PROCEEDINGS

OF THE

BOARD OF SUPERVISORS

WYOMING COUNTY
NEW YORK

2008

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

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2008 Supervisors for Wyoming County

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

Wyoming County Board of Supervisors
2008 Standing Committees

Effective January 2, 2008

FINANCE COMMITTEE:
Davis, Rogers, Gozelski, Knab, Kushner, Meeder, Patti, Smith, Totsline

AUDIT COMMITTEE:
Bush, Davis, Kushner, Smith, Totsline, Fleischman

HUMAN RESOURCE COMMITTEE:
Meeder, Kushner, Brick, Copeland, Grant, Fleischman, May, Totsline

HUMAN SERVICES COMMITTEE:
Totsline, Smith, Rogers, Bush, Davis, Fleischman, Knab, Kushner, Meeder, Patti

PUBLIC HEALTH COMMITTEE:
Kushner, Totsline, Knab, Bush, Gozelski, May, Patti, Smith

PLANNING COMMITTEE:
Fleischman, Knab, Brick, Copeland, Davis, Gozelski, Grant, May, Meeder, Rogers

AGRICULTURE COMMITTEE:
Gozelski, Brick, Copeland, Davis, Grant, May, Meeder, Rogers

PUBLIC WORKS COMMITTEE:
Patti, Grant, Bush, Brick, Davis, Gozelski, Kushner, Knab,

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 - 2008

Congressmen, 27th District	Chris Lee	Williamsville
Senator, 59th District	Dale M. Volker	Depew
Assemblyman, 147th District	Daniel Burling	Warsaw
Republican Comm. Chairman	Gordon Brown	Warsaw
Democratic Comm. Chairman	Harold Bush	Gainesville
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	Richard Harrison	Arcade
	Rhonda Pierce	Bliss
District Attorney	Gerald L. Stout	Warsaw
Animal Control Officer	Justa D. Goodell	Castile
Planning & Development Dir.	Drew Shapiro	Getzville
Election Commissioners	James Schlick, Rep.	Bennington
	Anna Mae Balmas, Dem.	Strykersville
Dir. of Fire & Emergency Management	Anthony Santoro	Attica

Fire & Building Code Officer	Dennis Halstead	Perry
Grant Writers	Stuart Brown	Fairport
	J. O'Connell	Clarence
	Ann McDonnell	Elma
Health Dept. Commissioner	Dr. Gregory Collins	Avon
Highway Superintendent	Todd Gadd	Attica
Historian	Doris A. Bannister	Middlebury
Hospital Administrator	Ronald 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 Herod	Varysburg
Public Defender	Norman P. Effman	Warsaw
Real Property Tax Serv. Director	Richard L. Dean, Jr.	C.C.D. Castile
Records Retention, Director	Gail Royce	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	James Marley	
Worker's Comp./Health Ins. Adm.	Dixie Perkins	Warsaw
Youth Bureau Director	Andrea Aldinger	Attica

ANNUAL ORGANIZATIONAL MEETING
TUESDAY, JANUARY 2, 2008
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. William Ray Smith, Jr. to lead in the Pledge of Allegiance to the Flag:

WILLIAM RAY SMITH, JR.

Mr. Smith's service to his country comes while serving during the Vietnam War. He was inducted into the United States Army on November 30, 1965 and then completed Basic Training at Fort Dix, New Jersey and Advance Individual Training at the Aberdeen Proving Grounds where he became qualified as a Light & Heavy Vehicle Operator/Mechanic. Mr. Smith was then shipped overseas and spent the next 13 months assigned to the 79th Transportation Battalion. Most of his tour was TDY-(Temporary Duty) supporting the 1st and 25th Infantry Division as an APC (Armored Personnel Carrier) Operator running convoys along "Highway 1" and to and from the Cambodian border. Mr. Smith returned to the United States and was honorably discharged at Ft. Lewis, Washington at the rank of Specialist 4th Class.

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

The National Defense Service Medal
The Vietnam Service Medal
The Vietnam Campaign Medal

Mr. Smith returned to this area and took advantage of the GI Bill by enrolling at Roberts Wesleyan College with a major in Education. He transferred to SUNY Brockport to complete his program and graduate in 1971 with a Bachelor's and Master's Degree in Education and Sociology as well as a Principal's Certificate. He spent about a year teaching at the Genesee County BOCES and then went to work for the New York State Department of Corrections in Attica as a teacher. While working at the Attica Correctional Facility, Mr. Smith held the position of Education Supervisor until 1985 and then transferred to Wyoming Correctional in the same position until the year 2000. Mr. Smith then took a position as Assistant Deputy Superintendent of Programs at Groveland Correctional. He became Deputy Superintendent of

Programs and held this position at Sing Sing Correctional, Orleans Correctional, and Wende Correctional. Mr. Smith retired in June of this year with 35 years of State Service.

Mr. Smith enjoys hiking, biking, and camping. He has been married for 39 years to his wife, Elizabeth, and they have 3 grown daughters. They presently live in the Town of Attica.

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 today.

Clerk Ketchum stated that another custom of this Board is to offer Veterans an opportunity to address the Board. Mr. Smith thanked the Board and stated that it was indeed his privilege to lead in the pledge.

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 Grant. 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 the following results: **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 2008 Annual Organizational Meeting and thanked the Board for their confidence in his ability to conduct the meeting in the Temporary Chairman's capacity he then called for nominations for Permanent Chairman of the Board. Supervisor Kushner nominated Supervisor Berwanger; seconded by Supervisor Davis. 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 the following results: **Ayes: (1618); Noes: (0); Absent: (0) Abstain: (0)**; Temporary Chairman Rogers declared Supervisor Berwanger as Permanent Chairman of the Board for the year 2008.

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

Chairman Berwanger called for nominations for Vice-Chairman of the Board. Supervisor Totsline nominated Supervisor Davis. Seconded by Supervisor May. 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 the following results: **Ayes: (1618); Noes: (0); Absent: (0) Abstain: (0)**; Supervisor Davis was declared Vice-Chairman of the Board for the year 2008.

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

Chairman Berwanger called for nominations for Clerk to the Board. Supervisor Copeland nominated Cheryl J. Ketchum. Seconded by Supervisor Brick. 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 the following results: **Ayes: (1618); Noes: (0); Absent: (0) Abstain: (0)**. Cheryl J. Ketchum was declared Clerk to the Board for the year 2008.

Judge Mark Dadd administered the oath of Office to the Clerk to the Board.

Chairman Berwanger then invited re-elected County Sheriff, Farris Heimann to please come forward and take his oath of office.

Sheriff Heimann came forward and took his oath of office after reflecting on the last 4 years.

The Oath of Office was administered by Judge Mark Dadd.

Chairman Berwanger then invited newly elected County Clerk, Richard Harrison to please come forward and take his oath of office.

The Oath of Office was administered by Judge Mark Dadd.

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

The Oath of Office was administered by Judge Mark Dadd.

Introduction of Guests:

- Senator Dale Volker

Chairman Berwanger asked Clerk Ketchum to pass out the Standing Committee assignments for 2008.

At 2:25 PM Chairmen Berwanger called for a short recess for special meetings of the Finance Committee, Human Resource 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.

2/3 Majority
#1

RESOLUTION NO. 08-01
(January 2, 2008)

By Mr. Davis, Chairman of the Finance Committee:

RULES OF PROCEDURE AMENDED AND ADOPTED

BE IT RESOLVED, That this Board of Supervisors hereby adopts, as its Rules of Procedure, the Rules of this Board as adopted May 11, 1999, as amended, and be it

FURTHER RESOLVED, That the Rules of Procedure are hereby amended as follows:

Rule 1. **Sessions.**
Regular Sessions of this Board shall be held on the second Tuesday of each month at 2:30 PM.

Carried: XXX **Ayes: 1687** **Noes:** **Absent:** **Abstain:**

#2

RESOLUTION NO. 08-02
(January 2, 2008)

By Mr. Davis, Chairman of the Finance Committee:

OFFICIAL NEWSPAPERS DESIGNATED

Organizational Meeting

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 2008:

Designation	***Publication***	***Village of***
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

Designation	***Publication***	***Village of***
Official canvass	Country Courier	Warsaw, NY
Constitutional amendments and concurrent resolutions (including tax sales and redemptions)	Country Courier	Warsaw, NY

Signed this second day of January 2008.

s/ A.D. Berwanger s/ James Brick

s/ Joseph Gozelski s/ Joseph Kushner

s/ Jerry Davis s/ Larry Rogers

s/ Jean Totsline s/ Douglas Patti

s/ Ron Smith s/ Ellen Grant

s/ John Copeland s/ Susan May

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 2008:

Designation	***Publication***	***Village of***
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/ Harold Bush s/ Sally Meeder

s/ James Fleischman s/ John Knab

#3

RESOLUTION NO. 08-03
(January 2, 2008)

By Mrs. Meeder, Chairman of the Human Resource Committee:

ERIC T. DADD REAPPOINTED COUNTY ATTORNEY

BE IT RESOLVED, That ***Eric T. Dadd***, 11 Exchange Street, Attica, NY 14011 is hereby reappointed as Wyoming County Attorney for a ***term of two (2) years; effective January 01, 2008 through December 31, 2009***.

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

#4

RESOLUTION NO. 08-04
(January 2, 2008)

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

STEPHEN TARBELL REAPPOINTED STOP D.W.I. COORDINATOR

BE IT RESOLVED, That ***Stephen Tarbell***, 4270 Fairview Road, Castile, NY 14227 is hereby reappointed as Wyoming County Stop D. W. I.

Coordinator for a ***term of one (1) year; effective January 01, 2008 through December 31, 2008***.

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

#5

RESOLUTION NO. 08-05
(January 2, 2008)

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

DR. GREGORY COLLINS, DO REAPPOINTED MEDICAL DIRECTOR FOR PRE-HOSPITAL CARE AGENCIES

BE IT RESOLVED, That ***Dr. Gregory Collins, DO***, 4820 Darby Rd., Avon, NY 14414 is hereby reappointed as Medical Director for Pre-Hospital Care Agencies for a ***term of one (1) year; effective January 01, 2008 through December 31, 2008***.

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

#6

RESOLUTION NO. 08-06
(January 2, 2008)

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

NORMAN EFFMAN REAPPOINTED PUBLIC DEFENDER

BE IT RESOLVED, That ***Norman Effman***, 14 Main Street, Attica, NY 14011 is hereby reappointed as Wyoming County Public Defender for a ***term of two (2) years; effective January 01, 2008 through December 31, 2009***.

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

#7

RESOLUTION NO. 08-07
(January 2, 2008)

By Mr. Davis, Chairman of the Finance Committee:

JASON BECK AND NANCY CLARK REAPPOINTED TO THE WYOMING COUNTY COMMUNITY HOSPITAL BOARD OF MANAGERS

BE IT RESOLVED, That ***Jason Beck***, 12 Pickett Street Ext., Castile, NY 14427 and ***Nancy Clark***, 703 McGrath Rd., Attica, NY 14011 are hereby reappointed to the Wyoming County Community Hospital Board of Managers ***for a term of five (5) years; effective January 01, 2008 through December 31, 2012.***

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

#8

RESOLUTION NO. 08-08
(January 2, 2008)

By Mr. Davis, Chairman of the Finance Committee:

HIPAA OFFICERS REAPPOINTED

BE IT RESOLVED, That the following persons are hereby reappointed to the following HIPAA Officer Positions, for a term of one (1) year, said term to expire December 31, 2008:

- **Anne Herod** (Probation Director) – ***Privacy Officer***
- **Todd MacConnell** (Information Technology Director) – ***IT Security Officer***
- **Sally Meeder** (T/Middlebury Supervisor) - ***Corporate Compliance Officer***

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

#9

RESOLUTION NO. 08-09
(January 2, 2008)

January 2, 2008

By Mr. Davis, Chairman of the Finance Committee:

BETH POND REAPPOINTED COUNTY AUDITOR

BE IT RESOLVED, That ***Beth Pond***, 6708 Swyers Road, Castile, NY 14427 is hereby reappointed County Auditor; ***effective January 01, 2008 through December 31, 2008***.

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

#10

RESOLUTION NO. 08-10
(January 2, 2008)

By Mr. Davis, Chairman of the Finance Committee:

INVESTMENT POLICY FOR WYOMING COUNTY ADOPTED; 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 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 judgment 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:

Depository Name	Maximum Amount	Officer
Five Star Bank	$ 20,000,000.00	
Bank of Castile	$ 20,000,000.00	
M & T Bank	$ 20,000,000.00	
HSBC	$ 20,000,000.00	

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 and 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.

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

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.

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.

__ (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: 1618 Noes: Absent: Abstain:

Chairman Berwanger invited County Clerk Harrison to come forward and address the gathering. County Clerk Harrison promised to carry on the dedication of retired County Clerk, Janet Coveny and introduced the newly appointed Rhonda Pierce as his Deputy County Clerk.

Chairman Berwanger introduced, from the 59th Senatorial District, State Senator Dale M. Volker.

Senator Volker reflected on endearing times spent all over Wyoming County. He stated that he is very proud of the relationship his enjoys with Wyoming County. County Governments all over his district and the State of New York are doing things much differently today than they did in years past. Many of the swearing in ceremonies of officials took place privately; they were never shared with the general public. In fact, Senator Volker told Chairman Berwanger that he uses Wyoming County on a regular basis as an example of how to do things right. Senator Volker congratulated the Supervisors on a job well done for the people of the county and thanked them for their support. He encouraged a nonpartisan relationship to be able to get on with the business of running the county.

As always, we enjoyed the personal message Senator Volker brought to Wyoming County and appreciated the message from the New York State Senate.

Chairman Berwanger delivered the 2008 State of the County Address…

2008 State of the County Address

January 2, 2008

Fellow Supervisors, Judge Dadd, Judge Griffith, District Attorney Stout, Sheriff Heimann, Treasurer Mayer, County Clerk Harrison, residents and tax payers of Wyoming County.

I want to take the opportunity to humbly thank the Wyoming County Board of Supervisors for their support, trust and confidence shown to me for the past seven years and again in 2008 by electing me as the Chairman of the Board of Supervisors. I shall continue to serve as I have in the past, taking direction from all of you and implementing the policies of Wyoming County Government. Thank you.

On behalf of the Board I want to congratulate Sheriff Ferris Heimann as he begins his second term as Wyoming County Sheriff and County Clerk Richard Harrison as he begins his first term. We look forward to working closely and productively with both of you for the greater good of the residents of our County.

As has been the custom of the Chairman for the past several years a State of County address has been delivered at this time. I shall reflect on what has transpired in 2007 and what is expected in 2008.

The Board of Supervisors has worked with many departments, and has labored over many personnel changes and additions.

Notably, January 2007 marked the beginning for a new department head when Andrea Aldinger began her term as OFA/Youth Bureau Director. She has worked diligently to bring about a single cohesive working environment.

Another department head, Paula Parker, past Director of Reimbursement and Budgets resigned this year to take a similar position with the Town of Brighton. While in Wyoming County, she was able to upgrade the county reimbursement claiming system, making it much more efficient. She was a great resource to the Board as far as budget projections, tracking, preparation, and trends. We thank her for her service and wish her well in her new position.

With Paula's departure came a formidable void in the budget office. In late summer Janice Cook, previously the fiscal officer from the County Health Department took over the position. Janice Cook's grasp of the counties financial, budget and reimbursement system makes her a logical choice. Janice has done a commendable job in just the short time she has been with us, and we look forward to a long association with her in the Budget and Reimbursement Department.

And now, to recognize someone who has worked diligently with Paula and Janice, always in the background, but always steady and knowledgeable, Beth Pond. After retiring from a distinguished career as Deputy County Treasurer, Beth was hired as a part time Deputy Budget Director. Filling the period of time between directors, Beth very admirably 'filled the void,' never missing a beat as the office continued to operate at the highest level. Wyoming County is very fortunate and grateful to employ a person of Beth Ponds ability, loyalty, knowledge and experience.

This year the Wyoming County Highway Department also saw a change in leadership. After 5 years as the County Highway Superintendent, Jack Beachel was appointed the Better Pavement Program Project Manager, overseeing design and construction of the County Road Improvement program. Replacing Jack as County Highway Superintendent is Todd Gadd of Bennington. Todd brings experience as a design and project manager from the private sector and the Board is hopeful for a long productive career with Todd leading the County Highway Department.
Also throughout the year, longtime Director of Planning and Economic Development, Richard Tindell resigned to become the Executive Director of Cornell Cooperative Extension in Erie County. Richard's knowledge and attention to detail were legendary and the Board of Supervisors continues to search for his replacement.

And, of course, this fall, the Director of Weights and Measures Richard Harrison was elected County Clerk. His successor will be named within the week. Richard Harrison was an excellent Weights and Measures Director, bringing computerization to the department as well as involvement in the State Weights and Measures Organization, serving as President. We wish Richard the very best in his newly elected position.

Finally, the Director of Emergency Services position, which was held temporarily by Bill Streicher was filled by Tony Santoro of Attica. Mr. Santoro has set many goals to accomplish and these are priorities of the Board of Supervisors, as well.

Emergency Services will continue to search and secure funding from Homeland Security, Terrorism, Bio-Terrorism, and other funding sources available at the State and Federal level. Projects to be moved forward are the fire training tower located at the Fire Training Center in Wethersfield, and addressing system which will lead to an ever greater level of Public Safety for the residents of the County.

Congratulations are in order to the Emergency Services Department, Sheriff Department, Building and Grounds, and County Highway Department for

collaborating on the construction and energizing of the Communications Tower in Wethersfield which became operational this last year.

2007 has been a busy year for the Building and Grounds department, their crew joined forces with hospital staff to complete the renovations of Thompson Hall which adjoins the Hospital and is new home to Human Resources, Workers Comp Benefits, Mental Health and the Weights and Measures departments.

Following that project was the construction of the County Records Retention Building. Based on persistence from our past County Clerk Janet Coveny, the Board decided to build a facility that will house all county records including storing hospital records and existing county records currently stored in Gainesville. Once the new building is operational, the Gainesville Building will be declared surplus and sold.

Next, is the reconstruction of the White House located on Linwood Ave., it will house the Public Defender's offices which previously were located on the second floor of the Board of Elections Building. The remaining space in the Kaplan Building, which already houses the DMV, OFA & Youth Bureau, will be renovated as the new location of the Board of Elections. With all of this departmental relocation occurring, two buildings will become available to be declared surplus, sold and returned to the tax rolls.

Many thanks to Superintendent Halstead and his crew for their accomplishments in 2007.

Other accomplishments this year include DSS and the Sheriff's Department collaborating to reduce welfare fraud by resurrecting the Fraud Investigator position which is held by Deputy Jason Mayer. The OFA and Youth Bureau continue to serve the growing senior population of our county. As the "Baby Boomers" approach retirement, demand for senior services will grow accordingly. We feel the Wyoming County Office for the Aging is positioning for this increase in service.

Other departments which continue to operate efficiently and offer reliable services are Real Property Tax Services under the direction of Rick Dean; who is working closely with Todd MacConnell, Information Technology Director, to upgrade the county's ability to provide GIS mapping systems for all municipalities and private enterprise.

The Board would also like to recognized Dixie Perkins and Linda Nash for stepping up and doing more with the Human Resource Department. Building Codes, directed by Dennis Halstead, and Wyoming County Probation, a vital

department upon which the rehabilitation of criminal offenders is available, under the leadership of Anne Herod.

I want to recognize the Probation Department, the Sheriff's Department, the District Attorney, and the Public Defender for working together with the Court System in Wyoming County in providing the highest level of justice to offenders and victims.

Public Health Department under the leadership of Dr. Greg Collins continues to operate at a high level despite changes in key personnel. These changes include the appointment of Cathy Murdie as the Director of Nursing and Sarah Matthews as the Fiscal Administrator, replacing Lori Roche who was appointed Director of Nursing at the County Hospital and Janis Cook, who was appointed Reimbursement and Budget Administrator for the County.
Congratulations are due to the Public Health management team who will travel to the New York State Association of Counties for the winter conference the end of January to offer a workshop presentation on the success of the CHHA.

Next, I would be remiss without recognizing the county's largest department, the Wyoming County Community Health System. Under the leadership of CEO Ron Krawiec, the Board feels confident and reassured that good things are happening in our Healthcare System. Also, review of management practices, patient care, and a career ladder for nurses and other key personnel have proven that WCCHS is on the right track. Also, congratulations to Russ & Janet Miller and Jim VanArsdale for their leadership and commitment which led the successful Capital One campaign. The success of their endeavor was crucial to the continued presence of the Hospital in Wyoming County and rest assured the Board of Supervisors is committed to its existence.

The year 2007 had some successes in Economic Development. Wyoming County was awarded the long awaited Empire Zone and with this came the creation of the Empire Zone Administration Board which has received and approved 3 applications from Wyoming County based businesses. These applications were approved, and sent on to the State Department of Economic Development for approval. We are confident that these approvals will be given. These businesses will be able to share in the incentives given to others across the state.

Also this year, marked the formation of the Wyoming County Local Development Corporation named the Wyoming County Business Center. The function of this Board is to distribute equitably County Economic Funding Dollars to subsidize projects related to the Wyoming County Chamber of Commerce, Empire Zone, and IDA. These are new ideas and the Board is anxious to see the results.

Other contract agencies in Wyoming County continue to be progressive, most notably the Cooperative Extension under the leadership of William Madison, Executive Director, continues to flourish. Not only does the 4H program continue to provide educational and practical opportunities with the youth of the county, but now with the introduction of the Wyoming County Dairy Institute, there is recognition statewide and nationally for this innovative program focusing on educating workers in the county dairy industry workforce.

Wyoming County Soil and Water District also continues to work with agriculture producers in the county, maintaining statewide award winning programs.

Wyoming County Tourism has now existed for a full year under the bed tax funding, and now needs less funding from county government, which makes this agency much more self sustaining.

In summary, projections for fiscal year 2008 include two roads completed through the better pavement program, East Main Street & Vernal roads in the Town of Attica, and work will begin on Middle Reservation Road in the Towns of Castile and Perry in the spring. In addition, priorities will be the completion of the Records Retention building, Public Defenders offices, the Board of Elections offices, and the new fire training tower at the Fire Training Center. Focused and innovative programs to assist the senior citizens and youth of the county, maintaining public safety and public health, and hiring a Director of County Planning, keeping the county health system fiscally sound, and at budget time in 2008 we will work to maintain a low tax rate.

As you can see, a common thread from the departments and contract agencies throughout Wyoming County has been one of collaboration. By joining together, we have been able to do more projects at lower costs, benefiting the citizens of the county through increased services while maintaining lower costs.

However, the cost of employee health insurance and energy costs continue to rise. Those costs have to be absorbed somewhere. This Board of Supervisors continues to work for the common good of every resident of Wyoming County.

Finally, I wanted to thank Senator Dale Volker for joining us today. On behalf of all of us thank you for your continued support of our County. One can only imagine the effort involved in bringing state funding back to this district. And thank you also to our Congressman Tom Reynolds, Assemblyman Dan Burling, Senators Chuck Schumer & Hilary Clinton, for your efforts on behalf of Wyoming County.

