11,110.00 14,500.00	
<b>To:</b> 04.53.5010.1.10001 Salaries Fixed Sch S/D/I 04.53.5010.8.83001 FICA 04.53.5010.8.85001 Medicare-FICA 04.53.5010.8.89001 Medical/Hosp Ins w/ 04.03.5110.128901 CIP Rds. Repayment <b>Reason:</b> to allocate funds from fund 17 reimbursements for Construction Project Coordinator's salary and benefits.	\$17,701.00 1,097.46 256.66 2,772.69	\$21,827.81	
<b>To:</b> 04.53.5010.1.10001 Salaries Fixed Sch S/D/I 04.53.5010.1.10600 Unused Benefit time 04.53.5010.8.83001 FICA 04.53.5010.8.85001 Medicare-FICA 04.53.5010.8.89001 Medical/Hosp Ins <i>from any funds available</i> <b>Reason:</b> To pay unbudgeted salary/insurance increases for new personnel and Unused Benefit Time to retiring Deputy Construction Project Coordinator with benefits.	\$1,754.75 6,671.40 522.42 122.18 5,338.39	\$14,409.14	
<b>Highway Total</b>			<b>\$61,846.95</b>

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

Mr. Bush, T/Gainesville, Chairman of the Audit Committee, presented bills totaling **\$2,031,059.10** for the month of **November 2007**.

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

*There was a motion by Mrs. Totline, T/Genesee Falls, to combine resolutions #3 through #9. A voice vote was taken and all voted aye*

**#3**

**RESOLUTION NO. 07-384  
(December 11, 2007)**

By Mrs. Totline, Chairman of Human Services Committee:

**SET PUBLIC HEARING – INTRODUCTORY LOCAL LAW  
NO. F YEAR 2007**

Regular Session

**WHEREAS**, There has been duly presented and introduced at a meeting of this Board of Supervisors of Wyoming County on this 11<sup>th</sup> day of December, 2007, a proposed local law entitled, **“Local Law Introductory No. F Year 2007, “EXEMPTION FROM REAL PROPERTY TAXES FOR REAL PROPERTY OWNED BY VETERANS WHO RENDERED MILITARY SERVICE TO THE UNITED STATES DURING THE “COLD WAR,”** 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 on the said proposed Local Law by this Wyoming County Board of Supervisors on the 8<sup>th</sup> day of January, 2008 at 3:00 PM at the Wyoming County Government Center, 143 N. Main St., Warsaw, New York.

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

**#4**

**RESOLUTION NO. 07-385  
(December 11, 2007)**

By Mrs. Totstline, Chairman of Human Services Committee:

**SET PUBLIC HEARING – INTRODUCTORY LOCAL LAW  
NO. G YEAR 2007**

**WHEREAS**, There has been duly presented and introduced at a meeting of this Board of Supervisors of Wyoming County on this 11<sup>th</sup> day of December, 2007, a proposed local law entitled, **“Local Law Introductory No. G Year 2007, “A LOCAL LAW AMENDING LOCAL LAW NO. 1 FOR THE YEAR 1985, ENTITLED, REDUCING THE AMOUNT OF EXEMPTION PROVIDED BY 458-a OF THE REAL PROPERTY TAX LAW,”** 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 on the said proposed Local Law by this Wyoming County Board of Supervisors on the 8<sup>th</sup> day of January, 2008 at 3:00 PM at the Wyoming County Government Center, 143 N. Main St., Warsaw, New York.

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

December 11, 2007

**RESOLUTION NO. 07-386  
(December 11, 2007)**

By Mrs. Totline, 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 St., Rochester, NY 14604 for the provision of legal services to residents 60+ in Wyoming County in a maximum amount of eight thousand five hundred dollars (\$8,500.00); effective January 01, 2008 through December 31, 2008.  
Contingent on the availability of funds.

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

#6

**RESOLUTION NO. 07-387  
(December 11, 2007)**

By Mrs. Totline, 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  
Appointments:

*Three year term; effective January 01, 2008 through December 31, 2010.*

**Community Rep.**

- Steve Tarbell, P.O. Box 178, Castile, NY 14427
- Barb Sceusa, 2043 Saltvale Rd., Warsaw, NY 14569

**Proceedings of the Board of Supervisors**

- Deb Gage (Foster Grandparent Program), 8 Murray Hill Dr., Mt. Morris, NY 14510

**Town Reps.**

- Charles Perl (Town of Sheldon), 1025 Centerline Rd., Strykersville, NY 14145
- James McIlroy (Town of Covington), 806 Big Tree Rd., Pavilion, NY 14525
- Rose George (Town of Eagle), 6660 Railroad Ave., Bliss, NY 14024
- Rita Simmons (Town of Genesee Falls), 6610 Pike Street P.O. Box 313 Portageville, NY 14536
- Shirley Acker (Town of Middlebury), 5690 Durfee Rd., Wyoming, NY 14591

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

**#7**

**RESOLUTION NO. 07-388  
(December 11, 2007)**

By Mrs. Totline, Chairman of Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN VARIOUS  
CONTRACTS ON BEHALF OF THE WYOMING COUNTY  
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 following various contracts on behalf of the Wyoming County Youth Bureau:

- ***Diversified Children's Services***, 450 North Main Street, Warsaw, NY 14569 for the provision of Early Intervention Services not to exceed program budget – variable depending on # of services; effective 01/01/08 through 06/30/09.
- ***Rochelle Kenny***, 220 Forest Drive, Orchard Park, NY 14127 for the provision of Early Intervention Services not to exceed program budget – variable depending on # of services; effective 12/01/07 through 06/30/09.

December 11, 2007

Contingent on the availability of funds.