In closing, I want to thank Cheryl Ketchum, Clerk to the Board, Brenda Ferrell, Deputy Clerk to the Board and Marge Downs, Civil Service Technician for your professionalism, work ethic, loyalty and commitment to the Board of Supervisors. Your efforts make the work of the Board much more efficient. Thank you ladies…

Looking forward, let us continue to work together in the non-partisan relationship this board has enjoyed for many years. Good luck to all and God Bless Wyoming County.

A. Douglas Berwanger, Chairman
Wyoming County
January 2, 2008

There being no further business to come before this Board, Senior Supervisor Bush, T/Gainesville, adjourned the meeting at 3:10 PM with a rap on his desk.

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Respectfully submitted,

Cheryl J. Ketchum

Cheryl J. Ketchum, Board Clerk

REGULAR SESSION
(January 08, 2008)

Tuesday **2:30 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 2:35 PM Chairman Berwanger, T/Arcade, called the meeting to order.

The Veteran leading the Pledge of Allegiance this month was:

DEAN V. JUNE

Mr. June's service to his country comes while serving the Army National Guard during the Vietnam Era. He enlisted in the Army on February 28, 1970. He completed Basic Training and Advanced Individual Training at Fort Polk, Louisiana, where he became qualified as an "11C" Heavy Weapons – 81 mm Mortar Artillery Specialist. Mr. June returned to Batavia and was assigned duties with "C" Company of the 1/174th Infantry Battalion under the 42nd Infantry Division. While assigned with this unit, he took additional training in "Fire and Support", 1st Sergeant School, and NCO Professional Development. Active Duty included: the activation for the Flood of 1972 in Corning and the Strike of 1979 at the Attica Correctional Facility. Mr. June transferred to HQ of the 1/174 for a period of advancement, but then returned to C Co in Batavia as a 1st Sgt in 1985, where he stayed until his retirement in 1990.

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

THE NATIONAL DEFENSE SERVICE MEDAL
THE NCO PROFESSIONAL DEVELOPMENT RIBBON
THE ARMY ACHIEVEMENT MEDAL WITH OAK LEAF CLUSTER
THE ARMY COMMENDATION MEDAL WITH OAK LEAF CLUSTER
THE MERITORIOUS SERVICE MEDAL

Prior to his enlistment, Mr. June attended Geneseo State University and completed his degree in Education in 1967. He went to work at the Attica High School as a History Teacher for 7th & 8th Grades. He has held this position since his college graduation and is still teaching at Attica High School.

Mr. June has been a member of the Lions Club of Attica since 1990. He and his wife of 38 years, Sally, live in Attica and have 3 grown daughters.

The pledge was said by all.

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

On a lighter note the Chairman stated that, Mr. June was enlisted as a Social Studies Teacher in 1967 and taught Supervisors Patti and Grant. The Chairman invited them both to have their pictures taken with Mr. June.

Chairman Berwanger offered Mr. June the opportunity to address the entire Board of Supervisors; he responded by telling the Board that he was humbled by the invitation and that inviting veterans to the Board Meeting to lead in the pledge has significant meaning.

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 2008 is Colleen Holmes. She has been employed at DSS since 1986 and is a Program Specialist in the Food Stamp Unit. Colleen has shown dedication and determination in her job and has gone above and beyond to the best of her ability to complete the work with co-workers being out on leave. She has kept a positive attitude throughout this time and has been very gracious for the assistance from the entire agency.

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

She is unable to be at the Board meeting, please join me in recognizing Colleen Holmes. Chairman Berwanger asked Commissioner Schmitt to extend the Board's congratulations.

Communications:

C1 - United Way plaque presentation to the employees of the county for Outstanding Performance in 2007.

Open Public Hearings:
Local Law F for the year 2007, Adopted Local Law 1 for the year 2008, entitled, **"EXEMPTION FROM REAL PROPERTY TAXES FOR REAL PROPERTY OWNED BY VETERANS WHO RENDERED MILITARY SERVICE TO THE UNITED STATES DURING THE COLD WAR"**

Local Law G for the year 2007, Adopted Local Law 2 for the year 2008, entitled, **"A LOCAL LAW AMENDING LOCAL LAW NO. 1, YEAR 1985 ENTITLED, REDUCING THE AMOUNT OF EXEMPTION PROVIDED BY 458-A OF THE REAL PROPERTY TAX LAW"**

#1

RESOLUTION NO. 08-11
(January 08, 2008)

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:

Youth Bureau			
To: 01.45.7310.1.10001 SCH S/D/I Salaries (Y.Bureau) 01.45.7310.1.10101 CSEA Salaries (Y.Bureau) 01.38.4059.1.10101 CSEA Salaries (E. Intervention) 01.38.4059.1.10001 SCH S/D/I Salaries (E. Intervention) ***From any funds available*** **Reason:** Funds needed to cover remaining 2007 Salaries.	$2,000.00 4,500.00 3,000.00 360.00	 $9,860.00	
Youth Bureau Total			**$9,860.00**
Mental Health			
To: 01.38.4250.1.10001 Salaries-Fixed Sch. D/S/I 01.38.4250.1.10301 OT Includes FT/PT w/01.03.4250.1289 Other Dept. Income 01.12.4250.4490 Mental Health/Alcoholic Addiction Control **Reason:** Increase in amount of payment from Wyoming County Community Health System for billing services and in Federal Salary Sharing.	$592.00 868.62 $1,460.62	 $868.62 $592.00 $ 1,460.62	
To: 01.38.4310.1.10301 OT – Includes FT/PT w/01.03.4310.1289 Other Dept. Income **Reason:** Increase in amount of payment from Wyoming County Community Health System for billing services.	$1,516.00	 $1,516.00	
Mental Health Total			**$2,976.62**
District Attorney			
To: 01.32.1166.4.40305 Drug Task Force w/01.11.1166.308907 DA/State Block Grant **Reason:** New Grant called Operation Impact Tools Grant	$10,000.00	 $10,000.00	
District Attorney Total			**$10,000.00**

Treasurer			
To: 01.33.1364.4.40301 Professional Service Contracts w/01.01.1000.1051 Gain from Sale of Acquired Property **Reason:** 2005 foreclosure expenses	$8,435.33	$8,435.33	
Treasurer Total			**$8,435.33**

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

#2

RESOLUTION NO. 08-12
(January 08, 2008)

By Mr. Davis, Chairman of the Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2008 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2008 accounts as follows:

District Attorney			
To: 01.32.1166.4.40305 Drug Task Force/Block Grant 01.32.1166.4.40401 Training/Education 01.32.1166.4.41010 Misc. OFC/Operating Supplies 01.32.1166.4.42306 Confidential Buy Money w/01.11.1166.308907 State Block Grant **Reason:** Remaining amount of New Grant – Operation Impact Tools Grant – Total amount of grant is $32,500 with $10,000 appropriated for 2007 and remaining appropriated in 2008.	$15,000.00 2,000.00 3,500.00 2,000.00	$22,500.00	
To: 01.32.1165.1.10604 Grant Award –Salary 01.32.1165.8.81001 NYS Retirement (9.5%) 01.32.1165.8.83001 FICA 01.32.1165.8.85001 MEDICARE w/01.11.1165.308904- Other State Aid DA **Reason:** Appropriate funds for new grant program for 2008 for DA's recruitment and retention program	$5,050.00 479.67 313.10 73.23	$5,916.00	
District Attorney Total			**$28,416.00**
Buildings & Grounds			
To: 01.34.1620.1.10202 Temporary 01.34.1620.8.83001 FICA 01.34.1620.8.85001 Medicare ***from any funds available*** **Reason:** to cover the cost of the temp position created by Resolution #07-416.	$5,200.00 322.40 75.40	$5,597.80	
Buildings & Grounds Total			**$5,597.80**

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

Mr. Bush, T/Gainesville, Chairman of the Audit Committee, presented bills totaling **$1,056,509.72** for the month of **December 2007**.

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

There was a motion by Mrs. Totsline, T/Genesee Falls, to combine resolutions #3 through #8. A voice vote was taken and all voted aye

#3

RESOLUTION NO. 08-13
(January 08, 2008)

By Mrs. Totsline, Chairman of Human Services Committee:

LAURA PAOLUCCI APPOINTED TO THE OFFICE FOR THE AGING ADVISORY COUNCIL

BE IT RESOLVED, That ***Laura Paolucci*** (Wyoming County Public Health) 5362 Mungers Mill Rd, Warsaw, NY 14569 is hereby appointed to the Office for the Aging Advisory Council ***to fill a vacant unexpired term created by Lori Roche for a term of three (3) years; effective January 01, 2008 through December 31, 2008.***

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

#4

RESOLUTION NO. 08-14
(January 08, 2008)

By Mrs. Totsline, Chairman of Human Services Committee:

CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS AND AGREEMENTS 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 contracts on behalf of the Office for the Aging:

- **Daniel J. Perkins**, 101 West Court Street, Warsaw, NY 14569 for the

provision of WRAP services to be provided in an amount not to exceed thirty thousand dollars ($30,000.00); effective January 01, 2008 through December 31, 2008.

- Memorandum of Understanding with **WCJW**, Merchant Road, Warsaw, NY 14569 for the provision of Radio Advertising to be provided in an amount not to exceed five thousand dollars ($5,000.00); effective January 01, 2008 through December 31, 2008.

- Memorandum of Understanding with **WCJW**, Merchant Road, Warsaw, NY 14569 to provide information and outreach to caregivers in Wyoming County in an amount not to exceed five thousand two hundred eighty dollars ($5,280.00) (local match $1,320.00); effective January 01, 2008 through December 31, 2008.

Contingent upon the availability of funds.

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

#5

RESOLUTION NO. 08-15
(January 08, 2008)

By Mrs. Totsline, Chairman of Human Services Committee:

CHAIRMAN AUTHORIZED TO SIGN GRANT APPLICATION AND ACCEPTANCE AWARD WITH THE NEW YORK STATE OFFICE FOR THE AGING ON BEHALF OF THE OFFICE FOR THE AGING

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a grant application and acceptance award with the New York State Office for the Aging, 2 Empire State Plaza, Albany, NY 12223 to provide funding for participation in the POMP (Performance Outcome Measurement Project) in a minimum amount of eight thousand dollars ($8,000.00); effective September 30, 2007 through September 29, 2008.

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

#6

RESOLUTION NO. 08-16
(January 08, 2008)

By Mrs. Totsline, 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 Youth Bureau:

- **Erin Dressel**, 1087 Friedman Road Attica, NY 14011 for Preschool related services not to exceed 2008-2009 budget amounts (variable depending on number of services); effective January 01, 2008 through June 30, 2009.

- **University of Rochester Medical Center/Strong Center for Developmental Disabilities**, 601 Elmwood Ave, Box 671 Rochester, NY 14642 for Preschool related services not to exceed 2008-2009 budget amounts (variable depending on number of services); effective July 01, 2007 through June 30, 2009.

Contingent upon the availability of funds.

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

#7

RESOLUTION NO. 08-17
(January 08, 2008)

By Mrs. Totsline, Chairman of Human Services Committee:

CHAIRMAN/COMMISSIONER AUTHORIZED TO SIGN A BONUS ALLOCATION ACCEPTANCE AWARD WITH THE NEW YORK STATE 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 Bonus Allocation Acceptance Award with NYS Office of Children & Family Services, 40 N. Pearl Street, Albany, NY 12243 on behalf of the Department of Social Services. Said grant is to enable the Department of Social Services to provide better service to Food Stamp clientele in a maximum amount of twenty-five thousand dollars ($25,000.00); effective January 01, 2008 through December 31, 2008.

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

#8

RESOLUTION NO. 08-18
(January 08, 2008)

By Mrs. Totsline, 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:***

Youth Reps.

For a term of one (1) year; effective January 01, 2008 through December 31, 2008

- Doni Wagner, 62 Center St., Warsaw, NY 14569
- Carrina Gayhart, 62 Center St., Warsaw, NY 14569

Agency Reps.

For a term of two (2) years; effective January 01, 2008 through December 31, 2009

- Patricia Baron-Mills (Mental Health), 338 N. Main St., Warsaw, NY 14569
- Tamara Whalen (Probation), 143 N. Main St., Warsaw, NY 14569
- Colin Reagan (Sheriff's Dept.), 151 N. Main St., Warsaw, NY 14569

Community Reps.

For a term of three (3) years; effective January 01, 2008 through December 31, 2010

- Keith Countermine, 100 Genesee St., Attica, NY 14011

- Valerie Lundy, 11 Shearing Rd., Gainesville, NY 14066
- Frances Tozier, 3870 Centerline Rd.,Warsaw, NY 14569

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

#9

RESOLUTION NO. 08-19
(January 08, 2008)

By Mrs. Totsline, Chairman of Human Services Committee and Mrs. Meeder, Chairman of the Human Resource Committee:

CHAIRMAN / COMMISSIONER AUTHORIIZED TO SIGN CONTRACTS ON BEHALF OF THE DEPARTMENT OF SOCIAL SERVICES AND COUNTY ATTORNEY'S OFFICE

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 contracts on behalf of the Department of Social Services and the County Attorney's Office:

- **Eric Dadd, Attorney**, 11 Exchange Street, Attica, NY 14011 for lease of office space in a maximum amount of four thousand eight hundred dollars ($4,800.00); effective January 01, 2008 through December 31, 2008.

- **David H. Nelson,** 11 Exchange Street, Attica NY 14011 for resource recovery at $70.00 per hour; effective January 01, 2008 through December 31, 2008.

Contingent upon the availability of funds.

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

There was a motion by Mr. Kushner, T/Eagle, to combine resolutions #10 through #13. A voice vote was taken and all voted aye

RESOLUTION NO. 08-20
(January 08, 2008)

By Mr. Kushner, Chairman of Public Health Committee:

MEMBERS APPOINTED/REAPPOINTED TO THE FOLLOWING MENTAL HEALTH COMMITTEES AND SUBCOMMITTEES

BE IT RESOLVED, That the following members are hereby appointed/reappointed to various Mental Health Committees and Subcommittees:

Community Services Board:
Four (4) year terms; effective January 1, 2008 through December 31, 2011

- Dr. Gregory Collins, Public Health Commissioner, 5362 Mungers Mill Road, Silver Springs, NY 14550
- Martin Mucher, Executive Director, Wyoming County Community Action, 6470 Rte. 20A, Perry, NY 14569

MR/DD Subcommittee:
Four (4) year terms; effective January 1, 2008 through December 31, 2011

- Dr. Gregory Collins, Public Health Commissioner, 5362 Mungers Mill Road, Silver Springs, NY 14550
- Martin Mucher , Executive Director, Wyoming County Community Action, 6470 Rte. 20A, Perry, NY 14569
- Gretchen Jackson, 181 W. Buffalo Street, Warsaw, NY 14569

To fill the unexpired vacant term of Dan Fritzpatrick; effective January 1, 2008 through December 31, 2010.

- Christopher Peterson, Executive Director of Livingston/ Wyoming ARC, 18 Main Street, Mt. Morris, NY 14510

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

#11

RESOLUTION NO. 08-21
(January 08, 2008)

By Mr. Kushner, Chairman of Public Health Committee:

CHAIRMAN AUTHORIZED TO SIGN VARIOUS 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 contracts on behalf of Mental Health:

- **Coordinated Care Services, Inc.,** 1099 Jay Street, Building J, Rochester, NY 14611, to pay Wyoming County Mental Health Department for staff to provide support and assistance to the Peer Family Advisory Group and for postage, paper, copying, etc., in a minimum amount of twelve thousand eighty-three dollars ($12,083.00); effective January 01, 2008 through December 31, 2008.

- **Colleen Eccleston**, 6013 Burke Hill Road, Warsaw, NY 14569, to provide support and assistance to the Peer Family Advisory Group in an amount not to exceed eleven thousand five hundred eighty-three dollar ($11,583.00). 100% State Aid. No County Levy; effective January 01, 2008 through December 31, 2008.

Contingent upon the availability of funds.

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

#12

RESOLUTION NO. 08-22
(January 08, 2008)

By Mr. Kushner, Chairman of Public Health Committee:

RESOLUTION NUMBER 07-17 AMENDED

WHEREAS, Resolution Number 07-17, entitled, "**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,"** passed by this Board of Supervisors on January 09, 2007 provides for various grant applications and/or renewals on behalf of Wyoming County Health Department and the Certified Home Health Agency for the year 2007; now therefore

BE IT RESOLVED, That the above mentioned resolution be hereby amended to reflect the following change:

- **Health Research, Inc.,** One University Place, Rensselaer, NY, from a minimum amount of seventy-five thousand dollars ($75,000.00) to an awarded minimum amount of sixty-four thousand four hundred sixty-five dollars ($64,465.00); and amend effective dates of August 31, 2007 through August 30, 2008 to August 31, 2007 through August 09, 2008 providing reimbursement for Public Health Emergency Preparedness activities.

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

#13

RESOLUTION NO. 08-23
(January 08, 2008)

By Mr. Kushner, Chairman of Public Health Committee:

GREGORY COLLINS, DO, MPH, REAPPOINTED MEDICAL DIRECTOR OF THE WYOMING COUNTY PUBLIC HEALTH DEPARTMENT

BE IT RESOLVED, That ***Gregory Collins, DO, MPH,*** 4820 Darby Rd., Avon, NY 14414, is hereby reappointed as Medical Director of the Wyoming County Public Health Department; effective January 01, 2008 through December 31, 2008.

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

There was a motion by Mr. Fleischman, T/Java, to combine resolutions #14 through #20. A voice vote was taken and all voted aye.

#14

RESOLUTION NO. 08-24
(January 08, 2008)

By Mr. Fleischman, Chairman of the Planning Committee:

CHAIRMAN AUTHORIZED TO SIGN CONTRACT WITH THE WYOMING COUNTY BUSINESS CENTER 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 the Wyoming County Business Center , 6470 State Rte. 20A, Suite 2, Perry, NY 14530 on behalf of Planning and Development. Said contract is to provide for General Economic Development Services in an amount not to exceed one hundred twenty-four thousand five hundred dollars ($124,500.00); effective January 01, 2008 through December 31, 2008.
Contingent upon the availability of funds.

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

#15

RESOLUTION NO. 08-25
(January 08, 2008)

By Mr. Fleischman, Chairman of the Planning Committee:

MEMBERS APPOINTED/REAPPOINTED TO THE 2-1-1 ADVISORY BOARD

BE IT RESOLVED, That the following members are hereby appointed/reappointed to the 2-1-1 Advisory Board ***for a one (1) year term; effective January 01, 2008 through December 31, 2008:***

- ***Marty Mucher***, 208 State St., Batavia, NY 14020

- ***Deb Schmitt***, 3062 Suckerbrook Rd., Perry, NY 14530
- ***James Fleischman***, 5824 Java Lake Rd., Arcade, NY 14009

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

#16

RESOLUTION NO. 08-26
(January 08, 2008)

By Mr. Fleischman, Chairman of the Planning Committee:

MEMBERS REAPPOINTED TO THE GLOW ADVISORY COMMITTEE

BE IT RESOLVED, That the following members are hereby reappointed to the GLOW Advisory Committee for a term of one (1) year; effective January 01, 2008 through December 31, 2008:

- ***William Maddison (Cornell Cooperative Extension)*** 401 North Main, Warsaw, NY 14569
- ***Mark Rountree (Planning & Development)*** 6470 Route 20A, Suite 4, Perry, NY 14530

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

#17

RESOLUTION NO. 08-27
(January 08, 2008)

By Mr. Fleischman, Chairman of the Planning Committee:

MARK ROUNTREE REAPPOINTED TO THE GLOW PLANNING COMMITTEE

BE IT RESOLVED, That ***Mark Rountree (Planning & Development)*** 6470 Route 20A, Suite 4, Perry, NY 14530 is hereby reappointed to the GLOW Planning Committee ***for a term of one (1) year; effective January 01, 2008 through December 31, 2008.***

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

#18

RESOLUTION NO. 08-28
(January 08, 2008)

By Mr. Fleischman, Chairman of the Planning Committee:

MARK ROUNTREE REAPPOINTED TO THE GLOW REGIONAL SOLID WASTE COMMITTEE

BE IT RESOLVED, That ***Mark Rountree*** (Planning & Development), 6470 Route 20A, Suite 4, Perry, NY 14530 is hereby reappointed to the GLOW Regional Solid Waste Committee ***for a term of one (1) year; effective January 01, 2008 through December 31, 2008.***

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

#19

RESOLUTION NO. 08-29
(January 08, 2008)

By Mr. Fleischman, Chairman of the Planning Committee:

STUART HEMPEL REAPPOINTED TO THE GLOW WORKFORCE INVESTMENT BOARD

BE IT RESOLVED, That ***Stuart Hempel*** (WCCH), 1338 Werner Rd., Warsaw, NY 14569 be hereby reappointed to the GLOW Workforce Investment Board ***for a term of three (3) years; effective January 01, 2008 through December 31, 2010.***

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

#20

RESOLUTION NO. 08-30
(January 08, 2008)

By Mr. Fleischman, Chairman of the Planning Committee:

MICHAEL HEFTKA REAPPOINTED TO THE MICRO ENTERPRISE LOAN REVIEW COMMITTEE

BE IT RESOLVED, That ***Michael Heftka***, 6470 Route 20A, Perry, NY 14530 is hereby reappointed to the Micro Enterprise Loan Review Committee ***for a term of two (2) years; effective January 01, 2008 through December 31, 2009.***

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

There was a motion by Mrs. Meeder, T/Middlebury, to combine resolutions #21 through #23. A voice vote was taken and all voted aye

#21

RESOLUTION NO. 08-31
(January 08, 2008)

By Mrs. Meeder, Chairman of the Human Resource Committee:

CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH ACS GOVERNMENT RECORDS MANAGEMENT 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 a contract with ACS Government Records Management, P.O. Box 4889, Syracuse, NY 13221, for microfilm to image conversion services for Deeds located within the County Clerk's Office (Phases 1 & 2) in an amount not to exceed twenty-eight thousand five hundred ninety-nine dollars ($28,599.00); effective July 1, 2007 through June 30, 2008.

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

#22

RESOLUTION NO. 08-32
(January 08, 2008)

By Mrs. Meeder, Chairman of the Human Resource Committee:

RICHARD HARRISON APPOINTED RECORDS MANAGEMENT OFFICER

BE IT RESOLVED, That Richard Harrison, 7436 Route 98, Arcade, NY 14009 is hereby appointed Records Management Officer; effective January 01, 2008.

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

#23

RESOLUTION NO. 08-33
(January 08, 2008)

By Mrs. Meeder, Chairman of the Human Resource Committee:

JAMES K. MARLEY PROVISIONALLY APPOINTED DIRECTOR OF WEIGHTS AND MEASURES

BE IT RESOLVED, That ***James K. Marley***, 5649 Hardys Rd., Gainesville, NY 14066 is hereby provisionally appointed to the competitive class position of ***Director of Weights & Measurers;*** effective January 21, 2008.

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

There was a motion by Mr. Rogers, T/Pike, to combine resolutions #24 and #25. A voice vote was taken and all voted aye

#24

RESOLUTION NO. 08-34
(January 08, 2008)

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

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":

District Attorney:

One time stipends payable after April 01, 2008 with Aid to Prosecution Grant funds.

- (1st) Assistant District Attorney $10,000
- (2nd) Assistant District Attorney $8,000
- Secretary to the District Attorney $2,500
- Secretary I $2,000

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

One time Recruitment and Retention Award

- (1st) Assistant District Attorney - ***$2,525.00***
- (2nd) Assistant District Attorney - ***$2,525.00***

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

#25

RESOLUTION NO. 08-35
(January 08, 2008)

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

CHAIRMAN AUTHORIZED TO SIGN CONTRACT 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 contract with Saia Communications, 100 Stradtman St., Buffalo, NY 14206 to install Dual Sinclair Folded Dipole Antennas at the Perry Water Tower, in an amount not to exceed two thousand eight hundred ten dollars and seventy cents ($2,810.70); effective December 19, 2007 through satisfactory completion of the project.

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

There was a motion by Mr. Patti, T/Attica, to combine resolutions #26 through #29. A voice vote was taken and all voted aye

RESOLUTION NO. 08-36
(January 08, 2008)

By Mr. Patti, Chairman of the 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 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

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 RESOLUTION NO. 08-36
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 **$613,000** is hereby appropriated from Board of Supervisors and made available to cover the cost of participation in the above phases with $85,000 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: XXX Ayes: 1618 Noes: Absent: Abstain:

#27

RESOLUTION NO. 08-37
(January 08, 2008)

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

PURCHASE OF HIGHWAY EQUIPMENT APPROVED

BE IT RESOLVED, That the purchase of one Salt Dogg Polymer Salt & Sand Spreader (2.0 yd capacity, 96" electric poly hopper) model SHPE1500 from: **Valley Fab & Equipment, Inc.,** 9776 Trevett Road, Boston, NY 14025 in an amount not to exceed three thousand nine hundred fifty one dollars ($3,951.00) delivered. To be paid out of 2007 funds be hereby approved.

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

#28

RESOLUTION NO. 08-38
(January 08, 2008)

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

CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH SIMPLEX/GRINNELL, LP 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 Simplex/Grinnell, LP, 1999 Mt. Read Blvd., Rochester, NY 14615 for alarm testing in the Courthouse and Government Center and sprinkler testing in both buildings plus the Public Safety building. NYS Contract #PT63104, is a 3 year agreement in an amount not to exceed three thousand three hundred seventy dollars ($3,370.00) annually totaling ten thousand one hundred ten dollars ($10,110.00); effective January 01, 2008 through December 31, 2010. Contingent upon the availability of funds.

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

#29

RESOLUTION NO. 08-39
(January 08, 2008)

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

RESOLUTION DECLARING CERTAIN REAL PROPERTY AS SURPLUS AND SCHEDULING A PUBLIC HEARING ON A LOCAL LAW RELATING TO THE SALE OF SAID PROPERTY.

WHEREAS, the Board of Supervisors for the County of Wyoming has determined that certain property located at 76 North Main Street in the Village of Warsaw, New York is surplus property based on its location, condition, age and lack of suitability for any County use, and

WHEREAS, the County has been informed and understands that this property may have some value to a prospective purchaser if said property can be marketed with the expectation of a private and conclusive sale.

NOW, THEREFORE, be it resolved that the property depicted on Exhibit A attached hereto is declared surplus property and a public hearing shall be held on February 12, 2008, at 2:30 PM at the Wyoming County Government Center, 143 N. Main St., Warsaw, New York.
on Wyoming County Local Law Introductory No. A, for the year 2008, authorizing the private sale of said property subject to the negotiation of acceptable terms and upon the further resolution of this Board of Supervisors.

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

Exhibit A

ALL THAT TRACT OR PARCEL OF LAND, situate in the Village of Warsaw, County of Wyoming and State of New York, bounded and described as follows: Beginning at a point in the east line of Main Street in said Village on the north line and at the northwest corner of lands heretofore conveyed by Samuel D. Purdy and others to Charles T. Watkins; thence east along said Watkin's north line 100 feet; thence north parallel with the east line of Main Street 23 feet; thence west parallel with the south line hereof 100 feet, to the east line of Main Street; thence south along the east line of Main Street, 23 feet to the place of beginning, containing 2300 square feet of land; more or less.

Also the right of passage through the lane in the rear of said lot, being the same premises conveyed by Samuel D. Purdy and others to Mary E. Stowe by deed dated February 25th, 1888, and recorded in Liber 109 of deeds at page 173, in Wyoming County Clerk's Office, and by said Mary E. Stowe conveyed to Jacob Baker by deed dated October 25th, 1888, and recorded in Liber 109 of Deeds at page 290 in Wyoming County Clerk's Office.

And being the same premises conveyed to Ivan D. Hodges by Ivan D. Hodges and Margaret M. Hodges, by Deed dated December 29th, 1976 and recorded in the Wyoming County Clerk's Office on December 29, 1976 in Liber 454 of Deeds at page 46.

There was a motion by Mr. Davis, T/Covington, to combine resolutions #30 through #37. A voice vote was taken and all voted aye

#30

RESOLUTION NO. 08-40
(January 08, 2008)

By Mr. Davis, Chairman of the Finance Committee:

ONE (1) POSITION OF SOCIAL SERVICES SPECIALIST TRAINEE (TEMPORARY) (1.00 FTE) CREATED IN THE DEPARTMENT OF SOCIAL SERVICES

BE IT RESOLVED, That one (1) position of Social Services Program Specialist Trainee (Temporary) (1.00 fte) be hereby created in the Department of Social Services assigned to the Food Stamp Unit; effective immediately not to exceed 6 months.

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

#31

RESOLUTION NO. 08-41
(January 08, 2008)

By Mr. Davis, Chairman of the 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: 1618 Noes: Absent: Abstain:

#32

RESOLUTION NO. 08-42
(January 08, 2008)

By Mr. Davis, Chairman of the Finance Committee:

ONE (1) POSITION OF CORRECTION OFFICER, PT CREATED IN THE COUNTY JAIL

BE IT RESOLVED, That one (1) position of Correction Officer, PT be hereby created in the County Jail and placed on the appropriate step and grade of the appropriate union agreement; effective immediately.

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

#33

RESOLUTION NO. 08-43
(January 08, 2008)

By Mr. Davis, Chairman of the Finance Committee:

WYOMING COUNTY PREMIUM CONVERSION PLAN APPROVED

BE IT RESOLVED, that the form of Cafeteria Plan effective November 1, 1993, presented to this meeting is hereby approved and adopted and that the duly authorized agents of the Employer are hereby authorized and directed to execute and deliver to the Administrator of the Plan one or more counterparts of the Plan; and be it

FURTHER RESOLVED, that the Administrator shall be instructed to take such actions that are deemed necessary and proper in order to implement the Plan, and to set up adequate accounting and administrative procedures to provide benefits under the Plan; and be it

FURTHER RESOLVED, that the duly authorized agents of the Employer shall act as soon as possible to notify the employees of the Employer of the adoption of the Cafeteria Plan by delivering to each employee a copy of the summary description of the Plan in the form of the Summary Plan Description presented to this meeting, which form is hereby approved.

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

#34

RESOLUTION NO. 08-44
(January 08, 2008)

By Mr. Davis, Chairman of the Finance Committee:

CHAIRMAN AUTHORIZED TO SIGN A MEMORANDUM OF AGREEMENT WITH CORNELL COOPERATIVE EXTENSION OF WYOMING COUNTY FOR THE YEAR 2008

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 five dollars and eighty–two cents ($397,105.82) to be allocated as follows:

- **$164,811.98** to fully fund the Agricultural Dept.
- **202,773.17** to fully fund the 4-H Dept.
- **29,520.67** to partially fund the FCS Dept.

$397,105.82

and

- **$10,000.00** to partially fund the Wyoming County Dairy Institute

Effective January 01, 2008 through December 31, 2008;
Contingent upon the availability of funds.

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

#35

RESOLUTION NO. 08-45
(January 08, 2008)

By Mr. Davis, Chairman of the Finance Committee:

CHAIRMAN AUTHORIZED TO SIGN LETTERS OF UNDERSTANDING WITH CONTRACT AGENCIES FOR 2008

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 2008:

Contract Agency	***2008 Expenditures***
Wyoming County Soil & Water	$165,910.62
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	6,000.00
Wyoming County Wildlife Federation	1,256.00
Totals	**$352,390.62**

Contingent upon the availability of funds.

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

#36

RESOLUTION NO. 08-46
(January 08, 2008)

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, 2008 through December 31, 2008; contingent upon the availability of funds.

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

#37

RESOLUTION NO. 08-47
(January 08, 2008)

By Mr. Davis, Chairman of the Finance Committee:

SALARY SCHEDULE "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 to Salary Schedule "D":

- **Director of Weights and Measures** annual salary set at $38,500.00; effective January 21, 2008.

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

Public Comments:
None

There being no public comments on the following resolutions the Chairman asked Supervisor Bush to comment on these veteran's exemptions. Supervisor Bush stated that these local laws will make it possible for "cold war" veterans to be eligible for tax exemption not previously available. Also, the Chairman stated that each of the towns have made arrangements with Veterans' Services to make presentations to the Towns.

Supervisor Bush made a motion to close the public hearings. A second was made by Supervisor Fleischman and the Public Hearing was closed.

Public Hearing
#38

RESOLUTION NO. 08-48
(January 08, 2008)

By Mr. Davis, Chairman of the Finance Committee:

LOCAL LAW INTRODUCTORY NO. F, FOR THE YEAR 2007,
ADOPTED LOCAL LAW 1, FOR THE YEAR 2008

WHEREAS, there was duly presented and introduced at a meeting of this Board, held on the 11th day of December, 2007, a proposed local law of the County, designated as Local Law Introductory No. F, for the year 2007, entitled, **"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, in accordance with the provisions of Resolution No. 07-384, there was a public hearing held by this Board of Supervisors on this 8th day of January at 2:30 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. F, Year 2007, County of Wyoming, New York, as presented to this Board on the 8th day of January, 2008, is hereby adopted, enacted and passed by this Board in its original form as follows:

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

Section 1. Pursuant to the authority of the provisions of Section 458-b of the Real Property Tax Law, the maximum exemptions allowable from County real property taxation shall be 15% of

the property assessment, not to exceed $12,000.00 multiplied by the latest final state equalization rate for service during the "Cold War" and a percentage of the property's assessment equal to one-half of any service connected disability rating not to exceed $40,000.00 multiplied by the latest final state equalization rate.

Section 2. This exemption shall apply to assessment rolls prepared with taxable status dates after January 3, 2008.

Section 3. This local law shall become effective immediately upon filing with the Secretary of State but in no event earlier than January 3, 2008.

DATED at Warsaw, New York
December 11, 2007 (Introduced)
January 08, 2008 (Adopted)
Cheryl J. Ketchum
Clerk

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:
Public Hearing #39

RESOLUTION NO. 08-49
(January 08, 2008)

By Mr. Davis, Chairman of the Finance Committee:

LOCAL LAW INTRODUCTORY NO. G, FOR THE YEAR 2007, ADOPTED LOCAL LAW 2, FOR THE YEAR 2008

WHEREAS, There was duly presented and introduced at a meeting of this Board, held on the 11th day of December, 2007, a proposed local law of the County, designated as Local Law Introductory No. G, for the year 2007, entitled, **"A Local Law Amending Local Law No. 1, Year 1985 Entitled, Reducing the Amount of Exemption Provided by 458-a of the Real Property Tax Law;"** and

WHEREAS, in accordance with the provisions of Resolution No. 07-385, there was a public hearing held by this Board of Supervisors on this 8th day of January at 2:30 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. G, Year 2007, County of Wyoming, New York, as presented to this Board on the 8th day of January, 2008, is hereby adopted, enacted and passed by this Board in its original form as follows:

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

Section 1. County of Wyoming Local Law No. 1 of 1985 adopted a local law entitled "A local law reducing the amount of exemption provided by Section 458-a of the Real Property Tax Law". Said local law is hereby amended in accordance with the authority provided the Board in the Real Property Tax Law Section 458-a.

Section 2. Pursuant to the authority of paragraph (d) of subdivision 2 of Section 458-a of the Real Property Tax Law, the amount of exemption provided by paragraphs (a), (b) and (c) of such subdivision 2 is hereby increased as follows:

Paragraph (a) $12,000.00; Paragraph (b) $8,000.00; Paragraph (c) $40,000.00.

Section 3. This local law shall become effective immediately upon filing with the Secretary of State.

DATED at Warsaw, New York
December 11, 2007 (Introduced)
January 08, 2008 (Adopted)
Cheryl J. Ketchum
Clerk

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 40 and 41.

Hearing no objections the Chairman invited Hospital CEO, Ron Krawiec to come forward and explain what the borrowing would be used for.

County Attorney Dadd was then asked to explain the reason for a 2/3 majority vote.

Clerk Ketchum was then instructed to call the roll.

RESOLUTION NO. 08-50
(January 08, 2008)

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

BOND RESOLUTION OF THE COUNTY OF WYOMING, NEW YORK, DATED JANUARY 08, 2008, FOR THE ISSUANCE AND SALE OF BONDS OF THE COUNTY OF WYOMING, NEW YORK, IN THE AMOUNT OF $480,000.00 FOR THE ACQUISITION OF CRITICAL HOSPITAL EQUIPMENT

RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF WYOMING, NEW YORK (by the favorable vote of not less than two-thirds of the voting strength of said Board) **AS FOLLOWS:**

Section 1. The County of Wyoming, New York is hereby authorized to acquire by purchase the following equipment for Wyoming County Community Health System.

Item	Estimated Maximum Cost
Equipment:	
New Philips 100003 Brilliance CT 16 slice Scanner Accessories: Keyboard language (English), Scan Tools Pro, Flat Head Holder, 30-min Console UPS, Teal 100k Isotran Plus (transformer), Extended Brilliance Workspace, Dual Monitor Configuration, and AVA Stenosis License.	$480,000.00

The estimated maximum cost of the acquisition of such equipment is the sum of $480,000.00 and said amount is hereby appropriated therefore. The plan of financing involves the issuance of $480,000.00 in serial bonds of the County of Wyoming to finance the appropriation, and the levy and collection of taxes upon all the taxable real property in the County in an amount sufficient to pay the principal of and interest of said bonds.

Section 2. Serial bonds of said County of Wyoming in the principal amount of $480,000.00 are hereby authorized to be issued pursuant to

the provisions of the Local Finance Law of the State of New York, to finance the said appropriation.

Section 3. The following additional matters are hereby determined and declared:

a. In accordance with Section 11 of the Local Finance Law, the period of probable usefulness for which said bonds are to be issued, is hereinabove set forth in Section 1 for each item or items to be acquired, such period of probable usefulness being the period of five (5) years. Also, set forth for each item is the maximum estimated cost of each item or items.

b. No current funds need be provided because the period of probable usefulness for each item does not exceed five (5) years.

Section 4. Each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of such bonds shall contain the recital of validity prescribed by Section 52.00 of said Local Finance Law, and said serial bonds and any notes issued in anticipation of said bonds shall be general obligations of the County payable as to both principal and interest by general tax upon all the taxable real property within the County without limitation of rate or amount. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and provision shall be made annually in the budget of the County by appropriation for (a) the amortization and redemption of the bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and pursuant to Section 30.00 of the Local Finance Law relative to the authorization of the issuance of bond anticipation notes and of Section 50.00 and Section 56.00 to Section 60.00 of said law, the powers and duties of the Board of Supervisors relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the serial bonds authorized by this resolution and of any notes authorized and issued in anticipation of the sale of said bonds, and the renewals thereof, are hereby delegated to the County Treasurer, as the Chief Fiscal Officer of the County.

Section 6. The validity of the bonds authorized by this resolution and of any notes issued in anticipation of the sale of said bonds may be contested only if: (a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or (b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of

such publication, or (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. The specific object or purpose of the purchase herein authorized is to provide equipment for use at Wyoming County Community Hospital, a public general hospital owned and operated by the County of Wyoming.

Section 8. **This resolution shall take effect immediately**

Carried: XXX Ayes: 1687 Noes: Absent: Abstain:

Chairman Berwanger explained that the $700,000 grant for the County's Radio system project, which was provided through Congressman Reynolds, has been, within the past few weeks, received. The Chairman requested Janis Cook give a brief explanation for the reason of this transfer.

1. *This is the balance from all appropriations to the radio project that would be set aside for the continued maintenance of the towers.*

UC#41

RESOLUTION NO. 08-51
(January 08, 2008)

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

FUNDS TRANSFERRED TO VARIOUS 2008 ACCOUNTS

BE IT RESOLVED, That funds are hereby transferred to the various 2008 accounts as follows:

Capital Improvement Funds			
From: 15.64.3020.2.20101 Radio System Equipment Project **To:** 12.61.3020.4.40810 E911 Maintenance & Repair **Reason:** To move funds from the completed Radio Tower Project to a Radio Tower Maintenance and Repair Line in the CIP fund.	$48,080.51	$48,080.51	
Capital Improvement Funds Total			**$48,080.51**

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 3:13 PM with a rap on his desk.

****

Respectfully submitted,

Cheryl J. Ketchum

Cheryl J. Ketchum, Board Clerk

REGULAR SESSION
(February 12, 2008)

Tuesday **2:30 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 2:36 PM Chairman Berwanger, T/Arcade, called the meeting to order.

The Veteran leading the Pledge of Allegiance this month was:

DONALD E. CORWIN

Mr. Corwin's service to his country comes while serving during the Korean War. He had been attending a General Motors Cooperative Training School for 2 years when he answered the call to serve his country and was inducted into the United States Army on April 27, 1953. He completed Basic Training at Fort Dix, N.J. and Advanced Individual Training at Sandia Base, New Mexico, where he became qualified as an atomic weapons electrical assembler. Mr. Corwin was then assigned duties with the 10th Ordinance Battalion at Ft. Bliss, Texas and remained on duty until he was honorably discharged on November 30, 1955.
]
For his service to his country, Mr. Corwin was awarded:

The National Defense Service Medal
The Good Conduct Medal

Mr. Corwin returned to this area and took advantage of the GI Bill and enrolled at the University of Buffalo in the field of Accounting. He spent the next four years at UB and graduated with a Bachelor's Degree in Accounting. Mr. Corwin worked for Price Waterhouse in Buffalo for about a year and then returned to this area and went to work for the Warsaw Elevator as an accountant for the next several years. In 1963, he went to work for Tillner Chevrolet in Warsaw as an accountant and remained there for the next 25 years until its closing in 1988. He then became the Accountant for Gerrard Oil and worked until his retirement in 2002.

Mr. Corwin is an avid Buffalo Bills Fan, enjoys reading, and traveling, especially following the tour of the Attica High School Band. He has been married to his wife Ann for 44 years and they presently live in Varysburg.

The pledge was said by all.

A certificate of appreciation was presented to Mr. Corwin in honor of his service to his country and also to commemorate his appearance today. Supervisor Knab was invited to join Chairman Berwanger for pictures as Mr. Corwin is the Supervisor's brother-in-law. Mr. Corwin 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 February 2008 is Florence Stroud. She has been employed at DSS since 1990 and is a Senior Clerk in the Child Support Unit. While the Child Support Unit was in flux, Florence has gone above and beyond to assist in any way possible and to ensure that the work flowed smoothly. She is an asset to the department and her unit.

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

Ms. Stroud was unable to be at the Board meeting, the Chairman asked the Board to join together and recognize Ms. Stroud. Chairman Berwanger asked Commissioner Schmitt to extend the Board's congratulations.

Communications:

None

Open Public Hearings:

Local Law A for the year 2008, Adopted Local Law 3 for the year 2008, entitled, **"A LOCAL LAW AUTHORIZING PRIVATE SALE OF REAL PROPERTY"**

RESOLUTION NO. 08-52
(February 12, 2008)

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:

Budget Office			
To: 01.32.1171.4.40902 Legal Defense of Indigents w/01.11.1171.3089 Other State Aid IPP **Reason:** To appropriate for necessary expenses relating to the IPP Grant.	$4,337.10	$4,337.10	
To: 15.64.9950.9.99007 Transfer to General Fund -. w/15.05.3020.2401 Interest on Earnings 15.11.3020.3989 State Aid - ESDC 15.12.3020.4089 Communications Federal Aid **Reason:** To appropriate for revenue received relating to the Radio Equipment project.	$301,101.92	$2,378.92 $200,000.00 98,723.00	
(Hospital Accounts): **To:** 02.56.4510.4.42501 Contractual w/ 02.04.4510.1635 Hospital Income **Reason:** To balance 2007 budget account.	1,510,763.76	1,510,763.76	
Budget Office Total			**$1,816,202.78**
Mental Health			
To: 01.38.4325.4.40926 ARA Inc. 01.38.4324.4.42468 Transportation Program w/01.11.4325.3490 Mental Health Grant Program **Reason:** Increase of 2007 Care Coordination Funding/Sate Aid for contract agencies.	$3,000.00 7,000.00	$10,000.00	
Mental Health Total			**$10,000.00**
Sheriff			
To: 01.37.3110.4.40508 Private Auto Repair(2007) w/01.08.3110.2680 Insurance Recovery **REASON**: offset of insurance company payment	$6,085.75	$6,085.75	
Sheriff Total			**$6,085.75**

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

#2

RESOLUTION NO. 08-53
(February 12, 2008)

By Mr. Davis, Chairman of the Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2008 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2008 accounts as follows:

Information Technology			
To: 01.34.1681.4.40301 Professional Service Contracts w/01.11.1681.3089 NYS RPTATIP Grant **Reason:** To appropriate for necessary expenses relating to NYSSRPT Technology Grant.	$59,455.91	$59,455.91	
Information Technology Total			**$59,455.91**
Budget Office			
To: 01.48.8030.4.40915 Solid Waste w/01.04.8030.2130 Refuse & Garbage Charges **Reason:** To appropriate for necessary expenses relating to Solid Waste Collection.	$35,888.44	$35,888.44	
To: 12.61.9950.9.99004 Transfer to Capital Fund w/12.13.1620.5031 Interfund Transfer **Reason:** To appropriate for revenue received relating to the Radio Equipment project.	$62,284.75	$62,284.75	
Rescind Resolution Number 08-51 and replace with this… **To:** 12.61.3020.4.40810 Radio Tower Maintenance – E911 w/12.03.3020.1289 Other Departmental Income **Reason:** Additional interest revenue from Radio Tower Project.	$48,144.54	$48,144.54	
To: 15.64.3020.2.20101 Radio System Equipment w/15.05.3020.2401 Interest Income **Reason:** Additional interest revenue from Radio Tower Project.	$64.03	$64.03	
Budget Office Total			**$146,381.76**
Treasurer			
To:01.33.1325.4.42306 Contractual Expense w/01.11.1325.3089 Other State Grant NYS Co-Wide Tax Collection Study **Reason:** to amend budget for County Tax Collection Information Initiative grant awarded by RPTS	$25,000.00	$25,000.00	
Treasurer Total			**$25,000.00**
Youth Bureau			
To: 01.38.4059.4.40508 Private Auto Repair w/01.08.4059.2680 Insurance Recovery **Reason:** Funds needed to help cover cost to repair damage done to vehicle when employee backed into telephone pole.	$463.79	$463.79	
To: 01.45.7310.4.42479 Positive Parenting w/01.11.7310.3820 Youth Programs **Reason:** Funds needed to cover cost of new Positive Parenting Program	$1,000.00	$1,000.00	
Youth Bureau Total			**$1,463.79**
Public Health			
To: 01.38.4050.4.40508 Private Auto Repair w/01.08.4050.2680 Insurance Recovery **Reason:** To appropriate for NYMIR Insurance recovery d/t damages from car/deer collision.	$1,791.53	$1,791.53	
To: 01.38.4010.4.42440 Safety Grants w/01.12.4010.448912 PH – Safety Belt Grant Revenue **Reason:** To appropriate for GTSC CSS Trailer purchase from Bramers, including logo, as approved by grant (10/1/07-9/30/08).	$2,900.00	$2,900.00	
Public Health Total			**$4,691.53**
County Clerk			
To: 01.34.1410.4.41203 Micro Filming w/01.11.1410.3089 Other State Aid **Reason:** To cover cost of imaging and microfilming. State Grant funds have been received.	$48,840.00	$48,840.00	
County Clerk Total			**$48,840.00**

Emergency Services			
To: 01.37.3640.1.10001 Salaries Fixed Sched. S/D/I	$1,972.80		
01.37.3640.8.81001 Retirement	1,650.00		
01.37.3640.8.83001 FICA	930.00		
01.37.3640.8.85001 Medicare	217.50		
From Any Funds Available		$4,770.30	
REASON: To cover necessary expenses relating to the Deputy Director of Fire and Emergency Management.			
Emergency Services Total			**$4,770.30**

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

#3

RESOLUTION NO. 08-54
(February 12, 2008)

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:

Budget Office			
From: 12.61.1620.2.21006 Thompson Hall CIP	$42,016.88		
To: 12.61.9950.9.99004 Interfund Transfer		$42,016.88	
Reason: To move remaining funds allocated for the Thompson Hall renovation project back to the Interfund account to be used for another project.			
Budget Office Total			**$42,016.88**

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

#4

RESOLUTION NO. 08-55
(February 12, 2008)

By Mr. Davis, Chairman of the Finance Committee:

FUNDS TRANSFERRED TO VARIOUS 2008 ACCOUNTS

BE IT RESOLVED, That funds are hereby transferred to the various 2008 accounts as follows:

Emergency Services			
From: 01.37.3640.4.42102 Safety Expenses	$13,027.20		
To: 01.37.3640.1.10001 Salaries Fixed Sched. S/D/I		$13,027.20	
Reason: To cover necessary expenses relating to the Deputy Director of Fire and Emergency Management.			
Emergency Services Total			**$13,027.20**

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

Mr. Bush, T/Gainesville, Chairman of the Audit Committee, presented bills totaling **$1,859,358.78** for the month of **January 2008**.