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

#8

**RESOLUTION NO. 07-389  
(December 11, 2007)**

By Mrs. Totslie, Chairman of Human Services Committee:

**LYMAN GRANGER, JR. APPOINTED TO THE  
WYOMING COUNTY YOUTH BOARD**

**BE IT RESOLVED**, That *Lyman Granger, Jr.*, 30 E. Main Street, Pike, NY 14130 be hereby appointed to the Wyoming County Youth Board *to fill the unexpired vacant term of Loretta Bacon effective December 01, 2007 through December 31, 2009.*

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

#9

**RESOLUTION NO. 07-390  
(December 11, 2007)**

By Mrs. Totslie, Chairman of Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN VARIOUS  
CONTRACTS AND AGREEMENTS 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 the following various contracts on behalf of the Department of Social Services:

**Proceedings of the Board of Supervisors**

- **Regional Action Phone, Inc. (RAP)**, P. O. Box 281, Batavia, NY 14021 for 24/7 coverage of the Domestic Violence Hotline. Contract not to exceed \$2,500.00. Effective January 01, 2008 through March 30, 2009. (Renewal with changes)
- **Allegany Rehabilitation Associates, Inc.**, 4222 Bolivar Rd., Wellsville, NY 14895 for mental health evals, counseling with MHC & CDT. Agreement not to exceed \$13,630.00. Effective January 01, 2008 through December 31, 2008.
- **Wendy Sisson Attorney at Law**, P. O. Box 242, Geneseo, NY 14454 for conflict of interest cases. Contract in the amount of \$3,000.00. Effective January 01, 2008 through December 31, 2008.
- **The Bonadio Group**, Corporate Crossings, 171 Sully's Trail, Pittsford, NY 14534 for the HealthCare Eligibility Review Program (Self-employed MA recipient: FRAUD) \$150/hr. per person. Budgeted - MA CAP As sign of good faith: Contractor will extend services of 2 staff to interview 5 scheduled applicants @ no Charge - once contract is finalized. Approx. \$2,100 in savings.
- **Jackie Stroh**, 299 Barryman Drive, Amherst, NY 14229 for professional development training for management staff as well as front line staff. Services will enhance the effectiveness and flow of POE initiative as a requirement of the grant. Rate: \$100 per hour; effective July 1, 2007 to June 30, 2008. Budgeted via NY Connects/POE grant.

Contingent on the availability of funds.

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

Chairman Berwanger asked the Commissioner of Social Services to make a presentation regarding the creation of the Fraud Investigator in her Department. The Commissioner requested that Judy Gardner accompany her to the podium. Ms. Schmitt read the following press release:

*The Wyoming County Board of Supervisors and Department of Social Services announces the continued effort to combat fraud in Wyoming County with the addition of a Deputy Sheriff Investigator (Jason Mayer) to the DSS fraud unit. The Sheriff Investigator began working full – time with the Supervising Fraud Investigator, Judy Gardner, in October 2007.*

*Since the increased effort in fraud detection and prevention began, this collaborative team has made a significant impact in investigations in all areas*

*of fraud detection or prevention. The utilization of a Deputy Sheriff Investigator was one that the Board of Supervisors had been working diligently on with both Commissioner Schmitt and Sheriff Heimann in order to provide the community with the best possible resources available in this field.*

*October 2007 alone reflected a cost savings of \$34,080 and 63 completed investigations (many are still under investigation or pending).*

*There is also an increase in criminal cases which require a great deal of time and effort on the part of the two investigators. In October 2007 alone, DSS had one arrest for Welfare Fraud, 2 additional cases are in the process of arrest and 6 are pending further criminal investigation. The pursuit of these cases would not be possible with out the added efforts from the DA's office and Sheriff Forensic Technician, Steve Miller.*

*Ms. Judy Gardner recapped the numbers that the Commissioner mentioned in the press release.*

*The newly appointed Deputy Sheriff Investigator, Jason Mayer, was asked to stand and be recognized.*

*There was a motion by Mr. Kushner, T/Eagle, to combine resolutions #10 and #11. A voice vote was taken and all voted aye*

**#10**

**RESOLUTION NO. 07-391  
(December 11, 2007)**

By Mr. Kushner, Chairman of Public Health Committee:

**CHAIRMAN AUTHORIZED TO SIGN 2008 RENEWAL  
CONTRACTS ON BEHALF OF MENTAL HEALTH**

**Proceedings of the Board of Supervisors**

**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 2008:

1) **Livingston/Wyoming Arc**, 18 Main Street, Mt. Morris, NY 14510, contract renewal for Sheltered Workshop Program for the mentally ill population for the period January 1, 2008 through December 31, 2008 for \$54,332.00.

2) **Suburban Adult Services, Inc.**, 960 West Maple Court, Elma, NY 14059, renewal contract for the period of January 1, 2008 through December 31, 2008 for \$130,615.00

3) **Allegany Rehabilitation Associates, Inc.**, 4222 Bolivar Road, Wellsville, NY 14895 renewal contract for the period of January 1, 2008 through December 31, 2008:  
One contract for Mental Health Services for \$629,586.00

A. Mental Health Clinic and Crisis - \$24,866.00

B. WNY-SCP - Clinic - \$10,000.00

C Adult Case Management/SPOA - \$59,807.00

D. Child & Youth ICM/SCM & Wrap around Funds (2 ICMS; 1 SCM) - \$66,132.00

E. RIV-POEMS - CSP

F. Co-Occurring Disorder Program & Case Management - \$24,479.00

G. Child & Family Clinic Plus - \$51,408.00

H. CSS Programs Continuing Day Tx., CSS Case Management, CSS Transportation for \$25,432.00

I. Chemical Abuse Treatment and Prevention Staffing & Men's Group for \$367,462.00

4) **Wyoming County Community Hospital**, 400 North Main Street, Warsaw, NY 14569 - renewal contract for the period of January 1, 2008 through December 31, 2008 for \$168,773.00.

A. PAO screenings - \$21,665.00

B. Forensic case management for \$31,772.00

C. Jail based Chemical Dependency services in the jail for \$3,000.00

D. MICA/Homeless - Case Management - \$10,941.00

- E. Crisis Outreach Program - \$65,323.00
- F. Mobile Treatment Team - \$15,784.00
- G. Case Management AOT - \$20,289.00

- 5) **Mental Health Association of Rochester/Monroe County, Inc.,** 320 North Goodman Street, Rochester, NY 14607 – renewal contract for the period of January 1, 2008 through December 31, 2008: (One contract for \$220,633.00)

- A. Consumer Run Thrift Store - \$33,202.00
- B. Drop-in Center - \$21,975.00
- C. Transportation Program - \$43,962.00
- D. CCP Transportation - \$11,257.00
- E. MICA & Social Club - \$94,869.00
- F. Peer Advocacy - \$9,890.00
- G. PREP - \$5,478.00

- 6) **Hillside Children’s Center,** 1183 Monroe Ave., Rochester, NY 14620-1699, renewal contract for the period of January 1, 2008 through December 31, 2008 to provide: \$48,627.00