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

There was a motion by Mrs. Totsline, T/Genesee Falls, to combine resolutions #5 and #6. A voice vote was taken and all voted aye

#5

RESOLUTION NO. 08-56
(February 12, 2008)

By Mrs. Totsline, Chairman of Human Services Committee:

JEAN TOTSLINE REAPPOINTED TO THE OFFICE FOR THE AGING ADVISORY COUNCIL

BE IT RESOLVED, That ***Jean Totsline*** (T/Genesee Falls Supervisor) 6940 River Rd., Portageville, NY 14536 is hereby reappointed to the Office for the Aging Advisory Council as a Supervisor Member ***for a term of one (1) year; effective January 1, 2008 through December 31, 2008.***

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

#6

RESOLUTION NO. 08-57
(February 12, 2008)

By Mrs. Totsline, Chairman of Human Services Committee:

CHAIRMAN / COMMISSIONER AUTHORIZED TO SIGN AGREEMENT WITH SUZANNE WHEELER ON BEHALF 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 Suzanne Wheeler, 91 Main St. Attica, NY 14011 on behalf of the Department of Social Services. Said agreement is for the LTCC Coordinator position as directed by the LTCC NY Connects grant in an amount not to exceed thirty-six thousand six hundred dollars ($36,000.00) at a rate of three thousand dollars ($3,000.00) per month; effective February 12, 2008 through September 30, 2008

Contingent upon availability of funding.

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

There was a motion by Mr. Kushner, T/Eagle, to combine resolutions #7 through #13. A voice vote was taken and all voted aye

#7

RESOLUTION NO. 08-58
(February 12, 2008)

By Mr. Kushner, Chairman of Public Health Committee:

JEAN TOTSLINE REAPPOINTED TO THE COMMUNITY SERVICES BOARD

BE IT RESOLVED, That ***Jean Totsline*** (T/Genesee Falls Supervisor) 6940 River Rd., Portageville, NY 14536 is hereby reappointed to the Community Services Board as a Supervisor Member ***for a term of one (1) year; effective January 1, 2008 through December 31, 2008.***

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

#8

RESOLUTION NO. 08-59
(February 12, 2008)

By Mr. Kushner, Chairman of Public Health Committee:

JEAN TOTSLINE REAPPOINTED TO THE MENTAL HEALTH SUBCOMMITTEE

BE IT RESOLVED, That ***Jean Totsline*** (T/Genesee Falls Supervisor) 6940 River Rd., Portageville, NY 14536 is hereby reappointed to the Mental Health Subcommittee as a Supervisor Member ***for a term of one (1) year; effective January 1, 2008 through December 31, 2008.***

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

#9

RESOLUTION NO. 08-60
(February 12, 2008)

By Mr. Kushner, Chairman of Public Health Committee:

CHAIRMAN AUTHORIZED TO SIGN GRANT APPLICATION AND ACCEPTANCE AWARD FOR THE DRUG FREE COMMUNITY GRANT 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 grant application and acceptance award with Substance Abuse and Mental Health Services Administration, Room 3-1044, 1 Choke Cherry Road, Rockville MD 20857 for the Drug-Free Community Grant on behalf of Mental Health. Said grant is in an approximate amount of one hundred thousand ($100,000.00) to one hundred twenty-five thousand dollars ($125,000.00) for the Partners For Prevention program; effective October 01, 2008 through September 30, 2009.

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

#10

RESOLUTION NO. 08-61
(February 12, 2008)

By Mr. Kushner, Chairman of Public Health Committee:

JEAN TOTSLINE REAPPOINTED TO THE BOARD OF HEALTH

February 12, 2008

BE IT RESOLVED, That ***Jean Totsline*** (T/Genesee Falls Supervisor) 6940 River Rd., Portageville, NY 14536 is hereby reappointed to the Board of Health as a Supervisor Member ***for a term of one (1) year; effective January 1, 2008 through December 31, 2008.***

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

#11

RESOLUTION NO. 08-62
(February 12, 2008)

By Mr. Kushner, Chairman of Public Health Committee:

CHAIRMAN AUTHORIZED TO SIGN VARIOUS GRANT APPLICATIONS AND/OR RENEWALS ON BEHALF OF WYOMING COUNTY HEALTH DEPARTMENT AND CERTIFIED HOME HEALTH AGENCY FOR THE YEAR 2008

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 2008 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, 2008

New York State Department of Health - Division of Family Health (MWHS)
$248,524
Grant period January 1, 2008 - December 31, 2008

New York State Health Department (Lead Grant)
Grant period April 1, 2008 - March 31, 2009

New York State Department of Health (Immunization Grant)

$ 47,250
Grant period April 1, 2008 - March 31, 2009

New York State Department of Health (Water Enhancement Grant)
$ 96,000
Grant period April 1, 2008 - March 31, 2009

Diabetes Grant with Lake Plains
$ 3,500
Grant period October 1, 2008 – September 30, 2009

Healthy Heart Grant with Lake Plains
$ 8,144
Grant period April 1, 2008- March 31, 2009

State of New York Governor's Traffic Safety Board (Child Safety Seat Grant)
$ 5,500
Grant period October 1, 2008 – September 30, 2009

New York State Department of Health (Zoonoses Program Grant)
$ 9,000
Grant period April 1, 2008 – March 31, 2009

New York State Department of Health (EI Administration Grant)
$ 34,305
Grant period October 1, 2008 – September 30, 2009

New York State Department of Health (CSHCN Grant)
$ 17,783
Grant period October 1, 2008 – September 30, 2009

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

RESOLUTION NO. 08-63
(February 12, 2008)

By Mr. Kushner, Chairman of Public Health Committee:

CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS AND AGREEMENTS ON BEHALF OF WYOMING COUNTY HEALTH DEPARTMENT AND CERTIFIED HOME HEALTH AGENCY FOR THE YEAR 2008

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 Agreements for the year 2008 on behalf of the 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 contracts and agreements will be equal to or less than the maximum amount indicated****

Clearpath Diagnostics (formerly Pathology Associates)
Per Price List
Laboratory Testing Services - MWHS
TBD based on usage
January 1 – December 31, 2008 Not to exceed amount budgeted

Benchmark Analytics, Inc. (formerly Eastern Laboratory Services)
Per Price List
Laboratory testing services
TBD based on usage
(Environmental Water Samples, includes courier transport) Not to exceed amount budgeted
January 1 – December 31, 2008

Midstate Environmental Laboratories
Per Price List
Laboratory testing services
TBD based on usage
(Environmental Water Samples, includes courier transport) Not to exceed amount budgeted
January 1 – December 31, 2008

Clark Patterson Associates $75 / hour max plus expenses
Professional Engineering Services
TBD based on usage

January 1 – December 31, 2008 Not to exceed amount budgeted

Freed Maxick and Battaglia, PC
$18,500 / year
Audit and Consulting Services
(MWHS and CHHA)
January 1 – December 31, 2008

Monroe County Department of Health
$32,210 / year
Medical Examiner Services
January 1 – December 31, 2008 (Multi-year agreement 1/1/08 – 12/31/10)

Quest Diagnostics
Per Price List

Clinical Laboratory testing services
TBD based on usage
(MWHS & CSP Clinical Samples) Not to exceed amount budgeted
January 1 – December 31, 2008

Susan Schell, RD Per Schedules B & B-1
Registered Dietician Services (CHHA & Public Health)
TBD based on usage
January 1 – December 31, 2008 Not to exceed amount budgeted

Scott Treutlein, MD
$ 6,000 / year
Medical Director Services
January 1 – December 31, 2008

United Church of Christ
$400 / month
Building Use Agreement
January 1 – December 31, 2008

Lydia Thomas, BS
$20 / hr
Marketing & Outreach Consultant
TBD based on usage
January 1, 2008 - December 31, 2008 Not to exceed amount budgeted

Wyoming County Interdepartmental Agreement
$ 12,180 / year
Animal Control – Rabies related services
January 1 – December 31, 2008

Wyoming County Interdepartmental Agreement
$56,742 / year
IT Department for provision of computer support services
January 1 – December 31, 2008

Buffalo Hospital Supply
Per Bid Price List
Medical Supplies
TBD based on usage
January 1 – December 31, 2008 Not to exceed amount budgeted

Community Care of WNY dba Homecare & Hospice Per Fee Schedule B
Home Health Aide Services
TBD based on usage
January 1 – December 31, 2008 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, 2008 Not to exceed amount budgeted

Step-by-Step Physical Therapy
$65.56 / visit
Physical Therapy Services
TBD based on usage
January 1 – December 31, 2008 Not to exceed amount budgeted

Wyoming County Community Health System
$67.49 / visit – OT
Discipline Services (OT/PT/SLP)
$66.20 / visit - PT
January 1 – December 31, 2008
$75.92 / visit - SP

TBD based on usage
Not to exceed amount budgeted

All contracts contingent upon availability of funds.
Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

RESOLUTION NO. 08-64
(February 12, 2008)

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, as amended by resolutions number 07-101, 07-231, and 07-292, is hereby further amended to reflect an increase in the ***Allegany Rehabilitation Associates, Inc.,*** located at 4222 Bolivar Road, Wellsville, NY 14895 contract to provide for increased funding for the Care Coordination Project funds/State aid of $3,000.00; increasing the 2007 contract to $644,707.00; and be it

FURTHER RESOLVED, That the ***Mental Health Association of Rochester/Monroe County***, located at 320 North Goodman Street, Rochester, NY 14607 be amended to reflect the increase of Care Coordination Project funds/State Aid of $7,000.00; increasing the 2007 contract to $231,407.00.

Contingent upon the availability of funds.

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

Mr. Fleischman informed Chairman Berwanger that Resolution #16 will be removed from consideration.

There was a motion by Mr. Fleischman, T/Eagle, to combine resolutions #14 and #15, #17 through #30. A voice vote was taken and all voted aye

#14

RESOLUTION NO. 08-65
(February 12, 2008)

By Mr. Fleischman, Chairman of the Planning Committee:

CHAIRMAN AUTHORIZED TO SIGN AGREEMENT WITH ENVIRONMENTAL ENTERPRISES FOR GLOW REGION 2008 HOUSEHOLD HAZARDOUS WASTE COLLECTION PROGRAM

WHEREAS, The GLOW Region Solid Waste Management Committee has received funding from the NYS Department of Environmental Conservation (NYSDEC) for the 2008 Household Hazardous Waste Collection Program; and

WHEREAS, The GLOW Committee has recommended that a contract with Environmental Enterprises Inc. be extended to provide collection services for the May 10, 2008 Household Hazardous Waste Collection Program; now therefore

BE IT RESOLVED, That upon the approval of the County Attorney, the Chairman of the Wyoming County Board of Supervisors is authorized and directed to sign a contract extension with the other GLOW Counties and Environmental Enterprises Inc. for the 2008 GLOW Household Hazardous Waste Collection Program in an amount not to exceed twenty-six thousand dollars ($26,000.00).

Contingent upon the availability of funds.

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

#15

RESOLUTION NO. 08-66
(February 12, 2008)

By Mr. Fleischman, Chairman of the Planning Committee

JAMES RICHARDS APPOINTED TO THE AG & FARMLAND PROTECTION BOARD

BE IT RESOLVED, That ***James Richards,*** *(Silver Haven Farms),* 4350 Oak Hill Rd., Silver Springs, NY 14550 is hereby appointed to the Wyoming County Agriculture and Farmland Protection Board as a Farm Member ***for a term of four (4) years; effective January 01, 2008 through December 31, 2011.***

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

#16
Withdrawn

RESOLUTION NO. 08-
(February 12, 2008)

By Mr. Fleischman, Chairman of the Planning Committee

BRUCE CAMP REAPPOINTED TO THE WYOMING COUNTY INDUSTRIAL DEVELOPMENT AGENCY BOARD OF DIRECTORS

BE IT RESOLVED, That ***Bruce Camp,*** 59 Market Street, Attica, NY 14011 is hereby reappointed to the Wyoming County Industrial Development Agency Board of Directors ***for a term of four (4) years; effective January 01, 2008 through December 31, 2011.***

Carried: **Ayes:** **Noes:** **Absent: Abstain:**

#17

RESOLUTION NO. 08-67
(February 12, 2008)

By Mr. Fleischman, Chairman of the Planning Committee:

CHAIRMAN AUTHORIZED TO SIGN SMALL CITIES GRANT APPLICATION

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

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

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 Office For Small Cities for a NYS Community Development Block Grant, Small Cities Micro Enterprise program, and is hereby authorized and directed, upon the approval of

the County Attorney, to take all actions needed for the submission of the grant application and to provide such additional information and assistance as may be necessary; and be it

FURTHER RESOLVED, That two public hearings by this Board of Supervisors will be held on March 14, 2008 and March 28, 2008 at 2:00 p.m. at the Wyoming County Business Center, 6470 Route 20A, in the Town of Perry, New York, and at least five days notice of such hearings shall be given by the Clerk of this Board by publishing such notice at least once in official newspapers of the county designated for such publications.

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

#18

RESOLUTION NO. 08-68
(February 12, 2008)

By Mr. Fleischman, Chairman of the Planning Committee:

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

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign a contract with H. Sicherman & Company Inc., 5852 Forest Creek Drive, East Amherst, NY 14051 to prepare a CDBG Small Cities grant application of four hundred thousand dollars ($400,000.00). If the grant funds are awarded they will be used by the Wyoming County IDA to provide loans to microenterprises in Wyoming County. Total cost of said contract not to exceed six thousand eight hundred dollars ($6,800.00). Contingent upon availability of funding.

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

#19

RESOLUTION NO. 08-69
(February 12, 2008)

By Mr. Fleischman, Chairman of the Planning Committee:

CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH STUART I. BROWN & ASSOCIATES

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Stuart I. Brown & Associates, 640 Cross Keys Office Park, Fairport, NY 14450 for the provision of grant writing services on an as needed basis for County Departments and other municipalities as approved by the Planning Committee. Cost of these services are $75.00/hr. not to exceed fifteen thousand dollars ($15,000.00); effective March 01, 2008 through February 28, 2009.

Contingent upon availability of funding.

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

#20

RESOLUTION NO. 08-70
(February 12, 2008)

By Mr. Fleischman, Chairman of the Planning Committee:

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

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with J. O'Connell & Associates**,**
10646 Main Street, Clarence, NY 14031 for the provision of grant writing services on an as needed basis for County Departments and other municipalities as approved by the Planning Committee. Cost of these services are $80.00/hr. not to exceed fifteen thousand dollars ($15,000.00); effective March 01, 2008 through February 28, 2009.

Contingent upon availability of funding.

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

RESOLUTION NO. 08-71
(February 12, 2008)

By Mr. Fleischman, Chairman of the 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 2008 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: 1618 Noes: Absent: Abstain:

RESOLUTION NO. 08-72
(February 12, 2008)

By Mr. Fleischman, Chairman of the Planning Committee:

LARRY ROGERS REAPPOINTED TO THE GLOW ADVISORY COMMITTEE

BE IT RESOLVED, That ***Larry Rogers*** (T/Pike Supervisor) 14 East Koy Rd., P. O. Box 82, Pike, NY 14130-0082 is hereby reappointed to the GLOW Advisory Committee as the Supervisor Member ***for a term of one (1) year; effective January 01, 2008 through December 31, 2008.***

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

#23

RESOLUTION NO. 08-73
(February 12, 2008)

By Mr. Fleischman, Chairman of the Planning Committee:

MEMBERS REAPPOINTED TO THE GLOW REGIONAL SOLID WASTE COMMITTEE

BE IT RESOLVED, That the following members are hereby reappointed to the ***GLOW Regional Solid Waste Committee:***

Supervisor Members
One (1) year term effective January 1, 2008 through December 31, 2008
- E. Joseph Gozelski (T/Castile) 6175 East Lake Rd., Silver Springs, NY 14550
- Larry Rogers (T/Pike) 14 East Koy Rd., P. O. Box 82, Pike, NY 14130-0082

Supervisor Member Alternate
One (1) year term effective January 1, 2008 through December 31, 2008

- Susan May (T/Orangeville), 2916 Orangeville Ctr. Rd, Warsaw, NY 14569

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

#24

RESOLUTION NO. 08-74
(February 12, 2008)

By Mr. Fleischman, Chairman of the Planning Committee:

MEMBERS REAPPOINTED TO THE GENESEE/FINGER LAKES REGIONAL PLANNING COUNCIL

BE IT RESOLVED, That the following members are hereby reappointed to the ***Genesee/Finger Lakes Regional Planning Council***:

Supervisor Member
One (1) year term effective January 1, 2008 through December 31, 2008
- A. Douglas Berwanger (T/Arcade), 6608 E Arcade Rd., Arcade, NY 14009
- Jerry Davis (T/Covington), 7414 Court Rd,POBox445,Pavilion,NY14525

Supervisor Member / Alternates
- James Fleischman (T/Java), 5824 Java Lake Rd., Arcade, NY 14009
- James Brick (T/Perry), 7618 Route 20A, Perry, NY 14530

Executive Committee
One (1) year term effective January 1, 2008 through December 31, 2008
- Jerry Davis (T/Covington), 7414 Court Rd,POBox445,Pavilion, NY14525

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

#25

RESOLUTION NO. 08-75
(February 12, 2008)

By Mr. Fleischman, Chairman of the Planning Committee:

MEMBERS REAPPOINTED TO THE WYOMING COUNTY TOURIST PROMOTION AGENCY

BE IT RESOLVED, That the following members are hereby reappointed to the Wyoming County Tourist Promotion Agency

Supervisor Member
One (1) year term effective January 1, 2008 through December 31, 2008
- James Fleischman (T/Java), 5824 Java Lake Rd., Arcade, NY 14009

Supervisor Member Alternate
One (1) year term effective January 1, 2008 through December 31, 2008
- E. Joseph Gozelski (T/Castile), 6175 E Lake Rd., Silver Springs, NY 14550

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

#26

RESOLUTION NO. 08-76
(February 12, 2008)

By Mr. Fleischman, Chairman of the Planning Committee:

E. JOSEPH GOZELSKI REAPPOINTED TO THE BUSINESS EDUCATION COUNCIL

BE IT RESOLVED, That ***E. Joseph Gozelski*** (T/Castile Supervisor) 6175 E. Lake Road, Silver Springs, NY 14550 is hereby reappointed to the Business Education Council as the Supervisor Member ***for a term of one (1) year; effective January 01, 2008 through December 31, 2008.***

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

#27

RESOLUTION NO. 08-77
(February 12, 2008)

By Mr. Fleischman, Chairman of the Planning Committee:

DREW SHAPIRO APPOINTED AS DIRECTOR OF PLANNING AND DEVELOPMENT

BE IT RESOLVED, That ***Drew Shapiro,*** 40 Guinevere Court, Getzville, NY 14068 is hereby appointed Director of Planning and Development to serve an "at will" term ***effective February 11, 2008.***

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

#28

RESOLUTION NO. 08-78
(February 12, 2008)

By Mr. Fleischman, Chairman of the Planning Committee:

RESOLUTION NUMBER 07-186 AMENDED

WHEREAS, Resolution Number 07-186 provides for the creation of a Student Aid (Seasonal Intern) in the department of Planning and Development through December 31, 2007; now therefore

BE IT RESOLVED, That Resolution number 07-186, is hereby amended to reflect an extension of the position of Student Aid (Seasonal Intern) through June 30, 2008.