- A. Crisis respite for children - \$17,585.00
- B. GLOW Family Support - \$16,950.00
- C. Home Based Crisis Intervention - \$14,092.00

- 6a) **Hillside Children’s Center** renewal MOU for the period of January 1, 2008 through December 31, 2008 for Customized Services: \$1,500.00

- 7) **Living Opportunities of DePaul,** 2240 Old Union Road, Cheektowaga, NY 14227-2728, renewal contract for the period of January 1, 2008 through December 31, 2008 for: \$178,908.00

- A. Temporary Supportive Housing - \$ 10,510.00
- B. Four-bed treatment apartments - \$ 4,608.00
- C. Supported Housing (20 SLOTS) - \$163,790.00

- 8) **Coordinated Care Services, Inc. of Rochester,** 1099 Jay Street, Building J, Rochester, NY 14611-1153, contract renewal for the period of January 1, 2008 through December 31, 2008: \$479,803.00

- A. Service Coordination - \$ 120,620.00
- B. Dual Diagnosis Coordination - \$72,077.00

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- C. Coordinated Children's Services Initiative - \$68,763.00
- D. Performance Measurements - \$30,209.00
- E. Substance Abuse Prevention - \$188,134.00

9) **Children's Mental Health Coalition of WNY, Inc.**, 814 Kenmore Ave., Buffalo, NY 14216, for Parent Advocate Services for CCSI Program - \$15,000.00

10) **STOP DWI Coordinator**, whereas the Wyoming County Mental Health Department receives \$10,000.00 in STOP DWI Funds for 2008.

11) Contract with an individual to work with Partners for Prevention on the Media Campaign for the Drug Free Communities Grant - \$1,500.00

12) Lease with Buzz and Val Properties, 100 Allen Street, Warsaw, NY 14569 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

13) Lease with Wyoming County Community Hospital, 400 North Main Street, Warsaw, NY 14569, for office space at 338 North Main Street, Warsaw - \$14,988.00 annually

**ALL CONTRACTS CONTINGENT UPON THE AVAILABILITY OF FUNDING.**

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

**#11**

**RESOLUTION NO. 07-392  
(December 11, 2007)**

By Mr. Kushner, Chairman of Public Health Committee:

**CHAIRMAN AUTHORIZED TO SIGN A GRANT APPLICATION AND ACCEPTANCE AWARD WITH THE NEW YORK STATE DEPARTMENT OF HEALTH ON BEHALF OF 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 Grant Application and Acceptance Award with the New York State Department of Health (NYSDOH), Center for Environmental Health Bureau of Community

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Environmental Health and Food Protection, Flanigan Square, 547 River Street, Room 515, Troy, NY 12180-2216 for the provision of funding for Youth Tobacco Enforcement and Prevention in a minimum amount of twenty-nine thousand six hundred thirty-six dollars (\$29,636.00); effective October 01, 2007 through September 30, 2008.

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

*There was a motion by Mr. Fleischman, T/Java, to combine resolutions #12 through #14. A voice vote was taken and all voted aye*

**#12**

**RESOLUTION NO. 07-393  
(December 11, 2007)**

By Mr. Fleischman, Chairman of the Planning Committee:

**CHAIRMAN AUTHORIZED TO SIGN AMENDED  
CONTRACT WITH CLARK PATTERSON LEE ON  
BEHALF OF PLANNING & DEVELOPMENT**

**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 Clark Patterson Lee, 186 N. Water Street, Rochester, NY 14604 for the provision of temporary planning services to increase the original contract (res. #07-136) as amended by res. #07-297 by five thousand dollars (\$5,000.00) for a total contract amount of twenty thousand dollars (\$20,000.00). Contingent upon the availability of funds.

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

**#13**

**RESOLUTION NO. 07-394  
(December 11, 2007)**

By Mr. Fleischman, Chairman of Planning and Green Energy Committee:

**CHAIRMAN AUTHORIZED TO SIGN RENEWAL  
CONTRACT WITH GENESEE FINGER LAKES  
REGIONAL PLANNING COUNCIL**

Regular Session

**Proceedings of the Board of Supervisors**  
**ON BEHALF OF PLANNING AND DEVELOPMENT**

**BE IT RESOLVED**, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign renewal contract with Genesee Finger Lakes RPC, 50 W. Main St., Suite 8107, Rochester, NY 14614 on behalf of the Department of Planning and Development. Said renewal contract is for GIS Consulting Services, providing GIS development & map production services in an amount not to exceed five thousand (\$5,000.00); effective January 01, 2008 through December 31, 2008. Contingent on the availability of funds.

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

**#14**

**RESOLUTION NO. 07-395**  
**(December 11, 2007)**

By Mr. Fleischman, Chairman of Planning and Green Energy 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, 2010*

TOWN	REPRESENTATIVE	ADDRESS
Town of Gainesville	Leslie Shearing	5648 Hardys Road Gainesville, NY 14066
Town of Java	Richard Cordz	620 Nichols Rd. Arcade, NY 14009
Town of Middlebury	Douglas Wolcott	1247 Dale Rd., Dale, NY 14039
Town of Orangeville	Mel Kensinger	3336 Syler Rd. Varysburg, NY 14167

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, 2008*.

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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:**

**#15**

**RESOLUTION NO. 07-396  
(December 11, 2007)**

By Mr. Gozelski, Chairman of Agriculture Committee:

**CHAIRMAN AUTHORIZED TO SIGN RENEWAL  
CONTRACT WITH WYOMING COUNTY SOIL AND  
WATER CONSERVATION DISTRICT**

**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 Wyoming County Soil & Water Conservation District, 31 Duncan St., Warsaw, NY 14569 for Ag District Review in an amount not to exceed twenty-five thousand dollars (\$25,000.00); effective January 01, 2008 through December 31, 2008; contingent on the availability of funds.

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

*There was a motion by Mrs. Meeder, T/Middlebury, to combine resolutions #16 through #19. A voice vote was taken and all voted aye*

**#16**

**RESOLUTION NO. 07-397  
(December 11, 2007)**

By Mrs. Meeder, Chairman of Human Resource Committee:

**DONATION OF BENEFIT TIME POLICY AMENDED**

**Proceedings of the Board of Supervisors**

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors has approved revisions to the Donation of Benefit Time Policy for Wyoming County Employees as adopted by resolution number 06-391, as amended and annexed hereto; effective immediately.