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

#29

RESOLUTION NO. 08-79
(February 12, 2008)

By Mr. Fleischman, Chairman of the Planning Committee:

JAMES BRICK REAPPOINTED TO THE CORNELL COOPERATIVE EXTENSION BOARD OF DIRECTORS

BE IT RESOLVED, That ***James Brick*** (T/Perry Supervisor) 6175

7618 Route 20A, Perry NY 14530 is hereby reappointed to the Cornell Cooperative Extension Board of Directors as the Supervisor Member ***for a term of one (1) year; effective January 01, 2008 through December 31, 2008.***

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

#30

RESOLUTION NO. 08-80
(February 12, 2008)

By Mr. Fleischman, Chairman of the Planning Committee:

MEMBERS REAPPOINTED TO THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION ADVISORY COMMITTEE

BE IT RESOLVED, That the following members are hereby reappointed to the ***NYS DEC Advisory Committee***:

Supervisor Member
One (1) year term effective January 01, 2008 through December 31, 2008
- John Copeland (T/Wethersfield), 5888 Sheppard Rd., Bliss NY 14024

Supervisor Member/Alternate
One (1) year term effective January 01, 2008 through December 31, 2008
- Larry Rogers (T/Pike), PO Box 82, Pike, NY 14130-0082

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

#31

RESOLUTION NO. 08-81
(February 12, 2008)

By Mr. Fleischman, Chairman of the Planning Committee:

MEMBERS REAPPOINTED TO THE REGION 9 FISH & WILDLIFE MANAGEMENT BOARD AND REGION 9 FOREST PRACTICE BOARD

Regular Session

BE IT RESOLVED, That the following members are hereby reappointed to the Region 9 Fish & Wildlife Management Board and the Region 9 Forest Practice Board:

Region 9 - Fish & Wildlife Management Board
Supervisor Member
One (1) year term effective January 01, 2008 through December 31, 2008
- Jerry Davis (T/Covington) 7414 Court Rd., P.O. Box 445, Pavilion, NY 14525

Supervisor Member/Alternate
- Ellen Grant (T/Bennington) 134 Clinton St., Alden, NY 14004

Region 9 - Forest Practice Board
Supervisor Member
One (1) year term effective January 01, 2008 through December 31, 2008
- E. Joseph Gozelski (T/Castile), 6175 E. Lake Rd., P.O. Box 331, Silver Springs, NY 14550

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

#32

RESOLUTION NO. 08-82
(February 12, 2008)

By Mr. Fleischman, Chairman of the Planning Committee:

MEMBERS REAPPOINTED TO SOIL & WATER CONSERVATION DISTRICT BOARD

BE IT RESOLVED, That the following members are hereby reappointed to the ***Soil and Water Conservation District Board:***

Supervisor Member
One (1) year term effective January 01, 2008 through December 31, 2008
- E. Joseph Gozelski (T/Castile), 6175 E. Lake Rd., P.O. Box 331, Silver Springs, NY 14550
- Sally Meeder (T/Middlebury), 4631 Gay Rd., Warsaw, NY 14569

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

RESOLUTION NO. 08-83
(February 12, 2008)

By Mr. Fleischman, Chairman of the Planning Committee:

MEMBERS REAPPOINTED TO SENECA TRAIL RESOURCE CONSERVATION AND DEVELOPMENT COUNCIL

BE IT RESOLVED, That the following members are hereby reappointed to the ***Seneca Trail Resource Conservation and Development Council:***

Supervisor Member at Large/Alternate
One (1) year term effective January 01, 2008 through December 31, 2008

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

Supervisor Member
One (1) year term effective January 01, 2008 through December 31, 2008

- E. Joseph Gozelski (T/Castile), 6175 E. Lake Rd., P.O. Box 331, Silver Springs, NY 14550

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

After the roll call vote was taken for resolution numbers 14, 15, and 17 through 33, Chairman Berwanger asked Supervisor Fleischman to introduce the new Director of Planning and Development, Drew Shapiro.

Mr. Shapiro informed each of the Supervisors that he will be meeting with each of them personally in order to acquaint himself with the towns and their individual needs.

#34

RESOLUTION NO. 08-84
(February 12, 2008)

Regular Session

By Mrs. Meeder, Chairman of the 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 2008 through March 2009, for necessary expenses in carrying out the provisions of Article 11 of the New York State Tax Law.

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

There was a motion by Mr. Patti, T/Attica, to combine resolutions #35 and #36. A voice vote was taken and all voted aye

#35

RESOLUTION NO. 08-85
(February 12, 2008)

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

PURCHASE OF HIGHWAY EQUIPMENT APPROVED

BE IT RESOLVED, That the purchase of one (1) 2004 CAT P5000 LPG Pneumatic Tire Forklift from: **Prolift, Inc.**, 1835 Dale Road, Buffalo, NY 14225 in an amount not to exceed seventeen thousand five hundred dollars ($17,500.00) less a two thousand one hundred dollar ($2,100.00) three month

rental fee for a total balance due of fifteen thousand four hundred dollars ($15,400.00) be hereby approved.

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

#36

RESOLUTION NO. 08-86
(February 12, 2008)

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

CHAIRMAN AUTHORIZED TO SIGN SUPPLEMENTAL AGREEMENT NO. 1 WITH CLARK PATTERSON LEE

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 Clark Patterson Lee on behalf of County Highway. Said agreement is for the reconstruction of CR #6, Buffalo Street/View Road/Middle Reservation Road for Architectural/Engineering for in an amount not to exceed thirty-four thousand three hundred eighty–seven dollars and twenty-three cents ($34,387.23).

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

There was a motion by Mr. Rogers, T/Pike, to combine resolutions #37 through #41. A voice vote was taken and all voted aye

#37

RESOLUTION NO. 08-87
(February 12, 2008)

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

CHAIRMAN AUTHORIZED TO SIGN MAINTENANCE CONTRACT WITH EM SYSTEMS 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 EM Systems, 4043 Maple Rd, Ste 211, Amherst NY 14226 on behalf of the Sheriff's Department. Said contract is to provide for annual maintenance for the LEMS software in an amount not to exceed two thousand five hundred dollars ($2,500.00); effective January 01, 2008 through December 31, 2008.

Contingent upon the availability of funds.

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

#38

RESOLUTION NO. 08-88
(February 12, 2008)

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

CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH THE TOWN OF COVINGTON ON BEHALF OF THE SHERIFF'S DEPARTMENT

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with the ***Town of Covington*** on behalf of the Sheriff's Department. Said contract to provide additional traffic enforcement on Route 63 for the period of January 1, 2008 through December 31, 2008 and the cost is 100% reimbursed by the Town of Covington.

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

#39

RESOLUTION NO. 08-89
(February 12, 2008)

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

CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH UNITED UNIFORM COMPANY, INC. 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 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 listed prices; effective March 01, 2008 through February 28, 2009.

Contingent upon the availability of funds.

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

#40

RESOLUTION NO. 08-90
(February 12, 2008)

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

CHAIRMAN AUTHORIZED TO SIGN A CONTRACT EXTENSION WITH SINCLAIR PHARMANCY 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 North Main Street, Warsaw to provide inmate pharmaceuticals; third and final extension for this bid; effective April 01, 2008 through March 31, 2009.

Contingent upon availability of funding.

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

#41

RESOLUTION NO. 08-91
(February 12, 2008)

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

LARRY ROGERS REAPPOINTED TO MERCY FLIGHT CITIZENS ADVISORY COMMITTEE

BE IT RESOLVED, That ***Larry Rogers*** (T/Pike Supervisor) 14 East Koy Rd., P. O. Box 82, Pike, NY 14130-0082 is hereby reappointed to the Mercy Flight Citizens Advisory Committee as the Supervisor Member ***for a term of one (1) year; 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 #42 through #53. A voice vote was taken and all voted aye

#42

RESOLUTION NO. 08-92
(February 12, 2008)

By Mr. Davis, Chairman of the Finance Committee:

AUTHORIZE HOME RULE REQUEST IN SUPPORT OF LEGISLATION S6631 AND A9637, AN ACT TO AMEND CHAPTER 185 OF THE LAWS OF 2005, AMENDING THE TAX LAW RELATING TO AUTHORIZING THE COUNTY OF WYOMING TO IMPOSE A COUNTY RECORDING TAX ON OBLIGATIONS SECURED BY A MORTGAGE ON REAL PROPERTY, IN RELATION TO THE EXPIRATION THEREOF.

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

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

WHEREAS, Senate Bill S6631 and Assembly Bill A9637 have been introduced into the New York State Senate and Assembly respectively to amend the tax law in relation to authorizing the County of Wyoming to impose an additional mortgage tax, and

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

BE IT RESOLVED, That the Wyoming County Board of Supervisors hereby approves the adoption and passage of said Senate Bill S6631 and Assembly Bill A9637 entitled *"An Act to Amend Chapter 185 of the Laws of 2005, amending the Tax Law relating to authorizing the county of Wyoming to impose a county recording tax on obligations secured by a mortgage on real property, in relation to the expiration thereof,"* and hereby declares that a necessity exists for the passage of such bills in that the local legislative body of the County of Wyoming does not have the power to enact such legislation by local law, and

BE IT FURTHER RESOLVED, That a Home Rule Request be submitted to the Senate and Assembly of the New York State Legislature indicating that the necessity exists for the enactment of said legislation.
Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#43

RESOLUTION NO. 08-93
(February 12, 2008)

By Mr. Davis, Chairman of the Finance Committee:

CHAIRMAN AUTHORIZED TO SIGN A GRANT ACCEPTANCE AWARD WITH THE NEW YORK STATE OFFICE OF REAL PROPERTY SERVICES ON BEHALF OF THE TREASURER'S OFFICE

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a grant acceptance award with the Office of Administration, NYS Office of Real Property Services, 16 Sheridan Avenue, Albany, NY 12210-2714 on behalf of the Treasurer's Office. Said grant is for the provision of funding for a County Tax Collection Information Initiative in a minimum amount of twenty-five thousand dollars ($25,000.00); effective January 31, 2008 through December 31, 2008.
Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#44

RESOLUTION NO. 08-94
(February 12, 2008)

By Mr. Davis, Chairman of the Finance Committee:

CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH GENESEE/FINGER LAKES REGIONAL PLANNING COUNCIL ON BEHALF OF THE COUNTY OF WYOMING

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 on behalf of the Board of Supervisors. Said contract is for updating the weighted voting system of the Board of Supervisors utilizing the results of the 2000 US Census in an amount not to exceed three thousand dollars ($3,000.00). Contingent upon the availability of funds.

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

#45

RESOLUTION NO. 08-95
(February 12, 2008)

By Mr. Davis, Chairman of the Finance Committee:

MEMBERS REAPPOINTED TO INTER-COUNTY OF WESTERN NEW YORK

BE IT RESOLVED, That the following members are hereby appointed to
Inter – County Of Western New York:

Supervisor Member
One (1) year term effective January 1, 2008 through December 31, 2008

- Jerry Davis (T/Covington), 7414 Court Rd, PO Box 445, Pavilion, NY 14525

- Larry Rogers, (T/Pike), PO Box 82, Pike, NY 14130-0082
- John Knab, (T/Sheldon), 2246 Thomas Rd., Varysburg, NY 14167

Supervisor Alternate Member
One (1) year term effective January 1, 2008 through December 31, 2008
- A. Douglas Berwanger (T/Arcade), 6608 E. Arcade Rd., Arcade, NY 14009

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

#46

RESOLUTION NO. 08-96
(February 12, 2008)

By Mr. Davis, Chairman of the Finance Committee:

A. DOUGLAS BERWANGER REAPPOINTED COUNTY PURCHASING AGENT

BE IT RESOLVED, That ***A. Douglas Berwanger*** (T/Arcade Supervisor) 6608 East Arcade Rd., Arcade NY 14009 is hereby reappointed County Purchasing Agent ***for a term of two (2) years; effective January 01, 2008 through December 31, 2009.***

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

#47

RESOLUTION NO. 08-97
(February 12, 2008)

By Mr. Davis, Chairman of the Finance Committee:

MEMBERS APPOINTED TO GLOW WORKFORCE INVESTMENT BOARD

BE IT RESOLVED, That the following members are hereby appointed to ***GLOW Workforce Investment Board:***

- ***Marty Mucher*** (WCCA Executive Director), 6470 Route 20A, Suite 1, Perry, NY 14530,
  as a ***Community Based Organizational Rep.*** (replacing Jon Costello, WCCA Board of
  Directors)

- ***Richard Saxton*** (Experience Works, Inc.) P. O. Box 126, Warsaw, NY 14569, as a ***Private Sector Rep.*** (replacing Maureen Allesi, Experience Works)

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

#48

RESOLUTION NO. 08-98
(February 12, 2008)

By Mr. Davis, Chairman of the Finance Committee:

ONE (1) POSITION OF AGING SERVICES SPECIALIST (1.00 FTE) CREATED IN THE OFFICE FOR THE AGING

BE IT RESOLVED, That one (1) position of Aging Services Specialist (1.00 fte) be hereby created in the Office for the Aging to be placed on the appropriate step and grade of the current CSEA contract.

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

#49

RESOLUTION NO. 08-99
(February 12, 2008)

By Mr. Davis, Chairman of the Finance Committee:

ONE (1) POSITION OF DIRECTOR OF CHILD SUPPORT ENFORCEMENT AND FRAUD (1.00 FTE) CREATED IN THE DEPARTMENT OF SOCIAL SERVICES

BE IT RESOLVED, That one (1) position of Director of Child Support Enforcement and Fraud be hereby created in the Department of Social Services and placed on salary schedule "S" effective February 12, 2008.

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

#50

RESOLUTION NO. 08-100
(February 12, 2008)

By Mr. Davis, Chairman of the Finance Committee:

ONE (1) POSITION OF SENIOR ACCOUNT CLERK (DOUBLE ENTRY BOOKKEEPING) (1.00 FTE) CREATED AND ONE (1) POSITION OF CHILD SUPPORT UNIT SUPERVISOR ABOLISHED IN THE DEPARTMENT OF SOCIAL SERVICES

BE IT RESOLVED, That one (1) position of Senior Account Clerk (Double Entry Bookkeeping) be hereby created in the Support Collection Unit to be placed on the appropriate step and grade of the CSEA agreement; effective February 12, 2008; and be it

FURTHER RESOLVED, That one (1) position of Child Support Unit Supervisor be hereby abolished effective February 12, 2008.

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

#51

RESOLUTION NO. 08-101
(February 12, 2008)

Regular Session

By Mr. Davis, Chairman of the Finance Committee:

ONE (1) POSITION OF COUNTY PLANNER (1.00 FTE) CREATED IN PLANNING & DEVELOPMENT

BE IT RESOLVED, That one (1) position of County Planner (1.00 fte) be hereby created in Planning and Development and placed on Salary Schedule "S;" effective immediately.

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

#52

RESOLUTION NO. 08-102
(February 12, 2008)

By Mr. Davis, Chairman of the Finance Committee:

CORRECTION OF ERRORS IN THE TOWN OF PERRY APPROVED

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

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

PARCEL ONE: Town of Perry
Tax Map # 100.11-2-52

LOCATION: 5 Bradford St

ASSESSED TO: Kibler, Norman G
Kibler, Joanne
6749 Oatka Rd.
Perry, NY 14530

ERROR TYPE: Clerical – Erroneous Assessment & Tax Computation Error

AUTHORITY: **RPTL §550.2(h)** *"an incorrect entry on a Tax Roll of a relevied school tax"*

ACTION: Correct 2008 Town/County Tax Bill
Original Bill $ 1,724.93
Corrected Bill $ 667.76

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

#53

RESOLUTION NO. 08-103
(February 12, 2008)

By Mr. Davis, Chairman of the Finance Committee:

AMEND SALARY SCHEDULE "S" AND "D"

BE IT RESOLVED, That the Wyoming County Salary Plan which became effective January 01, 1967, as amended, is here by amended as follows; effective February 12, 2008 or as otherwise stated:

Salary Schedule "S"

Social Services:
Secretary II - $31,000.00 annually
Administrative Assistant - $30,000.00 annually
Fiscal Director - $51,000.00 annually
Director of Children & Family Services - $49,000.00 annually
Director of Child Support Enforcement and Fraud - $40,436.00 annually

Planning and Development:
County Planner - $37,000 annually.

County Historian:
Assistant County Historian - $8,400.00 annually; effective January 1, 2008.

Board of Elections:
Deputy Commissioners - $33,491.00 annually

Amend Salary Schedule "D"

Planning and Development:
Director of Planning and Development - $59,000.00 annually; effective February 11, 2008.

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

Public Comments:
None

There being no comments on the following resolution, Chairman Berwanger asked for a motion to close the Public Hearing.

Supervisor Copeland made a motion to close the public hearing. All voted aye and the Public Hearing was closed.

Public Hearing
2/3 Majority
#54

RESOLUTION NO. 08-104
(February 12, 2008)

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

LOCAL LAW INTRODUCTORY NO. A (3) YEAR 2008, ADOPTED

WHEREAS, there was duly presented and introduced at a meeting of this Board, held on the 8th day of January, 2008, a proposed local law of the County, designated as Local Law Introductory No. A, for the year 2008, entitled, **A Local Law Authorizing Private Sale of Real Property**; and

WHEREAS, in accordance with the provisions of Resolution No. 08-39, there was a public hearing held by this Board of Supervisors on this 12th day of February, 2008 at 2:30 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 2008, County of Wyoming, New York, as presented to this Board on the 12th day of February, 2008, be hereby adopted, enacted and passed by this Board in its original form as follows:

WHEREAS, the Board of Supervisors for the County of Wyoming has determined that certain property located at 76 North Main Street in the Village of Warsaw, New York is surplus property based on its location, condition, age and lack of suitability for any County use, and

WHEREAS, the County has been informed and understands that this property may have some value to a prospective purchaser if said property can be marketed with the expectation of a private and conclusive sale.

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

Section 1. This local law shall authorize the private sale of the surplus real property described below and located at 76 North Main Street in the Village of Warsaw, New York conditioned on the negotiation of acceptable terms of sale.

ALL THAT TRACT OR PARCEL OF LAND, situate in the Village of Warsaw, County of Wyoming and State of New York, bounded and described as follows: Beginning at a point in the east line of Main Street in said Village on the north line and at the northwest corner of lands heretofore conveyed by Samuel D. Purdy and others to Charles T. Watkins; thence east along said Watkin's north line 100 feet; thence north parallel with the east line of Main Street 23 feet; thence west parallel with the south line hereof 100 feet, to the east line of Main Street; thence south along the east line of Main Street, 23 feet to the place of beginning, containing 2300 square feet of land; more or less.

Also the right of passage through the lane in the rear of said lot, being the same premises conveyed by Samuel D. Purdy and others to Mary E. Stowe by deed dated February 25th, 1888, and recorded in Liber 109 of deeds at page 173, in Wyoming County Clerk's Office, and by said Mary E. Stowe conveyed to Jacob Baker by deed dated October 25th, 1888, and recorded in Liber 109 of Deeds at page 290 in Wyoming County Clerk's Office.

And being the same premises conveyed to Ivan D. Hodges by Ivan D. Hodges and Margaret M. Hodges, by Deed dated December 29th, 1976 and recorded in the Wyoming County Clerk's Office on December 29, 1976 in Liber 454 of Deeds at page 46.

Section 2. Effective Date. This local law shall become effective upon the filing thereof in the office of the Secretary of State of the State of New York upon expiration of the relevant period for a permissive referendum.

Carried: XXX Ayes: 1687 Noes: Absent: Abstain:

Before the roll call vote was taken on the above Local Law, Chairman Berwanger invited Supervisor Patti to comment. Supervisor Patti recapped the renovation projects taking place around the county and stated that the above building is surplus property based on its location, condition, age and lack of suitability for any County use. Supervisor Patti extended his thanks to Buildings and Grounds Superintendent, Dennis Halstead and his staff for their hard work.

UC#55

RESOLUTION NO. 08-105
(February 12, 2008)

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

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 a minimum amount of thirty-two thousand five hundred dollars ($32,500.00) to assist with the administrative expenses of the Wyoming County Empire Zone Administrative Board, effective July 01, 2007 through June 30, 2008.

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

UC#56

RESOLUTION NO. 08-106
(February 12, 2008)

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

CHAIRMAN AUTHORIZED TO PURCHASE REAL PROPERTY IN THE NAME OF SOPRAMCO III REO, LLC LOCATED AT 408 NORTH MAIN STREET, VILLAGE OF WARSAW, NEW YORK

WHEREAS, the Board of Supervisors has determined that it is in the best interests of the County to purchase the real property located at 408 North Main Street in the Village of Warsaw, New York and after due deliberation;

BE IT RESOLVED, that the Chairman of this Board and the County Attorney are authorized and directed to execute all documents necessary to acquire for county purposes certain real property owned by Sopramco III REO, LLC located at 408 North Main Street, Village of Warsaw, New York in the amount of six hundred twenty-seven thousand dollars ($627,000.00) from any funds available.

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

There being no further business to come before this Board, Chairman Berwanger wished Supervisors Davis and Rogers a good trip south then called upon Senior Supervisor Bush, T/Gainesville, to adjourn the meeting at 3:16 PM with a rap on his desk.

****

Respectfully submitted,

Cheryl J. Ketchum

Cheryl J. Ketchum, Board Clerk

REGULAR SESSION
(March 11, 2008)

Tuesday **2:30 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 2:36 PM Chairman Berwanger, T/Arcade, called the meeting to order.

The Veteran leading the Pledge of Allegiance this month was:

DONALD L. HUGHES

Mr. Hughes' service to his country comes while serving during World War II. On July 7, 1943, he enlisted in the United States Army and went on to complete both Basic and Individual Training at Camp Edwards in Massachusetts, qualifying with the 50 caliber as an Anti-Aircraft Gunner.

Following the completion of Advanced Training, Mr. Hughes went to England aboard the Acquatainia and was assigned duties with "B" Battery, 398th Anti-Aircraft Battalion. This unit was assigned under the 3rd Army commanded by General George Patton.

Mr. Hughes served as a 50 caliber Gunner on an M-16 Half-Track and is credited with service in campaigns of: Central Europe, Northern France, and the Rhineland. These included his participation in the landing on Utah Beach and the Battle of the Bulge. During these battles, he received several commendations as an Anti-Aircraft Gunner and is credited with shooting down German Aircraft to include M-262 German Jets. Mr. Hughes was honorably discharged from the Army on February 15th 1946.

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

The Army Good Conduct Medal
The World War II Victory Medal
The European-African-Middle Eastern Service Medal

Following the war, Mr. Hughes remained in Europe and formed a "Big Band" and performed at the Grand Hotel in Luxemburg for personnel attending the "Nuremburg Trials".

About a year after the war, Mr. Hughes returned to the United States and attended Ithaca College with a major in Music Education. He completed his Bachelor of Science degree at Ithaca College and then attended Alfred University where he earned his Master's Degree in music. His first position as a teacher was in Panama, New York, teaching instrumental music for several years. Mr. Hughes then started his own accordion and guitar business in Hamburg, New York. He operated this business for several years which included performances on WGR in Buffalo.

Mr. Hughes returned to teaching as an instrumental instructor at Perry Central School. He taught music for 30 years at Perry High School and retired after teaching music for 37 years. Mr. Hughes still enjoys music and plays with "Full Swing" and "Big Bands". He has been married to his wife Sally for 60 years; they have 5 grown children, and reside in Perry.

The pledge was said by all.

A certificate of appreciation was presented to Mr. Hughes in honor of his service to his country and also to commemorate his appearance today. Supervisor Brick was invited to join Chairman Berwanger for pictures. Mr. Hughes thanked the Board and commended them on recognizing the importance of sharing the experiences of the WWII veterans.