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

#17

**RESOLUTION NO. 07-398  
(December 11, 2007)**

By Mrs. Meeder, Chairman of Human Resource Committee:

**BLOOD DONATION POLICY APPROVED**

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors has approved a Blood Donation Policy for Wyoming County Employees as mandated by the State of New York; effective December 15, 2007 and annexed hereto.

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

#18

**RESOLUTION NO. 07-399  
(December 11, 2007)**

By Mrs. Meeder, Chairman of Human Resource Committee:

**2007 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 2007 are accepted and the Clerk of this Board is hereby directed to apportion the same to the Townships with Wyoming County as follows:

<b>TOWN</b>	<b>NO. ENROLLED VOTERS</b>	<b>AMOUNT OF LEVY</b>	<b>SPECIAL ELECTION</b>
Arcade	2556	\$1,772.00	
Attica	2560	\$1,774.00	
Bennington	2316	\$1,605.00	
Castile	1992	\$1,381.00	
Covington	808	\$560.00	

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Eagle	848	\$588.00	
Gainesville	1591	\$1,103.00	
Genesee Falls	329	\$228.00	
Java	1436	\$995.00	
Middlebury	1005	\$697.00	
Orangeville	838	\$581.00	
Perry	2950	\$2,045.00	
Pike	658	\$456.00	
Sheldon	1758	\$1,218.00	
Warsaw	3472	\$2,406.00	
Wethersfield	601	\$417.00	
<b>Total</b>	<b>25,718</b>	<b>\$17,826.00</b>	

Very truly yours,

Board of Elections

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

**#19**

**RESOLUTION NO. 07-400  
(December 11, 2007)**

By Mrs. Meeder, Chairman of Human Resource Committee:

**CHAIRMAN AUTHORIZED TO SIGN SUPPLEMENTAL  
CONTRACTS WITH NEW YORK STATE BOARD OF  
ELECTIONS**

**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 supplemental contracts with the New York State Board of Elections, 40 Steuben St., Albany, NY 12207:

- Supplement to Prior Agreement #T002698 (#1. New York State Voting Access for Individuals with Disabilities – Polling Place Access Improvement) providing funding to
  - establish, expand, and improve access to and participation by individuals with a full range of disabilities in the election process in an amount not to exceed twelve thousand one hundred six dollars (\$12,106.00) in reimbursements; effective date extended April 01, 2008
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through March 31, 2009.

- Supplement to Prior Agreement #T002640 (#2. HHS Voting Access for Individuals with Disabilities – Polling Place Access Improvement) providing funding to establish, expand and improve access to and participation by individuals with a full range of disabilities in the election process in an amount not to exceed five thousand eight hundred sixteen dollars (\$5,816.00) in reimbursements; effective date extended April 01, 2008 through March 31, 2009.
- Supplement to Prior Agreement #T002582 (#3. Voter Education / Pollworker Training Program) providing funding to implement programs to educate individuals on the proper use of new voting systems, including ballot marking devices in an amount not to exceed twenty-four thousand two hundred thirteen dollars (\$24,213.00) in reimbursements; effective date extended April 01, 2008 through March 31, 2009.

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

*There was a motion by Mr. Rogers, T/Pike, to combine resolutions #20 through #24. A voice vote was taken and all voted aye*

**#20**

**RESOLUTION NO. 07-401**  
**(December 11, 2007)**

By Mr. Rogers, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN AGREEMENT  
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 an agreement with the County of Monroe Public Safety Laboratory, 150 S Plymouth Ave, 5<sup>th</sup> Floor, Rochester NY 14614 on behalf of the Sheriff's Department. Said agreement is to provide for forensic laboratory services in an amount not to exceed twenty-one thousand dollars (\$21,000.00); effective January 01, 2008 through December 31, 2008.

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Contingent on the availability of funds.

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

**#21**

**RESOLUTION NO. 07-402  
(December 11, 2007)**

By Mr. Rogers, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN MEMORANDUM  
WITH THE NEW YORK STATE SHERIFFS'  
ASSOCIATION 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 memorandum with the NYS Sheriffs' Association for the STEP grant in a minimum amount of eight thousand five hundred dollars (\$8,500.00) which is 100% reimbursed from the Association for the period of October 01, 2007 through September 30, 2008.

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

**#22**

**RESOLUTION NO. 07-403  
(December 11, 2007)**

By Mr. Rogers, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN VARIOUS  
CONTRACTS 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 the following various contracts on behalf of the County Jail:

- **George A. Keene, Inc**, 1101 Niagara Falls Blvd, Amherst, NY 14226 for the provision of the maintenance and repairs of locks and

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miscellaneous equipment in a maximum amount of \$5,800.00; effective July 01, 2007 through June 30, 2008.

- **County of Oneida, Oneida County Sheriff's Office**, 6085 Judd Road, Oriskany, NY 13424 for the provision of inmate services at the Central NY Psychiatric Center at a rate of \$140.00 per day; effective January 01, 2008 through December 31, 2009.

Contingent on the availability of funds.

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

**#23**

**RESOLUTION NO. 07-404  
(December 11, 2007)**

By Mr. Rogers, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN VARIOUS  
AGREEMENTS AND CONTRACTS ON BEHALF OF THE  
2008 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 following various Stop DWI contracts and agreements for 2008; effective January 01, 2008 through December 31, 2008.:

- **Governors Traffic Safety Committee**, 6 Empire Plaza, Rm 414, Albany, NY 12228 for the provision of the 2008 STOP-DWI Plan Agreement in a minimum amount of one hundred forty- two thousand six hundred dollars (\$142,600.00).

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- **Stephen C. Tarbell**, 4270 Fairview Road, Castile, NY 14227 as the STOP-DWI Coordinator; in an amount not to exceed eight thousand dollars (\$8,000.00).
  
- **District Attorney's Office**
  - Secretarial services, in an amount not to exceed seven thousand dollars (\$7,000.00).
  - Prosecution of DWI cases; in an amount not to exceed fifty-eight thousand dollars (\$58,000.00).
  
- **Probation Department**
  - Pre-trial Release Program services, in an amount not to exceed fourteen thousand dollars (\$14,000.00).
  - Pre-trial Release Program Coordinator services, in an amount not to exceed eight thousand dollars (\$8,000.00).
  