Social Services Employee of the Month

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 2008 is Megan Dennis. Megan is a Caseworker in our Child Protective Services unit and has worked for the Department since 2005.

Megan exhibits a very professional, intelligent and compassionate demeanor with the children and adults she works with. CPS is a highly sensitive and

demanding occupation where you need to remain unbiased. Megan exemplifies this and represents her coworkers and the Department in all these attributes.

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

Please join me in recognizing Megan Dennis.

Megan was in attendance and thanked the Board for the opportunity to be here.

Ron Krawiec, CEO of the Wyoming County Community Health System was invited to join Chairman Berwanger for the next presentation.

Wyoming County Community Health System – Employee of the Year
Each month one individual is selected to be the Employee of the Month at Wyoming County Community Health System. From the 12, Senior Management and Employee Enhancement chose three outstanding individuals then the approximate 650 employees of the Health System were able to vote for their choice of who would be Employee of the Year for 2007.
Her co-workers recommended her for Employee of the Month in July because they feel she is the "life blood" of the OR. She coordinates everything; she keeps the stress to a minimum, puts her co workers needs before her own, but above all puts the patient first.
She enjoys working with her fellow employees and feels that her job is very fulfilling and satisfying.

This years Employee of the Year has worked at WCCH for 27 years. The last 17 of those years have been in the Operating Room. She also spends many hours teaching basic life support to area health care providers as well as area businesses and organizations. In her spare time she enjoys refinishing furniture, reading and boating.

She lives in Wyoming with her husband Jim. They have two children Travis and Nicole. The 2007 Wyoming County Community Health System Employee of the year is Registered Nurse, Mary Jane Osterman.

Mr. Krawiec stated that Ms. Osterman was not in attendance today because she was needed in the operating room. That is one of the many reasons she is Employee of the Year. On behalf of Ms. Osterman, Mr. Krawiec thanked the Board for today's presentation.

Communications:
None

#1

RESOLUTION NO. 08-107
(March 11, 2008)

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:

Budget Office			
To: 06.57.6290.4.42449 Job Training Program w/06.12.6290.4790 Federal Revenue **Reason:** To increase appropriation in the JTPA Fund to cover necessary expenses.	$5,680.22	$5,680.22	
Budget Office Total			**$5,680.22**

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

#2

RESOLUTION NO. 08-108
(March 11, 2008)

By Mr. Davis, Chairman of the Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2008 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2008 accounts as follows:

Treasurer			
To: 01.42.6421.4.42477 Small Cities Grant w/01.12.6421.408916 Small Cities Grant Fed. Rev **Reason:** Funds not used in 2007 (POs closed) are to be carried over for the 2008 Admin and Project expenses which will be incurred.	$16,000.00	$16,000.00	
To: 01.40.6102.4.42250 MMIS IGT/DSH pymt ***From any funds available*** **Reason:** to cover county share of MMIS Medicaid assessment exempt from limits.	$148,498.00	$148,498.00	
Treasurer Total			**$164,498.00**

District Attorney			
To: 01.32.1168.4.40301 Professional Svc 01.32.1168.4.41302 Witness Fee 01.32.1168.4.40402 Conferences/Conventions 01.32.1168.4.40405 Employee Exp 01.32.1168.4.41010 Misc. Supplies 01.32.1168.8.85001 Medicare FICA w/01.11.1168.3089 State Aid Rev. **Reason:** To increase appropriation roll over ATP grant funds to cover necessary expenses.	$4,680.38 2,500.00 1,500.00 213.20 3,719.11 .50	$12,613.19	
To: 01.32.1166.4.40305 Drug Task Force w/01.11.1166.308907 State Aid Revenue **Reason:** To increase appropriation roll over Tools grant funds to cover necessary expenses.	$8,168.54	$8,168.54	
District Attorney Total			**$20,781.73**
OFA/Youth			
To: 01.44.6772.4.40401 OFA Training/Education 01.45.7310.4.40401 Youth Training/Education ***From any funds available*** **Reason:** For Andrea Aldinger to participate in 2008 Leadership Wyoming.	$400.00 400.00	$800.00	
OFA/Youth Total			**$800.00**
Department of Social Services			
To: 01.39.6015.2.20001 – Furniture 01.39.6015.2.20201 – Computer Equipment 01.39.6015.4.42306 – Misc. Other w/01.11.6015.3615 State Aid **Reason:** Point of Entry Grant is for the time period 10/1/07 – 9/30/08. Re-appropriate unexpended funds to 2008 budget. (S. Wheeler contract).	$ 2,900.00 2,100.00 42,213.59	$47,213.59	
To: 01.39.6010.2.20001 – Furniture 01.39.6010.2.20401 – Misc. Equipment w/01.12.6010.4610 – Federal Aid **Reason:** USDA-FSP Non- recurring bonus allocation.	$24,525.02 474.98	$25,000.00	
Department of Social Services Total			**$72,213.59**
Public Health			
To: 01.38.4050.4.40508 Private Auto Repair w/01.08.4050.2680 Insurance Recovery **Reason:** To appropriate for NYMIR Insurance recovery d/t damages from car/deer collision.	$1,803.45	$1,803.45	
Public Health Total			**$1,803.45**
Human Resource/Workers Comp.			
To: 05.58.1710.4.41201 Postage 05.58.1710.4.41202 Printing w/05.13.1710.5031 Interfund Revenue **Reason:** to cover cost of postage to mail employee benefit statements.	$200.00 50.00	$250.00	
To: 01.52.9950.9.99006 Transfer to Wkrs. Comp. ***From any funds available*** **Reason:** to cover cost of postage to mail employee benefit statements.	$250.00	$250.00	
Human Resource/Workers Comp. Total			**$500.00**
Probation			
To: 01.37.3140.4.43001 Probation Grant w/01.11.3140.331006 (State Aid) **Reason:** Reallocate unexpended Shared Services grant funds from 7/1/07-6/30/08 year to be spent by 6/30/08. Grant is held by Probation and services done by the mental health personnel of the hospital.	$31,386.00	$31,386.00	
Probation Total			**$31,386.00**
Sheriff			
To: 01.37.3110.4.40305 Other: Drug Task Force w/01.12.3110.448917 Fed. Aid - BYRNE JAG **Reason:** funding for grant (Volker grant)	$8,254.03	$8,254.03	

Sheriff Total			**$8,254.03**
Jail			
To: 01.37.3150.2.20501 Law Enforcement Equipment w/ 01.11.3150.308901 State Aid **Reason:** amount of grant award to purchase the equipment for the Live Scan System	$30,000.00	$30,000.00	
Jail Total			**$30,000.00**
Building & Grounds			
To: 01.34.1620.2.23001 Motor Vehicles ***From any funds available*** **Reason:** for the purchase of a cargo van.	$14,000.00	$14,000.00	
Building & Grounds Total			**$14,000.00**

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

#3

RESOLUTION NO. 08-109
(March 11, 2008)

By Mr. Davis, Chairman of the Finance Committee:

FUNDS TRANSFERRED TO VARIOUS 2008 ACCOUNTS

BE IT RESOLVED, That funds are hereby transferred to the various 2008 accounts as follows:

Sheriff			
From: 01.37.3110.4.40509 Vehicle Changeover Expenses **To:** 01.37.3110.2.23001 Vehicle Purchase **Reason:** Vehicle purchase for the Under Sheriff	$3,500.00	$3,500.00	
Sheriff Total			**$3,500.00**
Board of Supervisors			
From: 01.31.1010.8.81001 Retirement **To:** 01.31.1010.4.40402 Conf. / Conv. 01.31.1010.4.40405 Employee Expenses 01.31.1010.4.40406 Employee Mileage 01.31.1010.4.40401 Training / Education **Reason:** To cover additional expenses in 2008.	$5,000.00	3,900.00 100.00 200.00 800.00	
Board of Supervisors Total			**$5,000.00**

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

Mr. Bush, T/Gainesville, Chairman of the Audit Committee, presented bills totaling **$1,900,012.65** for the month of **February 2008**.

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

There was a motion by Mrs. Totsline, T/Genesee Falls, to combine resolutions #4 through #9. A voice vote was taken and all voted aye

RESOLUTION NO. 08-110
(March 11, 2008)

By Mrs. Totsline, Chairman of Human Services Committee:

CHAIRMAN AUTHORIZED TO SIGN VARIOUS GRANT 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 acceptance awards on behalf of the Wyoming County Office for the Aging:

- ***New York State Office for the Aging***, 2 Empire Plaza, Albany, NY 12223 -

    - **Weatherization Services** to residents 60+ in Wyoming County in an approximate amount of twenty-four thousand six hundred thirty-three dollars ($24,633.00); effective August 01, 2008 through July 31, 2009.

    - **Health Insurance Information Counseling Assistance Program (HIICAP),** in Wyoming County services to be provided in an approximate amount of thirty thousand dollars ($30,000.00); effective April 01, 2008 through March 31, 2009.

    - **Long Term Care Ombudsman Program (LTCOP)** for the provision of advocacy to residents in long term care facilities in an approximate amount of three thousand nine hundred dollars ($ 3,900.00); effective April 01, 2008 through March 31, 2009.

- **Long Term Care Ombudsman Program/Title VII** for the provision of advocacy to residents in long term care facilities in an approximate amount of ten thousand dollars ($10,000.00); effective January 01, 2008 through December 31, 2008.

- **Title V (Senior Employment)** for the provision of funding for senior employment opportunities to seniors 55+ in Wyoming County in an approximate amount of thirty thousand two hundred five dollars ($30,205.00); effective July 01, 2008 through June 30, 2009.

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

#5

RESOLUTION NO. 08-111
(March 11, 2008)

By Mrs. Totsline, Chairman of Human Services Committee:

CHAIRMAN AUTHORIZED TO SIGN A MEMORANDUM OF UNDERSTANDING WITH THE CLOISTERS 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 Memorandum of Understanding with The Cloisters, 171 North Maple Street, Warsaw, NY 14569 on behalf of the Wyoming County Office for the Aging. Said MOU is for the provision of respite services to caregivers in Wyoming County as part of the Title III-E grant, to be provided on an as needed basis; effective January 01, 2008 through December 31, 2008.

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

#6

RESOLUTION NO. 08-112
(March 11, 2008)

By Mrs. Totsline, Chairman of Human Services Committee:

MEMBERS APPOINTED TO THE OFFICE FOR THE AGING ADVISORY COUNCIL

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

County Representative

Three (3) year term; effective January 01, 2008 through December 31, 2010

- **Colleen Eccleston** (Asst. Director of Adult Services for Wyoming County),
  27 West Buffalo Street Warsaw, NY 14569 filling the unexpired term of Carol Nodzo

Town Representative

Three (3) year term; effective January 01, 2008 through December 31, 2010

- **JoAnn Almeter** (T/Java), 2077 Perry Road, North Java, NY 14113

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

#7

RESOLUTION NO. 08-113
(March 11, 2008)

By Mrs. Totsline, 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:

- **Jessica Sheidt,** 5957 Bauer Road, Warsaw, NY 14569 for the provision of Pre-School related Services in an amount not to exceed the 2007 – 2009 budget - variable depending on number of services rendered; effective March 01, 2008 through June 30, 2009

- **Building Blocks Comprehensive Services, Inc.**, 275 Parrish Street Suite A Canandaigua, NY 14424 for the provision of Pre-School Special Education Services in an amount not to exceed the 2007 – 2009 budget - variable depending on number of services rendered; effective March 01, 2008 through June 30, 2009.

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

#8

RESOLUTION NO. 08-114
(March 11, 2008)

By Mrs. Totsline, Chairman of Human Services Committee:

MEMBERS APPOINTED/REAPPOINTED TO THE WYOMING COUNTY YOUTH BOARD

BE IT RESOLVED, That the following members are hereby appointed to the Wyoming County Youth Bureau:

Community Rep.
Three (3) Year Term effective January 01, 2008 through December 31, 2010

- **Patty Jarnot** (Branch Director Wyoming County YMCA) 2422 Snyder Road, Varysburg, NY 14167

Youth Reps.
One (1) year term effective January 01, 2008 through December 31, 2008

- **Caitlyn McGinnis**, 37 North Center Street, Perry, NY 14530 to replace Carina Gayhart
- **Sarah McGinnis**, 37 North Center Street, Perry, NY 14530 to replace Michaela Olin
- **Samantha Myers**, 7111 Route 20A, Perry, NY 14530 to replace Doni

Wagner

- **Ashley White**, P. O. Box 271, Warsaw, NY 14569
- **Sarah Carlson**, 210 Sayre Road, Wyoming, NY 14591

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

#9

RESOLUTION NO. 08-115
(March 11, 2008)

By Mrs. Totsline, Chairman of Human Services Committee:

CHAIRMAN / COMMISSIONER AUTHORIZED TO SIGN AGREEMENT 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 an agreement with Family Focus Adoption Services, 54-40 Little Neck Parkway, Suite 4, Little Neck, NY 11362 on behalf of the Department of Social Services. Said agreement is to provide adoption transition services and supervision for a Wyoming County child, until adoption is finalized; in an amount not to exceed twenty-four thousand eight hundred eighty-one dollars ($24,881.00); effective March 12, 2008 through March 11, 2009.

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

#10

RESOLUTION NO. 08-116
(March 11, 2008)

By Mr. Kushner, Chairman of Public Health Committee:

NATIONAL COLORECTAL CANCER AWARENESS MONTH PROCLAIMED

WHEREAS, This year nearly 153,000 men and women in the United States will be diagnosed with colorectal cancer and more than 50,000 people will lose their lives nationwide, including nearly 3,100 in New York State alone; and

WHEREAS, Early detection and prompt treatment can significantly reduce the suffering caused by this disease. Regular colorectal screenings are the most effective methods to detect changes that may be cancer; now therefore

BE IT RESOLVED, In recognition of the fact that there are over one million colorectal cancer survivors in the United States today; The Wyoming County Board of Supervisors does hereby proclaim the month of March as:

"NATIONAL COLORECTAL CANCER AWARENESS MONTH"

And be it

FURTHER RESOLVED, That all men and 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 Prevention Partnership.

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

Supervisor Kushner was invited to present the proclamation and presentation regarding the above resolution. Supervisor Kushner invited Public Health Administrator, Laura Paolucci and Public Health Nurse, Tracy Mathias who have both been very instrumental in the implementation of the Colorectal Cancer Screening Program at the Wyoming County Health Department. Ms. Paolucci read the proclamation presented by the Board.

At the conclusion of the presentation of the proclamation, the commercial for colorectal screening by the Health Department created for viewing over Time Warner Cable channels for the next 6 weeks was shared.

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

#11

RESOLUTION NO. 08-117
(March 11, 2008)

By Mr. Fleischman, Chairman of the Planning Committee:

MEMBERS APPOINTED/REAPPOINTED TO THE AGRICULTURE AND FARMLAND PROTECTION BOARD

BE IT RESOLVED, That the following members are hereby appointed/reappointed to the Agriculture and Farmland Protection Board:

Farm Member
Four (4) year term effective January 01, 2008 through December 31, 2011
- **Steven Sondericker** (Friendly Acres Farm), 1458 Exchange Street, Attica, New York 14011

Supervisor Member
One (1) year term effective January 01, 2008 through December 31, 2008
- **E. Joseph Gozelski** (T/Castile), 6175 E. Lake Rd., P.O. Box 331, Silver Springs, NY 14550

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

#12

RESOLUTION NO. 08-118
(March 11, 2008)

By Mr. Fleischman, Chairman of the Planning Committee:

JERRY KOZLOWSKI APPOINTED TO THE GLOW WORKFORCE INVESTMENT BOARD

BE IT RESOLVED, That ***Jerry Kozlowski,*** Genesee Community College, 1 College Road, Batavia, NY 14020 (replacing Claudia Moore,

Genesee Community College) is hereby appointed to the GLOW Workforce Investment Board as an At Large Member, e*ffective March 11, 2008.*

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

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

#13

RESOLUTION NO. 08-119
(March 11, 2008)

By Mr. Gozelski, Chairman of the Agriculture Committee:

REVIEW OF AGRICULTURAL DISTRICT NO. 2 AND SET PUBLIC HEARING

WHEREAS, This Board is conducting a review of Agricultural District No. 2 located in the Towns of Gainesville, Eagle, Wethersfield, Warsaw, and Pike 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. 2; 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 8th day of April, 2008 at 2:30 PM regarding Wyoming County Agricultural District No. 2 located in the Towns of Gainesville, Eagle, Wethersfield, Warsaw, and Pike 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: 1618 Noes: Absent: Abstain:

#14

RESOLUTION NO. 08-120
(March 11, 2008)

By Mr. Gozelski, Chairman of the Agriculture Committee:

EARL DOMINESY REAPPOINTED TO THE SENECA TRAIL RESOURCE CONSERVATION AND DEVELOPMENT COUNCIL

BE IT RESOLVED, That **Earl Dominesy**, 3288 Cattaraugus Rd., Varysburg, NY 14167 is hereby reappointed to the Seneca Trail Resource Conservation and Development Council; effective for a term of three (3) years; effective January 01, 2008 through December 31, 2010.

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

#15

RESOLUTION NO. 08-121
(March 11, 2008)

By Mr. Gozelski, Chairman of the Agriculture Committee:

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

BE IT RESOLVED, That **Edward Hulme**, 3512 Hermitage Rd., Warsaw, NY 14569 and **Walter Hallbauer**, Box 96, Java Village, NY 14083 are hereby reappointed to the **Region 9 – Fish & Wildlife Management Board** for a term of two (2) years; effective January 01, 2008 through December 31, 2009.

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. 08-122
(March 11, 2008)

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

RESOLUTION OPPOSING GOVERNOR SPITZER'S PROPOSED AMENDMENTS TO THE INDIGENT DEFENSE PROGRAM

WHEREAS, The Executive Budget proposes $3 million for the creation of an office of Indigent Defense Services to oversee and monitor the provision of criminal defense services statewide, make recommendations for reform and provide attorney training and administration services; and

WHEREAS, The office will examine, evaluate and collect information on the existing public defense system in the counties and develop a case management system to facilitate the collection and reporting of such information; and

WHEREAS, The proposal also amends section 98-b of the State Finance Law to cap the amount of funding to counties from the Indigent Legal Services Fund under the current distribution formula to $72 million; and

WHEREAS, The County of Wyoming is concerned this Office will eventually impose additional duties and responsibilities upon counties while capping state assistance for this program, thereby placing an increasing fiscal strain on county governments and the property tax payers of this State; and

WHEREAS, In June of 2006, a report to the Chief Judge of the State of New York, on the Future of Indigent Defense Services, highlights numerous shortcomings and inequities of the current public defense system, citing the lack of a single, independent body responsible for statewide public defense oversight and administration; and

WHEREAS, The report also states that New York's public defense system is in a state of crisis and suffers from a chronic and acute lack of funding and a more coordinated, state funded public defense system will provide improved services, while alleviating other costly strains on local justice systems and property tax payers; and

WHEREAS, Significant reform of the current system cannot happen without a full state takeover of the public defense program as counties have only limited resources available and must fund an array of other state mandated programs; and

WHEREAS, While the creation of this Office may be viewed as a first step, counties are concerned that Chief Judge Kaye's recommendations to provide a fully funded state takeover will fall by the wayside; and

WHEREAS, The State continues to increase the compensation and workload of public defense attorneys by criminalizing more behavior without increasing funding to meet those defense responsibilities and;

WHEREAS, A cap on the amount of funding to counties from the Indigent Legal Services Fund will only further exacerbate the funding issues counties continue to experience in relation to this public defense programs; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors urges Governor Spitzer and the Legislature to work with the Counties and the Office of Court Administration to develop budgetary language authorizing a full state takeover of all public defense services and expenses in New York State; and be it

FURTHER RESOLVED, That the Clerk to the Board is directed to forward copies of this Resolution to Governor Spitzer, Senator Volker, and Assemblyman Burling and all others deemed necessary and proper.

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

#17

RESOLUTION NO. 08-123
(March 11, 2008)

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

2008 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 on behalf of Wyoming County Probation. 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, 2008 through December 31, 2008.

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

#18

RESOLUTION NO. 08-124
(March 11, 2008)

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

RESOLUTION URGING THE GOVERNOR AND THE STATE LEGISLATURE TO INCLUDE BUDGETARY LANGUAGE TO INCREASE PROBATION REIMBURSEMENT TO THE STATUTORILY REQUIRED FIFTY PERCENT

WHEREAS, Section 246 of the New York State Executive Law stipulates, "State aid shall be granted to the City of New York and the respective counties outside the City of New York only to the extent of reimbursing fifty per

centum of the approved expenditures incurred by the county or City in maintaining and improving local probation services."; and

WHEREAS, Over the past two decades, local reimbursement for probation services has decreased from 46.5% to lower than 20%; and

WHEREAS, This deficiency was not addressed by Governor Spitzer in his 2008- 09 budget proposal; and

WHEREAS, While reimbursement has diminished, state mandates on probation have increased to include interim supervision, DNA collections, sex offender registration, ignition interlock, and community service for DWI; and

WHEREAS, Counties have been forced to assume a greater proportion of probation costs as the scope of probation services expands and new technologies arise for tracking and monitoring the activities of probationers; and

WHEREAS, In recent years, these costs have escalated sharply and dwindling state reimbursement and dedicated local funds are not enough to meet the demands placed on local probation departments; and

WHEREAS, Probation Officers typically travel great distances to meet with probationers at home or work, incurring additional non-reimbursed expenses; and

WHEREAS, The high costs associated with quality probation services has forced counties to assume a greater proportion of probation expenses, resulting in layoffs, reductions in services and increases in property taxes; and

WHEREAS, The County of Wyoming realizes that effective probation services provide substantial savings for the State by reducing the reliance on incarceration and placements, as evidenced by the 63,000 felons and the 43,000 juveniles currently receiving probation services; now therefore

BE IT RESOLVED, The Wyoming County Board of Supervisors joins Chief Judge Judith Kaye, the office of Court Administration (OCA) and the New York State Council of Probation Administrators (COPA) in urging the Governor and the State Legislature to support the restoration of state aid to local probation departments to a full 50% of approved expenditures incurred by the county or

City of New York in maintaining and improving local probation services; and be it

FURTHER RESOLVED, That any new public safety mandate imposed pursuant to State law, regulation, or Executive Order that imposes additional duties upon local probation departments, or directly increases the population of offenders subject to the jurisdiction of any such department, be fully funded by the State; and

FURTHER RESOLVED, That the Clerk to this Board is directed to forward copies of this Resolution to Governor Spitzer, Senator Volker, and Assemblyman Burling and all others deemed necessary and proper.

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

#19

RESOLUTION NO. 08-125
(March 11, 2008)

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

CHAIRMAN AUTHORIZED TO SIGN A GRANT ACCEPTANCE AWARD WITH THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICE 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 acceptance award with the State of New York, Division of Criminal Justice Services, Four Tower Place, Albany NY 12203-3764 on behalf of the Sheriff's Office. Said grant is for the provision of funding for a Live Scan System (Project Number SA07-1103-D00) in a minimum amount of thirty thousand ($30,000.00); effective November 01, 2007 through December 31, 2008.

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

#20

,

RESOLUTION NO. 08-126
(March 11, 2008)

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

CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH FRONTIER FOOD SERVICES, CORP. 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 with Frontier Food Services Corp., P.O. Box 903, West Seneca, NY 14224 on behalf of the County Jail. Said contract is to provide food service management to the Jail in an amount per the language of the contract; effective April 01, 2008 through March 31, 2013.

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

#21

RESOLUTION NO. 08-127
(March 11, 2008)

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

REQUESTING THE NEW YORK STATE LEGISLATURE TO ADOPT AN AMENDMENT TO COUNTY LAW SECTION 308-A TO PROVIDE FOR A WYOMING COUNTY WIRELESS SURCHARGE.

WHEREAS, The Wyoming County Public Safety Committee is beginning to recognize a trend in cell phone service verses land line phone service. As a result of this movement in telephone service E911 surcharge revenues have decreased. Wyoming County is one of few counties that currently does not charge a wireless surcharge. Due to the continued expense of maintenance and upgrading to the E911 Communications System the Public Safety Committee recommends a wireless surcharge to be the fairest means of support to the county's E911system; and

WHEREAS, With the recommendation of the Wyoming County Public Safety Committee the Wyoming County Board of Supervisors wishes to request that the New York State Legislature adopt an amendment to County Law Section 308-a to provide that the Board of Supervisors may establish a County of Wyoming wireless surcharge in an amount not to exceed 30 cents per month on each wireless communication device in connection with wireless communication service provided customers whose place of primary use is within Wyoming County.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors for the County of Wyoming hereby requests that the New York State Legislature adopt an amendment to County Law Section 308-a to provide that the Wyoming County Board of Supervisors may establish a County of Wyoming wireless surcharge in an amount not to exceed 30 cents per month on each wireless communication devise in connection with wireless communication service provided customers whose place of primary use is within Wyoming County.

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

#22

RESOLUTION NO. 08-128
(March 11, 2008)

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

CHAIRMAN AUTHORIZED TO SIGN A GRANT ACCEPTANCE AWARD WITH THE NEW YORK STATE OFFICE OF HOMELAND SECURITY ON BEHALF OF WYOMING COUNTY EMERGENCY SERVICES

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a grant acceptance award with New York State Office of Homeland Security, 1220 Washington Ave. Building 7A, Albany, NY 12226 on behalf of Wyoming County Emergency Services. Said grant is to provide funding for the 2007 Homeland Security Grant Program for training materials and back-up dispatch center in a minimum amount of ninety thousand ($90,000.00); effective July 01, 2007 through June 30, 2010.

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

There was a motion by Mr. Patti, T/Attica, to combine resolutions #23 through #25. A voice vote was taken and all voted aye

#23

RESOLUTION NO. 08-129
(March 11, 2008)

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

AUTHORIZING THE IMPLEMENTATION, AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL-AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS, OF A TRANSPORTATION FEDERAL-AID PROJECT, AND APPROPRIATING FUNDS THEREFORE

WHEREAS, a Project ***for the Replacement of Urf Road Bridge over Cayuga Creek, Town of Bennington,*** Wyoming County, P.I.N. 4754.99; BIN 3319640 (the Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

WHEREAS, the County of Wyoming desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of preliminary engineering and design phase.

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 $78,000 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:

#24

RESOLUTION NO. 08-130
(March 11, 2008)

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

RESOLUTION NUMBER 08-38 AMENDED

WHEREAS, Resolution Number 08-38 entitled, "Chairman Authorized To Sign A Contract with Simplex/Grinnell, LP on Behalf of Buildings and Grounds," passed by this Board of Supervisors on January 08, 2008 provides for alarm testing in the Courthouse and Government Center along with sprinkler testing in both buildings and the Public Safety building in an amount not to exceed three thousand three hundred seventy dollars ($3,370.00) annually for three years; and

WHEREAS, Resolution Number 08-38 only provides the amount for sprinkler testing; now therefore

BE IT RESOLVED, That Resolution Number 08-38 be hereby amended to include the cost of alarm testing, at an additional cost of $3,000.00 per year over the next 3 years making the total cost of the contract nineteen thousand one hundred ten dollars ($19,110.00).

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

#25

RESOLUTION NO. 08-131
(March 11, 2008)

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

RESOLUTION DECLARING CERTAIN REAL PROPERTY AS SURPLUS AND SCHEDULING A PUBLIC HEARING ON A LOCAL LAW RELATING TO THE SALE OF SAID PROPERTY.

WHEREAS, the Board of Supervisors for the County of Wyoming has determined that certain property located at 13 S. Main, in the Town of Gainesville, New York is surplus property based on its location, condition, age and lack of suitability for any County use, and

WHEREAS, the County has been informed and understands that this property may have some value to a prospective purchaser if said property can be marketed with the expectation of a private and conclusive sale.

NOW, THEREFORE, be it resolved that the property located at 13 South Main Street, Town of Gainesville, NY is declared surplus property and a public hearing shall be held on April 08, 2008 at 2:30 PM at the Wyoming County Government Center, 143 N. Main St., Warsaw, New York on Wyoming County Local Law Introductory No. B, for the year 2008, authorizing the private sale of said property subject to the negotiation of acceptable terms and upon the further resolution of this Board of Supervisors.

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

There was a motion by Mr. Davis, T/Covington, to combine resolutions #26 through #28. A voice vote was taken and all voted aye

#26

RESOLUTION NO. 08-132
(March 11, 2008)

By Mr. Davis, Chairman of the Finance Committee:

CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN PRINTING CONTRACT 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 award the county printing bid and sign contracts with Souter & Sons Printing Co., 56 Park Street, Arcade, NY 14009 on behalf of all county departments. Said contract is in an amount per the language of the contract; effective March 11, 2008 through March 10, 2010, renewable annually for a three (3) year period thereafter.

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

#27

RESOLUTION NO. 08-133
(March 11, 2008)

By Mr. Davis, Chairman of the Finance Committee:

CORRECTION OF ERRORS IN THE TOWN OF ARCADE APPROVED

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

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

PARCEL ONE: Town of Arcade
Tax Map # 182.-1-19.1

LOCATION: 383 Route 39

ASSESSED TO: Crossroads Church of the Nazarene
PO Box 247
Arcade, NY 14009

ERROR TYPE: Unlawful Entry

AUTHORITY: **RPTL §550.7(a)** *"an entry on the taxable portion of the… tax roll of the assessed valuation of real property which … is wholly exempt from taxation"*

ACTION: Correct/Cancel 2007 Town/County Tax Bill w/School Relevy

Original Bill $ 2,004.65
Corrected Bill $ 0.00

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

#28

RESOLUTION NO. 08-134
(March 11, 2008)

By Mr. Davis, Chairman of the Finance Committee:

ONE (1) POSITION OF SECRETARY I (.5 FTE) (TEMPORARY) CREATED IN THE DISTRICT ATTORNEY'S OFFICE

BE IT RESOLVED, That one (1) position of Secretary I, PT (.5 fte) (Temporary) be hereby created in the District Attorney's Office at a rate of $12.00 per hour. This position is to be paid out of 2006-2008 Aid to Prosecution Funds as long as the funds remain available; effective March 11, 2008 for 3 months.

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

Chairman Berwanger invited Public Works Chairman, Supervisor Patti, T/Attica, to explain the significance of resolution number 29.

Supervisor Patti did so by offering the following address to the board, "Today is another historic day in the history of Wyoming County. The Board of Supervisors is planning to build a new 20,000 sq. ft building to house the Department of Social Services. The safety and security of both clients and staff is a major concern to the Board. We believe that our current facilities are outdated, overcrowded and no longer capable of handling the existing programs, not to mention the constantly increasing number of unfunded mandates.

This new building will be located at 466 North Main Street, which is the current D.S.S. location. The proposal is to totally renovate the existing lower building which is approximately 10,000 sq. ft. We would also be adding a 2 story 10,000 sq. ft addition to this building creating a 20,000 sq. ft complex.

Once this is completed the upper building would be demolished and converted to a parking lot for our 88 D.S.S. employees.

It is anticipated that we will put the shell for the two story addition out to bid. The interior finishing of the new addition and the interior renovations to the existing building will be completed by the Building and Grounds staff under the direction of Supt. Dennis Halstead. This will be similar to the way we completed the Records Retention Building. By utilizing the County work force we will be saving several hundred thousands of dollars in tax payer money.

Upon approval today, by the Board of Supervisors, we will start immediately with the preliminary design and engineering phase of the project, with actual construction set to begin in May of 2009. We expect to have the project complete and hold a ribbon cutting ceremony in February of 2010.

Once completed, we are confident that this building will serve the needs of the Department of Social Services for decades to come.

The cost for this project is $4,000,000.00. This cost includes all engineering, construction, demolition and site work. The County will borrow the money through a USDA low interest loan. We have decided to take the loan out for 30 years so as minimize the impact of the loan payment, but we are anticipating paying it off much sooner.

The Public Works Committee was very diligent when selecting this location. The County already owned the property „ and we felt it was centrally located and would best serve the needs of our clients and staff, at the same time not removing a piece of property from the tax rolls. None of our recent building construction and

expansion projects has removed property from the tax rolls, in fact we have recently put two parcels back on the tax roll.

I would like to thank Commissioner Schmitt and her staff for supplying us with the necessary information we needed to move this project forward. Special thanks to Supt. Halstead for developing the initial plans, and I would like to thank the members of the Public Works, and Finance Committees as well as the entire Board of Supervisors for their support of this much needed and long overdue project.

Commissioner Schmitt was asked to comment on what these renovations will mean to her department. She reiterated the importance of safety to not only the Social Services staff but to the Clientele the department serves."

#29

RESOLUTION NO. 08-135
(March 11, 2008)

By Mr. Davis, Chairman of the Finance Committee:

DEPARTMENT OF SOCIAL SERVICES BUILDING CAPITAL IMPROVEMENT PROJECT APPROVED

WHEREAS, The Wyoming County Public Works and Finance Committees have identified the need for renovations to buildings located at 466 North Main Street, Warsaw, New York. These buildings are currently being utilized by the Department of Social Services. Said renovations are in order to accommodate the entire department of Social Services under one roof as well as address long over due renovations; and

WHEREAS, Project plans have been reviewed by the Public Works and Finance Committees; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors, on the recommendation of the above committees hereby establishes the

Department of Social Services Building Capital Improvement Project in an amount not to exceed four million dollars ($4,000,000.00); and be it

FURTHER RESOLVED, That the County of Wyoming is fully committed to utilizing all grants and available low interest loans in the completion of the above project.

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

RESOLUTION NO. 08-136
(March 11, 2008)

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

RESOLUTION IN SUPPORT OF THE PASSAGE OF THE NEW YORK STATE PROPERTY TAXPAYERS PROTECTION ACT

WHEREAS, The tremendously high property tax burden on New York families and businesses is the number one issue facing our community today, and the sheer cost of living in New York has forced many residents and businesses to leave, thus slowing the economic engine of the state; and

WHEREAS, Young people are finding it difficult to purchase homes, seniors are struggling to maintain their homes, and businesses are facing immense challenges to create and retain jobs; and

WHEREAS, New Yorkers face the highest property taxes in the nation, and when measured as a percentage of home value, nine of the top 10 property tax rates in the entire country belong to counties in New York; and the State must act now to thwart the detrimental effects that high property taxes are having on local governments; and

WHEREAS, Assembly Minority Conference Members have introduced the "New York State Property Taxpayers Protection Act" (Assembly Bill 8775-A), which puts forth new and innovative ideas for property tax reform that limit the amount school districts can raise annually through local tax levies to four percent or the rate of inflation, whichever is less; in addition the Act would relieve municipalities and school districts of unfunded mandates, reduce county Medicaid costs, strengthen financial accountability over school tax dollars, promote local government efficiency, and encourage local option insurance pooling; and

WHEREAS, The "New York State Property Taxpayers Protection Act" will help fix New York's broken property tax system, providing homeowners, businesses and municipalities significant and lasting relief from the crushing burden of skyrocketing property taxes; and now, therefore, be it

RESOLVED, That this Legislative Body pause in its deliberations to acknowledge New York State's property tax crisis and urge the immediate passage and chaptering of the "New York State Property Taxpayers Protection Act," which will help local governments reinvigorate New York's economy by providing incentives for people and businesses to move and stay here; and be it further

RESOLVED, That a copy of this Resolution, suitably engrossed, be transmitted to the Governor of the State of New York, the Temporary President of the New York State Senate, the Speaker of the New York State Assembly, and to each member of the New York State Legislature.

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

UC#31

RESOLUTION NO. 08-137
(March 11, 2008)

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

RESOLUTION IN OPPOSITION OF GOVERNOR SPITZER'S PROPOSED 2008 – 2009 NEW YORK STATE BUDGET

WHEREAS, In light of the 2008 – 2009 Budget Proposal by Governor Spitzer, the Wyoming County Board of Supervisors does not support any kind of shift in shared costs for any state mandated programs be they Welfare, Medicaid, or Juvenile Detention; now therefore

BE IT RESOLVED, That the tax payers of Wyoming County have supported these programs for many years and the Board of Supervisors believe that any increase in property tax or additional fees to support state mandated programs is totally unacceptable; and be it

FURTHER RESOLVED, That the Clerk to this Board is directed to forward copies of this Resolution to Governor Spitzer, Senator Volker, and Assemblyman Burling and all others deemed necessary and proper.

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

Chairman Berwanger shared a letter from Director of Fire and Emergency Management, Anthony Santoro in regards to county department response to the

incident at Morton Salt in the Village of Silver Springs on Wednesday, February 06, 2008. (a copy of this letter is attached)

The following excerpts were shared by the Chairman from the March 6, 2008 Perry Herald's, Memory Lane column:

Chairman Berwanger stated, "The more things change the more they stay the same."

March 4, 1948:

- *"An appropriation of $20,000 was made by the Wyoming County Board of Supervisors for the construction of the Reservation Road between Perry and Castile. This is the most traveled road to Letchworth Park from Perry."*

March 4, 1988:

- *"The Wyoming County Community Hospital had an operating loss of $115,000 for the month of January because of a lack of patients due to the shortage of registered nurses."*

There being no further business to come before this Board, Senior Supervisor Bush, T/Gainesville, adjourned the meeting at 3:24 PM with a rap on his desk.

****

Respectfully submitted,

Cheryl J. Ketchum

Cheryl J. Ketchum, Board Clerk

REGULAR SESSION
(April 08, 2008)

Tuesday **2:30 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; Budget Officer, Janis Cook; Clerk to the Board of Supervisors, Cheryl Ketchum and Deputy Clerk to the Board, Brenda Ferrell.

At 2:33 PM Chairman Berwanger, T/Arcade, called the meeting to order.

The Veteran leading the Pledge of Allegiance this month was:

Hugh H. Ten Hagen

Mr. Ten Hagen's service to his country was during the Cold War Era and Lebanon-Grenada. He enrolled in the Naval Reserve Officer Training Corps at Cornell University in September 1976 and was commissioned an Ensign in the United States Naval Reserve in May 1980 following graduation. Ensign Ten Hagen's first duty as a Naval Officer was teaching sailing to Cornell Navy ROTC Midshipman on Lake Ontario during the summer of 1980 and was qualified as a skipper of the 50 foot Naval Sailing Vessel China Doll. Ensign Ten Hagen was then assigned to further officer training in Pensacola, Florida before being assigned to the USS Nashville (LPD-13) in the summer of 1981, with duties onboard as First Division Officer within the Deck Department. The Nashville had elements of a NATO/US Navy Minesweeping Task Force embarked and Ensign Ten Hagen finished the cruise in the fall of 1981. He was assigned further training and successfully completed the Surface Warfare Officer School in Newport, Rhode Island in May 1982 and returned to the USS Nashville (LPD-13) as the Weapons Officer Third Division Officer. Ensign Ten Hagen was onboard the USS Nashville during a Mediterranean Cruise when his ship and its embarked US Marines of the Amphibious Readiness Group participated in the successful evacuation of civilians from Beirut, Lebanon to Cyprus. The Nashville and its Marines were then assigned duties to assist in the subsequent supervision by the Multi National Force of the removal of the PLO from the conflict in Lebanon. Following the massacre of refugees in refugee camps; the Nashville and its Marines were assigned with the establishment of the barracks at the Beirut International Airport. The USS Nashville and its assigned Marines were rotated out of Beirut and returned stateside in November 1982. During this cruise Ensign Ten Hagen was assigned duties as the Ship's Navigator. Ensign Ten Hagen and the Nashville in the winter and spring of

1983 had a cruise to the Caribbean and had embarked the Commander US Atlantic Fleet for a humanitarian goodwill cruise throughout the Caribbean Sea area of operations, working with both US Coast Guard and other national Navies and Coast Guards.

The Nashville at the end of the summer of 1983 entered a scheduled year long repair and overhaul availability at Metro Machine Shipyard in Norfolk, VA. Ensign Ten Hagen served as the assistant Habitability Officer during this shipyard period and was involved in the supervision of a ship's force of 125 sailors in the complete redoing of all crew and embarked troop living spaces onboard the Nashville. Ensign Ten Hagen left active duty at the end of 1984 and then was assigned to Naval Reserve Units out of the Naval and Marine Corps Reserve Center Rochester, with various duties, ultimately becoming the Commanding Officer of the Naval Reserve Unit in Support of the USS LaMoure County (LST-1194). Ensign Ten Hagen was medically discharged in February 1997 from the Naval Reserves as a Lieutenant Commander.

For his service to his country, Ensign Ten Hagen was awarded:

The Humanitarian Service Medal
The National Defense Service Medal
The Navy-Marine Corps Expeditionary Medal
The Naval Reserve Service Medal

Following his active duty service, Ensign Ten Hagen returned to Western New York and entered a career in commercial banking with Chase Lincoln First Bank

Mr. Ten Hagen returned to his hometown of Warsaw, for a position with Wyoming County Bank in August of 1995. Since September 2004 Mr. Ten Hagen works for the United States Small Business Administration, Office of Disaster Assistance as a Supervisory Disaster Loan Officer assisting renters, homeowners and businesses recover from declared disasters, most recently working out of the SBA's national customer service call center in Buffalo, New York.

Mr. Ten Hagen is actively involved in his community with active participation as a member of the Executive Board of the Iroquois Trail Council Boy Scouts of America, in his church as an elder of the United Church of Warsaw and in the American Legion currently serving as the Wyoming County Commander for the almost 1,000 Legion members of Wyoming County.

The pledge was said by all.

Supervisor Smith, T/Warsaw was invited to join the Chairman in the presentation of a Certificate of Appreciation to Mr. Ten Hagen. Mr. Ten Hagen was invited to address the Board of Supervisors. He thanked Chairman Berwanger and spoke on behalf of the ten posts of American Legions throughout Wyoming County, by stating that the American Legion provides more than just a "local bar" they provide numerous vital community programs and services. He commended the Board on the American Legion Accreditations of Veteran Services staff.

Mr. Ten Hagen took the opportunity to extend an invitation from Ed Turner of the Warsaw Moose Lodge; on the afternoon of April 20th there will be a Country Jamboree to benefit the Disabled American Veterans' purchase of a wheel chair assessable van for Wyoming County disabled veterans.

In closing, Mr. Ten Hagen thanked the county for proudly serving the county and the American Legion…

Social Services Employee of the Month

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 April 2008 is Renee Jines. She has been employed at DSS since 1984 and works in the clerical pool. Renee has been working toward our paperless system by computerizing and scanning many of the State forms which will save many work hours and paper costs in the future. She is always friendly and ready with a smile when assisting clientele. We would like to thank Renee for her service to the community and to the County of Wyoming.

Please join me in recognizing Renee Jines, who was unable to attend today's meeting.

Chairman Berwanger introduced Mrs. Saxton's Government Participation Class from Warsaw Central School and recognized Linda LeBlonde of the Business Education Council and their roll in bringing the class to today's meeting. Mrs. Saxton stated that the purpose of her class's attendance today is to learn about government at a local level, since this is the level of government most of the students will encounter.

The Chairman introduced Assistant County Attorney, Jamie Welch, who is sitting in for vacationing County Attorney, Eric Dadd.