- **Sheriff's Department**
  - DWI enforcement patrols and specific expenses listed in paragraph no. 4 of the contract in an amount not to exceed six thousand five hundred dollars (\$6,500.00)
  
- **Various Memorandums of Understanding with the following Police Departments:**
  - **Arcade Police Department** in an amount not to exceed four thousand dollars (\$4,000.00) for DWI enforcement patrols and specific expenses listed in paragraph no. 4 of the contract.
  - **Attica Police Department** in an amount not to exceed four thousand dollars (\$4,000.00) for DWI enforcement patrols and specific expenses listed in paragraph no. 4 of the contract.
  - **Perry Police Department** in an amount not to exceed four thousand dollars (\$4,000.00) for DWI enforcement patrols and specific expenses listed in paragraph no. 4 of the contract.
  - **Warsaw Police Department** in an amount not to exceed four thousand dollars (\$4,000.00) for DWI enforcement patrols and specific expenses listed in paragraph no. 4 of the contract.

Contingent on the availability of funds.

**Carried: XXX**

**Ayes: 1618**

**Noes:**

**Absent: Abstain:**

**#24**

**RESOLUTION NO. 07-405  
(December 11, 2007)**

Regular Session

By Mr. Rogers, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A GRANT  
ACCEPTANCE AWARD WITH THE DEPARTMENT OF  
CRIMINAL JUSTICE SERVICES 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 Services, Four Tower Place, Albany, NY 12203, for the provision of funding for the Violence Against Women Act Grant in a minimum amount of thirty-one thousand two hundred dollars (\$31,200.00); effective January 01, 2008 through December 31, 2008.

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

*There was a motion by Mr. Davis, T/Covington, to combine resolutions #25 through #37. A voice vote was taken and all voted aye*

#25

**RESOLUTION NO. 07-406  
(December 11, 2007)**

By Mr. Davis, Chairman of Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT  
WITH EBS BENEFIT SOLUTIONS ON BEHALF OF THE  
COUNTY'S 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 contract with EBS Benefit Solutions, 30 Perinton Hills Mall, Fairport, NY 14550 on behalf of the County Insurance Office. This contract provides for administration of health reimbursement accounts for Wyoming County employees as specified in the contract language and is in the amount of \$3.95 per participant per month with a \$55.00 per month minimum; effective January 01, 2008 through December 31, 2008 and is contingent upon the availability of funds.

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

December 11, 2007

**RESOLUTION NO. 07-407  
(December 11, 2007)**

By Mr. Davis, Chairman of Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN VOLUNTARY  
DENTAL INSURANCE POLICY WITH GUARDIAN  
INSURANCE COMPANY 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 a policy for Voluntary Dental Insurance with Guardian Insurance Company, 5784 Widewaters, Parkway, DeWitt, NY 13214; effective March 01, 2008. Premium paid by employee – no expense to the county.

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

**#27**

**RESOLUTION NO. 07-408  
(December 11, 2007)**

By Mr. Davis, Chairman of Finance Committee:

**LIFT THE 2008 EQUALIZATION TABLE AND ADOPT**

**BE IT RESOLVED**, That the 2008 Equalization Table, which was tabled on November 13, 2007, be lifted from the table, 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 2008 is hereby adopted.

**Proceedings of the Board of Supervisors**

2008 EQUALIZATION TABLE					
Advisory Equalization Rate	TOWN	Taxable Assessed Value with Partial Exemptions Added	Full Value At State Rate	% of County Tax To Be Paid by Each Town	Taxable Assessed Value
85.00%	ARCADE	175,074,350	205,969,824	0.113679026	175,052,300
99.00%	ATTICA	157,365,503	158,955,054	0.087730598	157,350,803
52.00%	BENNINGTON	110,267,045	212,052,010	0.117035911	110,230,016
100.00%	CASTILE	184,043,034	184,043,034	0.101577175	184,019,534
100.00%	COVINGTON	55,227,017	55,227,017	0.030480938	55,211,317
100.00%	EAGLE	45,174,703	45,174,703	0.024932857	45,167,403
100.00%	GAINESVILLE	73,306,241	73,306,241	0.040459238	73,293,291
100.00%	GENESEE FALLS	22,552,731	22,552,731	0.012447321	22,542,231
96.00%	JAVA	110,290,199	114,885,624	0.063407763	110,282,699
100.00%	MIDDLEBURY	73,483,099	73,483,099	0.040556849	73,479,599
100.00%	ORANGEVILLE	68,706,055	68,706,055	0.037920300	68,704,155
100.00%	PERRY	159,806,087	159,806,087	0.088200301	159,790,137
100.00%	PIKE	42,953,288	42,953,288	0.023706812	42,948,288
96.00%	SHELDON	124,699,075	129,894,870	0.071691678	124,668,975
100.00%	WARSAW	225,488,039	225,488,039	0.124451535	225,485,039
100.00%	WETHERSFIELD	39,356,548	39,356,548	0.021721697	39,341,348
	<b>TOTALS</b>	<b>1,667,793,014</b>	<b>1,811,854,222</b>	<b>1.000000000</b>	<b>1,667,567,135</b>

T= Town Taxable Assessed Value  
Average Rate of Equalization for county

***FINANCE COMMITTEE***

- |                    |               |
|--------------------|---------------|
| Jerry Davis        | Sally Meeder  |
| Larry Rogers       | Jean Totslene |
| E. Joseph Gozelski | Douglas Patti |
| John Knab          | Ronald Smith  |
| Joseph Kushner     | Harold Bush   |

13-Nov-07

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

**RESOLUTION NO. 07-409  
(December 11, 2007)**

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, 2007 through September 30, 2007 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 six hundred sixty-two dollars and thirty-six cents (\$29,662.36) to the sixteen towns of Wyoming County, in accordance with the report filed with the Clerk of the Board of Supervisors, as follows:

<b>TOWNS</b>	<b>REVENUE SHARING DISTRIBUTED</b>
Arcade	\$2,703.65
Attica	\$2,589.13
Bennington	\$3,103.80
Castile	\$2,690.87
Covington	\$1,108.44
Eagle	\$1,012.18
Gainesville	\$1,325.50
Genesee Falls	\$306.78
Java	\$1,849.90
Middlebury	\$1,028.17
Orangeville	\$1,691.35
Perry	\$3,120.62
Pike	\$422.89
Sheldon	\$2,018.17
Warsaw	\$4,188.94

**Proceedings of the Board of Supervisors**

Wethersfield	\$501.97
<b>Grand Totals:</b>	<b>\$29,662.36</b>

Let this be your Warrant for Such Payment: **\$29,662.36** (Twenty-nine thousand six hundred sixty-two dollars and thirty-six cents) IN WITNESS WHEREOF, I have hereunto set my hand and seal of the Board of Supervisors this 11<sup>th</sup> day of December, 2007.

s/*Cheryl J. Ketchum*, Clerk  
Board of Supervisors

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

**#29**

**RESOLUTION NO. 07-410  
(December 11, 2007)**

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, 2008, 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:**

**#30**

**RESOLUTION NO. 07-411  
(December 11, 2007)**

By Mr. Davis, Chairman of Finance Committee:

**AUTHORIZE CHAIRMAN AND CLERK TO SIGN TAX  
WARRANTS**

December 11, 2007

**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, 2008.

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

#31

**RESOLUTION NO. 07-412  
(December 11, 2007)**

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 **Wednesday, January 2, 2008**, at **2:00 PM**, to be held at 143 North Main Street, Town of Warsaw, Warsaw, New York in the Government Center, 2<sup>nd</sup> Floor, in the Supervisor's Chambers.

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

**RESOLUTION NO. 07-413  
(December 11, 2007)**

By Mr. Davis, Chairman of Finance Committee:

**SALARY SCHEDULES “S,” “D,” “I,” “F,” and “G”  
AMENDED**

**BE IT RESOLVED**, That the Wyoming County Salary Plan which became effective January 01, 1967, as amended, is hereby amended as follows:

- Salary Schedules “S,” “D,” “I,” “F,” and “G” annexed hereto shall be substituted for the existing Schedules “S,” “D,” “I,” “F,” and “G”. Commencing January 01, 2008, eligible employees in the job titles covered thereby shall be paid the basic salary in accordance with these wage and salary schedules; and be it

**FURTHER RESOLVED**, That the salary of any position vacated shall be open for review by the appropriate committee.

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

**RESOLUTION NO. 07-414  
(December 11, 2007)**

By Mr. Davis, Chairman of 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, 2008 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:

<b>NAME OF TOWN</b>	<b>GENERAL FUND OUTSIDE</b>	<b>HIGHWAY OUTSIDE</b>	<b>TOTAL</b>
ARCADE	\$ 23,800.00	\$ 260,666.00	\$ 284,466.00
ATTICA	\$ -	\$ 192,132.00	\$ 192,132.00
BENNINGTON	\$ -	\$ -	\$ -
CASTILE	\$ 9,780.00	\$ 194,000.00	\$ 203,780.00
COVINGTON	\$ -	\$ -	\$ -
EAGLE	\$ -	\$ -	\$ -
GAINESVILLE	\$ 9,750.00	\$ 116,762.00	\$ 126,512.00
GENESEE FALLS	\$ -	\$ -	\$ -
JAVA	\$ -	\$ -	\$ -
MIDDLEBURY	\$ 20,950.00	\$ 218,000.00	\$ 238,950.00
ORANGEVILLE	\$ -	\$ -	\$ -
PERRY	\$ 13,000.00	\$ 163,600.00	\$ 176,600.00
PIKE	\$ 4,056.00	\$ 129,222.00	\$ 133,278.00
SHELDON	\$ -	\$ -	\$ -
WARSAW	\$ 10,970.00	\$ 288,839.00	\$ 299,809.00
WETHERSFIELD	\$ -	\$ -	\$ -
<b>TOTALS:</b>	\$ 92,306.00	\$ 1,563,221.00	\$ 1,655,527.00

and be it

**FURTHER RESOLVED**, That there shall be and hereby is assessed and levied upon and collected from real property liable therefore within the respective fire protection, lighting, recycling, and water districts in the following towns, as listed below, the following respective budgets:

**Proceedings of the Board of Supervisors**

NAME OF TOWN	FIRE DISTRICT	FIRE PROTECTION	LIGHT	WATER / SEWER & RECYCLE FEE	RELEVIED WATER / SEWER & RECYCLE FEE	TOTAL
ARCADE		\$ 52,600.00		*** \$ 100,000.00		\$ 152,600.00
ATTICA		\$ 80,547.00				\$ 80,547.00
BENNINGTON		B \$ 84,775.00				
		C \$ 70,942.00	\$ 2,200.00	* \$ 45,913.00		
		HC \$ 20,900.00				
		V \$ 5,075.00				\$ 229,805.00
CASTILE		\$ 57,700.00	\$ 5,200.00	\$ -	* \$ 18,595.40	\$ 81,495.40
COVINGTON		PA \$ 49,300.00				
		WY \$ 9,331.00		* \$ 350.00		
		PE \$ 3,900.00				\$ 62,881.00
EAGLE		\$ 50,750.00	\$ 6,000.00	* \$ 6,950.00	* \$ 5,972.30	\$ 69,672.30
GAINESVILLE		G \$ 29,000.00				
		SS \$ 10,400.00				
		C \$ 1,000.00				\$ 40,400.00
GENESEE FALLS		\$ 26,000.00	\$ 8,000.00			\$ 34,000.00
JAVA	NJ \$ 2,516.33	NJ \$ 26,831.25	NJ \$ 2,500.00	* \$ 13,617.50	* \$ 3,789.15	
		S \$ 63,618.00	JC \$ 300.00			\$ 113,172.23
MIDDLEBURY		F1 \$ 59,024.00				
		F2 \$ 11,450.00				\$ 70,474.00
ORANGEVILLE		V \$ 28,395.00				
		O \$ 14,000.00	L3 \$ 375.00			\$ 42,770.00
PERRY	F3 \$ 860.00	F4 \$ 29,000.00	PC \$ 1,700.00	* \$ 15,580.00		
				** \$ 18,500.00		\$ 65,640.00
PIKE		\$ 20,000.00				\$ 20,000.00
SHELDON	V \$ 5,620.00	ST \$ 35,517.00	L1 \$ 4,200.00		* \$ 1,038.22	
		NJ \$ 5,489.01	L2 \$ 2,900.00			
		V \$ 19,970.00	L3 \$ 750.00			
		SH \$ 40,000.00	L9 \$ 1,400.00			
		HC \$ 21,900.00				\$ 138,784.23
WARSAW		\$ 48,000.00		* \$ 5,209.00		\$ 53,209.00
WETHERSFIELD		G \$ 13,900.00				
		NJ \$ 14,261.00				
		B \$ 4,000.00				\$ 32,161.00
<b>TOTALS:</b>	<b>\$ 8,996.33</b>	<b>\$1,007,575.26</b>	<b>\$ 35,525.00</b>	<b>\$ 206,119.50</b>	<b>\$ 29,395.07</b>	<b>\$ 1,287,611.16</b>
			* = WATER	** = SEWER	*** = RECYCLING	

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	\$ 120,700.00	\$ 183,913.00	\$ 304,613.00
ATTICA	\$ 135,229.00	\$ 210,288.00	\$ 345,517.00
BENNINGTON	\$ 125,570.00	\$ 599,678.00	\$ 725,248.00
CASTILE	\$ 156,446.00	\$ 169,202.00	\$ 325,648.00
COVINGTON	\$ 132,970.00	\$ 248,586.00	\$ 381,556.00
EAGLE	\$ -	\$ -	\$ -
GAINESVILLE	\$ 129,612.00	\$ 98,492.00	\$ 228,104.00
GENESEE FALLS	\$ 92,205.00	\$ 174,127.00	\$ 266,332.00
JAVA	\$ 108,820.00	\$ 318,551.00	\$ 427,371.00
MIDDLEBURY	\$ 126,357.00	\$ 256,000.00	\$ 382,357.00
ORANGEVILLE	\$ 115,777.00	\$ 415,495.00	\$ 531,272.00
PERRY	\$ 237,450.00	\$ 200,000.00	\$ 437,450.00
PIKE	\$ 125,782.00	\$ 80,750.00	\$ 206,532.00
SHELDON	\$ 184,009.00	\$ 533,497.00	\$ 717,506.00
WARSAW	\$ 356,492.00	\$ 297,000.00	\$ 653,492.00
WETHERSFIELD	\$ 22,801.00	\$ 41,560.00	\$ 64,361.00
<b>TOTALS:</b>	\$ 2,170,220.00	\$ 3,827,139.00	\$ 5,997,359.00

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

#34

**RESOLUTION NO. 07-415  
(December 11, 2007)**

By Mr. Davis, Chairman of Finance Committee:

**ONE (1) POSITION OF DEPUTY DIRECTOR OF FIRE AND EMERGENCY MANAGEMENT (TEMPORARY) (1.00 fte) CREATED IN THE DEPARTMENT OF EMERGENCY SERVICES AND AMEND SALARY SCHEDULE “S”**

**BE IT RESOLVED**, That one position of Deputy Director of Fire and Emergency Services (Temporary) (.6 fte) position be hereby created in Emergency Services; effective January 01, 2008 through December 31, 2008 in order to determine the long term needs of the County’s Emergency Services Department. The Homeland Security Grant will be utilized for the funding of this position; and be it

**Proceedings of the Board of Supervisors**

**FURTHER RESOLVED**, That Salary Schedule "S," which became effective January 01, 1967, as amended, is hereby amended as follows: Set the salary of the Deputy Director of Fire and Emergency Services (Temporary) at fifteen thousand dollars (\$15,000.00) annually; effective January 01, 2008 through December 31, 2008 with only those benefits mandated by law.

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

#35

**RESOLUTION NO. 07-416  
(December 11, 2007)**

By Mr. Davis, Chairman of Finance Committee:

**ONE (1) POSITION OF LABORER, PT (TEMPORARY)  
CREATED IN BUILDINGS AND GROUNDS**

**BE IT RESOLVED**, That one (1) position of Laborer, PT (Temporary) be hereby created in Buildings and Grounds at a rate of \$10.00 per hour not to exceed 20 hours per week; effective January 01, 2008 through June 30, 2008.

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

#36

**RESOLUTION NO. 07-417  
(December 11, 2007)**

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 2008 as indicated in the amount of \$1,185,888.44 (one million one hundred eighty-five thousand eight hundred eighty-eight dollars and forty-four cents):

<b>VILLAGE</b>	<b>UNIT</b>	<b>TOTAL</b>
Castile	149	\$12,521.96
	1136	190,938.88
Gainesville	16	1,344.64
	816	137,153.28
Genesee Falls	11	924.44
	185	31,094.80
Middlebury	9	756.36
	590	99,167.20
Orangeville	26	2,185.04
	469	78,829.52
Perry	6	504.24
	1820	305,905.60
Pike	16	1,344.64
	426	71,602.08
Sheldon	11	924.44
	885	148,750.80
Warsaw	5	420.20
	604	101,520.32
<b>GRAND TOTAL</b>		<b>\$1,185,888.44</b>

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

**#37**

**RESOLUTION NO. 07-418  
(December 11, 2007)**

By Mr. Davis, Chairman of Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN CONTRACT WITH  
PHILLIPS LYTLE, LLP ON BEHALF OF THE COUNTY  
TREASURER'S OFFICE**

Regular Session

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 Phillips Lytle, LLP, 1400 First Federal Plaza, Rochester, NY 14614 on behalf of the County Treasurer's Office. Said contract is for the provision of legal counsel for REM proceedings of delinquent 2006 Town and County real property taxes at a fee of \$250 per parcel effective January 01, 2008 through December 31, 2008.

Contingent on the availability of funds.

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

*Chairman Berwanger called upon Finance Chair Davis to present the 2008 Tentative Budget. Supervisor Davis recapped some of the events that impacted the preparation of the 2008 budget and introduced Janis Cook, Reimbursement and Budget Administrator to deliver the budget message.*

*On behalf of A. Douglas Berwanger, Chairman and the Wyoming County Board of Supervisors, it is my honor to present the TENTATIVE 2008 BUDGET.*

*The spending plan before you today represents many hours of work by County department heads, management support 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 greatly appreciated.*

*Annually, the County must develop a tentative budget for the upcoming year. We are collectively facing a rising cost environment, with many expenses that are outside the County's control. Continued conservative budgeting practices on the part of the Board of Supervisors, as well as a strong emphasis on revenue collection and the aggressive pursuit of grant funding, has enabled the County to develop and present a 2008 Tentative Budget that maintains services for the residents of Wyoming County.*

*In August 2004, the Wyoming County Board of Supervisors approved an equalization plan (Title 2) based on the proportion of the total full valuation of taxable real property in the County. In 2008, the estimated tax rate per thousand for each town with a 100% equalization rate is \$6.79. For those towns at a 100% equalization rate for both the previous fiscal year (2007) and the upcoming year (2008) this represents an increase of \$.28 (twenty-eight cents) per thousand or 4.3%.*

*The proposed 2008 budget appropriations total \$106,951,081 reflecting an increase of 5.4% or \$5,472,025 as compared to the 2007 adopted*

*budget at \$101,479,056. Estimated revenues in the amount of \$ 91,348,837 have been proposed increasing by \$4,090,810 or 4.68% over the 2007 adopted revenue. In an effort to reduce the tax rate, surplus funds have been applied from the General Fund of \$3,300,000.*

*The proposed 2008 County property tax levy in this budget is reflected at \$12,302,243.61 increasing by 8.18% or \$931,214.63 as compared to the 2007 tax levy of \$11,371,028.98. While the actual tax dollars being raised by the County are increasing at just over 8%; the actual increase in the County average tax rate per one thousand dollars of assessment is increasing at a rate of 5.43%. For most towns, the 2008 proposed rate per 1,000 is increasing \$.28 (twenty-eight cents) from a rate of \$6.51 per 1,000 in 2007 to \$6.79 per 1,000. For instance, in a town where the equalization rate for both the current fiscal year and the next fiscal year is at 100%, a home assessed at \$80,000 that paid \$520.80 in 2007 would pay \$543.20 in 2008 for an increase of \$22.40. 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-levees or corrections.*

*Estimated sales tax of \$ 13,100,000 is budgeted for 2008 which is up \$500,000 from the 2007 budgeted amount. Again, the 2008 budget contains a subsidy to the Wyoming County Community Health System in the amount of \$1,700,000. This amount decreased by 15% from the \$ 2,000,000 in the 2007 budget.*

*The County continues to work cooperatively with the Insurance Task Force and has adopted one single health insurance plan for all employees of the County, as a means to achieve an economy of scale and improve operational efficiency.*

*In 2008, Wyoming County employees represented by the Sheriff Employees' Association and the Deputy Sheriff's Association, the general unit of the CSEA bargaining unit as well as the Schedule E CSEA Supervisory unit (WCCH) will be given salary increases as previously negotiated in their respective collective bargaining agreements. The proposed 2008 tentative budget includes comparable salary increases for management and elected personnel.*

*The only capital expenditures budgeted reflects the cost of Computer Capital Equipment purchased by 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.*

*The 2008 Medicaid expense has been budgeted at \$5,000,000, the same funding level as the 2007 budgeted amount. This represents 40.64% of the County's proposed 2008 tax levy. It appears the Medicaid Cap instituted by the State of New York in 2006 has assisted Wyoming County in more effectively anticipating Medicaid expenses for NYS mandated programs.*

*The total indebtedness for Wyoming County as of November 15th, 2007 is in amount of \$7,930,557.48. This increased by just over \$2.4 million from last year. In the fall of 2006, the County began a \$4,345,000 Road Reconstruction Project. Although \$1 million dollars of Federal funding has been secured for the project, it was necessary to borrow the balance of \$3,345,000. A complete schedule is available in your budget packet.*

*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 2008 Tentative County Budget together and it has been my privilege to present it to you for your consideration.*

*Respectfully submitted,*

*Janis A. Cook  
Reimbursement & Budget Administrator  
Wyoming County*

Finance Chair Davis commented that it was a tough budget year and no one wanted to see an increased tax rate.

**PUBLIC COMMENT:**

As there were no persons signed up to speak, Chairman Berwanger offered the public another opportunity to sign up for the Public Comment period.

Supervisor Kushner requested an opportunity to address the Board. He started by thanking Chairman Berwanger on behalf of the entire Board for acting in the capacity of the County Administrator saving the county a substantial amount of money.

There being no further comment Chairman Berwanger stated that he would entertain a motion to close the Public Hearing.

Supervisor Rogers motioned to close the Public Hearing. All voted aye. The Public Hearing was closed.

**RESOLUTION NO. 07-419  
(December 11, 2007)**

By Mr. Davis, Chairman of Finance Committee:

**TENTATIVE 2008 BUDGET FOR WYOMING COUNTY  
ADOPTED**

**BE IT RESOLVED**, That the tentative budget for the year 2008, as filed with the Clerk of this Board, is hereby adopted as the county budget for the year 2008, which requires the raising by tax levy in the amount of twelve million three hundred two thousand two hundred forty three dollars and sixty-one cents (\$12,302,243.61); and be it

**FURTHER RESOLVED**, That the said sum of twelve million three hundred two thousand two hundred forty three dollars and sixty-one cents (\$12,302,243.61) 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, 2008.

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

*Chairman Berwanger asked the Board if any member objected to the presentation of Unanimous Consent Resolution Office Number 39.*

*Hearing no objections he instructed Clerk Ketchum to read Unanimous Consent Resolution Office Number 39.*

*Prior to the passage of this resolution Supervisor Kushner extended his thanks on behalf of the entire Board to Lori Roche and Ron Krawiec for their efforts with the creation of the presented clinical ladder.*

**RESOLUTION NO. 07-420  
(December 11, 2007)**

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

**NURSING CLINICAL LADDER APPROVED**

**WHEREAS**, representatives of the County of Wyoming and the Civil Service Employees Association, Inc., Local 1000 AFSCME, AFL-CIO (hereinafter "CSEA") have agreed to certain changes and modifications to the method of compensation of registered nurses and licensed practical nurses at Wyoming County Community Hospital as embodied in a Memorandum of Agreement between the County and CSEA dated as of December 11, 2007 attached hereto which effects the placement of certain nursing positions of one or more clinical ladders which shall provide the framework for the practical compensation for the effected positions; and

**BE IT RESOLVED**, that the Wyoming County Board of Supervisors hereby adopts the Memorandum of Agreement between the County of Wyoming and the CSEA regarding the compensation and status of registered nurses and licensed practical nurses all as set forth in a Memorandum of Agreement dated as of December 11, 2007; and it is further

**RESOLVED**, that to the extent that this Memorandum of Agreement may require any amendments to the collective bargaining agreement between the County of Wyoming and the Civil Service Employees Association, Inc., Local 1000 AFSCME, AFL-CIO, such amendments are hereby approved, subject to approval as to form by the County Attorney;

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

*There being no further business to come before this Board, Senior Supervisor Bush, T/Gainesville, adjourned the meeting at 3:55 PM with a rap on his desk.*

\*\*\*\*\*

*Respectfully submitted,*

*Cheryl J. Ketchum*

Cheryl J. Ketchum, Board Clerk

December 11, 2007

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