Communications:
None

Open Public Hearings:

***Agricultural District #2**

*****Local Law B for the year 2008, Adopted Local Law 4 for the year 2008, entitled, **"A LOCAL LAW AUTHORIZING PRIVATE SALE OF REAL PROPERTY"** (Records Center, 13 S. Main Street, Gainesville)

#1

RESOLUTION NO. 08-138
(April 08, 2008)

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 2008 accounts as follows:

Budget Office / Radio System Equipment Fund			
To:15.64.9730.6.60002 Radio Equipment BAN –Debt Svc w/15.11.3020.3989 State Aid - ESDC **Reason:** To correctly show appropriation associated with the JE correction to the payment and receipt related to the 2005 Radio Tower BAN.	$500,000.00	$500,000.00	
Budget Office / Radio System Equipment Fund Total			**$500,000.00**

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

RESOLUTION NO. 08-139
(April 08, 2008)

By Mr. Davis, Chairman of the Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2008 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2008 accounts as follows:

Real Property Tax Service			
To: 01.33.1355.4.40907 Tax Mapping 01.33.1355.4. 42483 Assessment Grant w/01.11.1355.308901 State Aid -NYS CPTAP Award **Reason:** In order to lease Copier/Printer and pay Digital Mapping backlog.	$8,500.00 16,500.00	$25,000.00	
Real Property Tax Service Total			**$25,000.00**
Treasurer			
To: 01.40.6102.4.42250 MMIS IGT/DSH pymt ***From any funds available*** **Reason:** to cover county share of MMIS Medicaid assessment exempt from limits.	$165,083.50	$165,083.50	
Treasurer Total			**$165,083.50**
Budget Office			
County Insurance Office			
To: 01.35.1910.4.40301 Professional Svc. Contracts ***From any funds available*** **Reason:** To cover 2008 Health Reimbursement Account Compliance Services.	$275.00	$275.00	
Adult Recreation			
Budget Reduction **To:** 01.47.7989.4.40918 Other Recr. - Snowmobile w/01.11.7989.3317 State Aid **Reason:** To reduce appropriation to reflect actual reimbursement/ disbursement amount relating to snowmobile activity for 2008.	($9,200.00)	($9,200.00)	
Budget Office Total			**($8,925.00)**
Board of Supervisors			
To: 01.31.1010.4.40301 Professional Services ***From any funds available*** **Reason:** Genesee/Finger Lakes Regional Planning Council contract for the reapportionment of the Board's weighted voting system.	$3,000.00	$3,000.00	
Board of Supervisors Total			**$3,000.00**

Youth Bureau			
To: 01.45.7310.4.42479 Positive Parenting w/01.03.7310.1289 Youth Programs –other dept. income **Reason:** Funds needed to cover cost of new Positive Parenting Program.	$1,500.00	$1,500.00	
Youth Bureau Total			**$1,500.00**
Public Health			
To: 01.38.4050.4.40508 Private Auto Repair w/01.08.4050.2680 Insurance Recovery revenue **Reason**: To appropriate NYMIR insurance recovery for additional damages sustained in car/deer accident (2003 Chevy Malibu – CHHA)	$ 927.72	$ 927.72	
Public Health Total			**$ 927.72**
Board of Elections			
To: 01.34.1450.2.20201 Computer Equipment 01.34.1450.4.41004 Computer Supplies ***From any funds available*** **Reason:** Required 5% match for the purchase of the Sequoia Voting Machines and supplies.	$14,687.50 3,142.57	$17,830.07	
To: 01.34.1450.4.42481 HAVA Pollworker Training w/01.12.1450.4389 Federal Aid ***From any funds available*** **Reason:** Required 5% match for pollworker training.	$24,213.00	23,152.35 $1,060.65	
To: 01.34.1450.4.42482 HAVA Access Improvement Grant w/01.11.1450.3089 State Aid 01.12.1450.4389 Federal Aid **Reason:** Required to improve / access polling sites for individuals with disabilities.	$17,922.00	12,106.00 5,816.00	
Board of Elections Total			**$59,965.07**
Sheriff			
To: 01.37.3110.4.40508 Private Auto Repair w/01.08.3110.2680 Insurance Recovery **Reason:** offset of insurance company collision payments for cars 18 and 29.	$2,693.67	$2,693.67	
To: 01.37.3110.4.42306 Other (Seized Asset) w/01.07.3110.2626 Seized Property Revenue **Reason:** To budget for under cover investigative purchases offset by revenue and reserve account.	$4,000.00	$4,000.00	
Sheriff Total			**$6,693.67**
County Jail			
To: 01.37.3150.4.40301 Prof Services Contract ***From any funds available*** **REASON**: line item shortage; contract amount was finalized after 2008 budget was done.	$72,244.00	$72,244.00	
County Jail Total			**$72,244.00**
Building Code Enforcement			
To: 01.37.3620.4.40508 Private Auto Repair w/01.08.3620.2680 Insurance Recovery **Reason:** Replacement of windshield in 2007 Jeep	$540.70	$540.70	
Building Code Enforcement			**$540.70**

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

#3

RESOLUTION NO. 08-140
(April 08, 2008)

By Mr. Davis, Chairman of the Finance Committee:

April 8, 2008

FUNDS TRANSFERRED TO VARIOUS 2008 ACCOUNTS

BE IT RESOLVED, That funds are hereby transferred to the various 2008 accounts as follows:

Public Health			
From: 01.38.4011.4.40301Professional Svcs **To:** 01.38.4011.2.20401 Misc Equipment **Reason:** To purchase a new Savin 9040spf Color Digital Imaging System with unspent #4011 Water Enhancement Grant funds.	$7,989.00	$7,989.00	
Public Health Total			**$7,989.00**
District Attorney			
From: 01.32.1168.4.40301 Prof Svc Cont **To:** 01.32.1168.8.85001 Medicare **REASON:** Transfer funds to cover the Medicare costs of Secretary I, Pt (Temp) position.	$56.02	$56.02	
From: 01.32.1168.4.40301 Prof Svc Cont **To:** 01.32.1168.8.83001 FICA **REASON:** Transfer funds to cover the FICA costs of Secretary I, Pt (Temp) position.	$240.53	$240.53	
From: 01.32.1168.4.40301 Prof Svc Cont **To:** 01.32.1168.8.81001 Retirement **REASON:** Transfer funds to cover the Retirement costs of Secretary I, Pt (Temp) position.	$327.18	$327.18	
From: 01.32.1168.4.41302 Witnesses **To:** 01.32.1168.1.10202 Temporary **REASON:** Transfer funds to cover the personnel costs of Secretary I, Pt (Temp) position.	$2,500.00	$2,500.00	
From: 01.32.1168.4.40301 Prof Svc Cont **To:** 01.32.1168.1.10604 Bonus Award (Salary) **REASON:** Transfer funds to reimburse line for monies that were transferred from this line to cover the cost of Crime Victim Coordinator raise.	$400.00	$400.00	
From: 01.32.1168.4.40301 Prof Svc Cont **To:** 01.32.1168.1.10202 Temporary **REASON:** Transfer funds to cover the personnel costs of Secretary I, Pt (Temp) position.	$944.00	$944.00	
District Attorney Total			**$4,467.73**

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

Mr. Bush, T/Gainesville, Chairman of the Audit Committee, presented bills totaling **$1,678,676.98** for the month of **March 2008**.

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

There was a motion by Mrs. Totsline, T/Genesee Falls, to combine resolutions #4 through #11. A voice vote was taken and all voted aye.

#4

RESOLUTION NO. 08-141
(April 08, 2008)

By Mrs. Totsline, Chairman of the 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

WHEREAS, Citizens of our county are presently serving in all branches of the Armed Forces, in places all around the World, many in "harms 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 4-10, 2008*** 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 others deemed appropriate and necessary.

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

#5

RESOLUTION NO. 08-142
(April 08, 2008)

By Mrs. Totsline, Chairman of the Human Services Committee:

CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH FRONTIER FOOD SERVICE 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 Frontier Food Service, P.O. Box 903, West Seneca, NY 14224 on behalf of the Office for the Aging. Said contract is to provide meals for the Office For the Aging congregate and home delivered meal programs in an approximate amount of three hundred thousand dollars ($300,000.00); effective April 01, 2008 through March 31, 2011.

Contingent upon the availability of funds.

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

#6

RESOLUTION NO. 08-143
(April 08, 2008)

By Mrs. Totsline, Chairman of the Human Services Committee:

NATIONAL VOLUNTEER WEEK PROCLAIMED

WHEREAS, Volunteering of one's time and resources is an essential part of our country‘s tradition and is essential to its spirit; and

WHEREAS, It is ever more in evidence that our nation's greatest resource is its people; and

WHEREAS, Volunteers have shown that they truly care and share generosity of themselves; and

WHEREAS, Volunteerism is increasingly recognized as a central partner with government, education and industry in doing the work of our nation; and

WHEREAS, Volunteerism directly reflects the democratic principles upon which this nation was founded in that everyone, regardless of circumstance or station or factors of race, age, sex, or creed can volunteer; and

WHEREAS, we are seeking even more contributions of human resources in volunteerism and better application of these valuable contributions: now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors wish to honor and thank the dedicated citizens of this County who give so freely of their valuable time, energy and abilities by proclaiming the week of:

April 27 through May 03, 2008

as

National Volunteer Week

in Wyoming County. And in doing so, calls all citizens to help renew and sustain the spirit and vitality of this great nation by committing a portion of their time in addressing the needs of their communities through voluntary action and urges fellow citizens to volunteer and ***"inspire by example"*** in their communities. By volunteering and recognizing those who serve, we can replace disconnection with understanding and compassion.

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

#7

RESOLUTION NO. 08-144
(April 08, 2008)

By Mrs. Totsline, Chairman of the Human Services Committee:

OLDER AMERICANS MONTH PROCLAIMED

April 8, 2008

WHEREAS, Wyoming County is a community in which approximately 7,000 citizens age 60 or older make their home; and

WHEREAS, Older adults in Wyoming County and throughout the U.S. are a growing population with evolving needs; and

WHEREAS, Older Americans are valuable members of our society who are rich with experience and deserving of our respect; and

WHEREAS, The number of baby boomers reaching traditional retirement age continues to increase, a fact that spotlights the need for increased attention to the needs of older adults; and

WHEREAS, Our older citizens of today and tomorrow promise to be among the most active and engaged older adult populations in our Nation's history; and

WHEREAS, It is the responsibility of this and all U.S. communities to work together and prepare for changing older adult populations by modernizing systems of care and providing consumers with more control over their lives; and

WHEREAS, Overall quality of life can be greatly enhanced when supportive communities help their older citizens obtain:

- Evidence-based approaches to making behavioral changes that can reduce risk of disease, disability, and injury;

- The tools to make informed decisions about, and gain better access to, existing health and long-term care options; and
- More options to avoid placement in nursing homes and remain at home as long as possible; now therefore

BE IT RESOLVED, The Wyoming County Board of Supervisors do hereby proclaim

May 2008
as
Older Americans Month

and urges everyone to take time to honor our older adults and the professionals, family members, and citizens who care for older adults. The Board urges all citizens / communities to work collaboratively to strengthen the services Wyoming County provides to its older adults in ways that recognize the

changing nature of their needs, and that provide older adults with more opportunities to make informed choices about their lives. Our efforts can improve the lives of our older citizens and help pave the way for future generations.

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

#8

RESOLUTION NO. 08-145
(April 08, 2008)

By Mrs. Totsline, Chairman of the Human Services Committee:

NATIONAL NURSING HOME WEEK PROCLAIMED

WHEREAS, Our community's citizens now residing in nursing homes have contributed immeasurably to Wyoming County's heritage over the years; and

WHEREAS, Our community's nursing home residents are themselves living history; and

WHEREAS, Member facilities of the American Health Care Association and the Wyoming County Office for the Aging are sponsoring many activities in observance of
National Nursing Home Week guided by this year's theme;

"Love is Ageless"

which begins on ***Mother's Day, May 11th through May 17th***; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors hereby proclaims May 11th through May 17th, 2008 as National Nursing Home Week in Wyoming County and urges all members of this community to join in this year's observance by visiting our County's nursing home residents and by recognizing the high quality of care that our long term care facilities are providing.

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

#9

RESOLUTION NO. 08-146
(April 08, 2008)

By Mrs. Totsline, Chairman of the 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 County Youth Bureau:

- ***Chelsie Callan***, 252 Ross Street, Batavia, NY 14020 for the provision of Preschool Related Services not to exceed 2008 – 2009 budget – variable depending on the number of services; effective April 01, 2008 through June 30, 2009.

- ***James McGuinness and Associates,*** 263 State Street Schnectady, NY 12305 to provide services as a consultant for the Youth Bureau and to perform any/or all services specified in, but not limited to Exhibit "A" of the contract not to exceed 2008 budget – $550 per month + $100 per hour; effective January 01, 2008 through December 31, 2010.

Contingent upon availability of funds.

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

#10

RESOLUTION NO. 08-147
(April 08, 2008)

By Mrs. Totsline, Chairman of the Human Services Committee:

RESOLUTION NUMBER 07-161 AMENDED

WHEREAS, Resolution Number 07-161 passed by this Board of Supervisors on May 08, 2007 entitled, **"CHAIRMAN AUTHORIZED TO**

SIGN VARIOUS CONTRACTS ON BEHALF OF THE YOUTH BUREAU," provides for various contracts on behalf of the Wyoming County Youth Bureau effective July 01, 2007 – June 30, 2009; and

WHEREAS, A *Medicaid in Education Alert* (Issue #08-4) dated February 28, 2008 issued by the New York State Office of the Medicaid Inspector General (NYS OMIG) School/Preschool Supportive Health Services Program (SSHSP/PSHSP) Medicaid in Education Unit in regards to services provided by the Teacher of the Speech and Hearing Handicapped (TSHH) before the first meeting between the qualified Speech Language Pathologist (SLP) and the child are made reimbursable by Medicaid; now therefore

BE IT RESOLVED, That the following contracts are affected by the above alert and need to be revised to include the requirements set forth in the above alert for reimbursement by New York State:

- ***Catt-Allegany BOCES,*** 1845 Windfall Rd., Olean, NY 14760
- ***Kidstart,*** 18 Main St., Mt. Morris, NY 14510
- ***Letchworth Little Learners,*** 5550 School Rd., Gainesville, NY 14066,
- ***Preschool Learning Center,*** 393 North St., Springville, NY 14141,
- ***Rainbow Preschool, and the ARC of Orleans County,*** 243 South Main St., Suite 220, Albion, NY 14411; and be it

FURTHER RESOLVED, That an addendum revising the above is effective February 28, 2008 through December 31, 2009.

Contingent upon availability of funds.

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

#11

RESOLUTION NO. 08-148
(April 08, 2008)

By Mrs. Totsline, Chairman of the Human Services Committee:

CHILD ABUSE AND NEGLECT PREVENTION MONTH PROCLAIMED

April 8, 2008

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

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 2008*** 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:

Chairman Berwanger invited Human Services Chair Totsline, T/Genesee to present the five Proclamations that were just passed. Supervisor Totsline has recruited various members of the Board to help with the presentation of these proclamations starting with Supervisor Smith, T/Warsaw and the presentation of "Armed Forces Week Proclaimed," to Veterans Services Director, Gary Cousins.

"National Volunteer Week," presented by Supervisor Fleischman, T/Java to Director of Aging and Youth, Andrea Aldinger.

"Older Americans Month Proclaimed," presented by Supervisor Bush, T/Gainesville, the senior supervisor member, (not to be confused with being the most senior member) to Director of Aging and Youth, Andrea Aldinger.

"National Nursing Home Week Proclaimed," presented by Supervisor Totsline, T/Genesee Falls to Director of Aging and Youth, Andrea Aldinger.

"Child Abuse and Neglect Prevention Month Proclaimed," presented by Supervisor Rogers, T/Pike to Social Services Commissioner, Deborah Schmitt.

Chairman Berwanger also recognized Hospital Administrator, Ron Krawiec, the new Skilled Nursing Facility Administrator, Dennis Jacques and brand new Nursing Facility Director of Nursing, Melissa Spaeth.

There was a motion by Mr. Kushner, T/Eagle, to combine resolutions #12 through #15. A voice vote was taken and all voted aye

#12

RESOLUTION NO. 08-149
(April 08, 2008)

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

SUSAN KNAPP REAPPOINTED TO THE COMMUNITY SERVICES BOARD

BE IT RESOLVED, That ***Susan Knapp,*** 176 Bullis Road, Cowlesville, NY 14037 be hereby appointed to the ***Community Services Board*** for a term of four (4) years effective through December 31, 2011.

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

#13

RESOLUTION NO. 08-150
(April 08, 2008)

April 8, 2008

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

SUSAN KNAPP AND FRANK KAMYSZ REAPPOINTED TO THE MENTAL HEALTH SUBCOMMITTEE

BE IT RESOLVED, That ***Susan Knapp***, 176 Bullis Road, Cowlesville, NY 14037 and ***Frank Kamysz***, 814 Clinton Street, Cowlesville, NY 14034 be hereby reappointed to the ***Mental Health Subcommittee*** for a term of four (4) years effective through December 31, 2011.

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

#14

RESOLUTION NO. 08-151
(April 08, 2008)

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

AARON ANDERSON AND JAMES MESSE REAPPOINTED TO THE ALCOHOL AND SUBSTANCE SUBCOMMITTEE

BE IT RESOLVED, That ***Aaron Anderson***, Wyoming County Sheriff's Department, 151 North Main Street, Warsaw, NY 14569 and ***Jim Messe***, Wyoming County Drug Court Coordinator, 143 N. Main St., Warsaw, NY 14569 be hereby reappointed to the ***Alcohol and Substance Subcommittee*** for a term of four (4) years effective through December 31, 2011.

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

#15

RESOLUTION NO. 08-152
(April 08, 2008)

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

CHAIRMAN AUTHORIZED TO SIGN GRANT APPLICATION AND ACCEPTANCE AWARD FOR THE SOBER TRUTH ON PREVENTING UNDERAGE

DRINKING ACT GRANT ON BEHALF OF WYOMING COUNTY 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 Application and Acceptance Award for the *Sober Truth on Preventing Underage Drinking Act Grant* in a minimum amount of fifty thousand dollars ($50,000.00) per year for the Partners for Prevention Program effective October 01, 2008 through September 30, 2012. The grant is sponsored by the New York State Department of Health, Human Services, Substance Abuse, and Mental Health Services Administration.

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

There was a motion by Mr. Fleischman, T/Java, to combine resolutions #16 and #17. A voice vote was taken and all voted aye.

#16

RESOLUTION NO. 08-153
(April 08, 2008)

By Mr. Fleischman, Chairman of the Planning Committee:

DREW SHAPIRO APPOINTED WYOMING COUNTY EMPIRE ZONE CERTIFYING OFFICER

BE IT RESOLVED, That ***Drew Shapiro***, Director, Wyoming County Planning & Development, 6470 Route 20A, Suite 4, Perry, NY 14530 be hereby appointed as the Wyoming County Empire Zone Certifying Officer for a term of two (2) years effective May 01, 2008 through April 30, 2010.

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

WITHDRAWN BY COMMITTEE CHAIR

#

RESOLUTION NO. 08-
(April 08, 2008)

By Mr. Fleischman, Chairman of the Planning Committee:

CHAIRMAN AUTHORIZED TO SIGN NON-COMPETTIVE OFFICE of SMALL CITIES GRANT APPLICATION for HILLCREST INDUSTRIES RAIL SPUR RELOCATION PROJECT

WHEREAS, The County of Wyoming wishes to apply for up to $200,000 non-competitive Office of Small Cities grant that will be used by the Wyoming County IDA to provide financial assistance to Hillcrest Industries , Inc., 40 Favor Street, Attica, NY 14011 for its rail spur relocation project.

WHEREAS, Any loan repayments form Hillcrest Industries, Inc. can be used by the Wyoming County IDA to provide financial assistance to other Wyoming County businesses that will create additional job opportunities for county residents; now therefore

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

FURTHER RESOLVED, That two public hearings by this Board of Supervisors will be held on April 10, 2008 and April 17, 2008 at 2:00 p.m. at the Wyoming County Business Center, 6470 Route 20A, in the Town of Perry, New York, and at least five days notice of such hearings shall be given by the Clerk of this Board by publishing such notice at least once in official newspapers of the county designated for such publications.

Carried: Ayes: Noes: Absent: Abstain:

#17

RESOLUTION NO. 08-154
(April 08, 2008)

By Mr. Fleischman, Chairman of the Planning Committee:

RESOLUTION NUMBER 08-74 AMENDED

WHEREAS, Resolution number 08-74, passed by this Board of Supervisors on February 12, 2008, entitled, "**MEMBERS REAPPOINTED**

TO THE GENESEE/FINGER LAKES REGIONAL PLANNING COUNCIL," provides for various Supervisor appointments to the Genesee/Finger Lakes Regional Planning Council for the year 2008; now therefore

BE IT RESOLVED, That ***E. Joseph Gozelski***, T/Castile, 6175 E. Lake Road, P.O. Box 331, Silver Springs, NY 14550, be hereby appointed as the **Supervisor Member/Alternate** to replace Supervisor James Brick, T/Perry, for the remainder of the unexpired term effective through December 31, 2008.

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

#18

RESOLUTION NO. 08-155
(April 08, 2008)

By Mrs. Meeder, Chairman of the Human Resource Committee:

TIMOTHY MORAN REAPPOINTED WYOMING COUNTY CIVIL SERVICE COMMISSIONER

BE IT RESOLVED, That ***Timothy F. Moran,*** 2 Main Street, P.O. Box 268, Attica, NY 14011 is hereby reappointed to the ***Civil Service Commission*** as a ***Civil Service Commissioner*** for a term of six (6) years ***effective June 01, 2008*** through ***May 31, 2014*** according to Civil Service Law §15.1; and be it

FURTHER RESOLVED, That the Commissioner will be compensated at the rate of one hundred dollars ($100.00) per meeting as well as any approved mileage and expenses, with no further benefits.

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

#19

RESOLUTION NO. 08-156
(April 08, 2008)

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

RESOLUTION UGING NEW YORK STATE TO ENACT LEGISLATION RELATING TO TEXT MESSAGING WHILE DRIVING

WHEREAS, Section 1225-c of the Vehicle and Traffic Law of the State of New York provides that no person shall operate a motor vehicle upon a public highway while using a mobile telephone to engage in a call while such vehicle is in motion, and

WHEREAS, There have been instances throughout the State of New York where operators of motor vehicles are text messaging while driving and cause an accident, and

WHEREAS, The Wyoming County Board of Supervisors feels that the State Legislature should adopt an amendment to the Vehicle and Traffic Law to prohibit operators of motor vehicles from text messaging while they are driving, and

WHEREAS, Bills have been proposed in the State Assembly and Senate to prohibit operators of motor vehicles from using a mobile telephone for writing, sending or reading a text message while such vehicle is in motion, and

WHEREAS, This Board feels that this proposed legislation is desirable to avoid any further accidents, now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors hereby urges the State Senate, Assembly and Governor to enact legislation to prohibit text messaging while operating a motor vehicle, and be it

FURTHER RESOLVED, That the Clerk to this Board be hereby directed to forward certified copies of this resolution to Senator Dale Volker, Assemblyman Daniel Burling and Governor David Patterson, and all others deemed necessary and proper.

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

There was a motion by Mr. Patti, T/Attica, to combine resolutions #20 through #25. A voice vote was taken and all voted aye.

RESOLUTION NO. 08-157
(April 08, 2008)

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

AUTHORIZING THE IMPLEMENTATION, AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL-AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS, OF A TRANSPORTATION FEDERAL-AID PROJECT, AND APPROPRIATING FUNDS THEREFORE

WHEREAS, A Project ***for the Rehabilitation of East Lake Road (CR #02) from NYS Route 19A to NYS Route 39, Towns of Gainesville and Castile,*** Wyoming County, P.I.N. 4754.98 (the Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

WHEREAS, The County of Wyoming desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of preliminary engineering, design phase and ROW incidentals.

NOW, THEREFORE, The Board of Supervisors, duly convened does hereby

RESOLVE, That the Board of Supervisors hereby approves the above-subject project; and it is hereby further

RESOLVED, That the Board of Supervisors hereby authorizes the Chairman to pay in the first instance 100% of the federal and non-federal share of the cost of construction work for the Project or portions thereof; and it is further

RESOLVED, That the sum of **$81,000** 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:

#21

RESOLUTION NO. 08-158
(April 08, 2008)

By Mr. Patti, Chairman of the 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, 2008 all ties were awarded by lot at the March 28, 2008 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:

#22

RESOLUTION NO. 08-159
(April 08, 2008)

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

CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH DEWBERRY-GOODKIND ON BEHALF OF THE COUNTY HIGHWAY DEPARTMENT

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Dewberry-Goodkind, Inc., 700 Alliance Building, 183 East Main Street, Rochester, NY 14604 on behalf of the County Highway Department. Said contract is to provide Scope of Service work for the Town of Castile, East Lake Road; PIN 4754.98 project in an amount not to exceed one hundred eighty - two thousand dollars ($182,000.00); effective once contract is signed by the State of New York through December 18, 2017.

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

#23

RESOLUTION NO. 08-160
(April 08, 2008)

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

RESOLUTION URGING A GREATER STATE COMMITMENT TO MAINTAINING THE SAFETY AND INTEGRITY OF LOCAL HIGHWAYS AND BRIDGES

WHEREAS, Local governments are responsible for an increasing proportion of the statewide highway and bridge system; eighty-five percent of the State's 110,000 miles of roadways, and fifty percent of the State's 18,000 bridges; and

WHEREAS, A safe and efficient highway infrastructure is necessary for trade, economic development and revitalization, our schools, businesses, health

and hospital facilities, emergency responders, as well as the general traveling public; and

WHEREAS, The State's Consolidated Highway Improvement Program (CHIPs) funds are vital to county highway departments in order to maintain and upgrade important components of the local transportation system, and to purchase necessary highway equipment and materials; and

WHEREAS, The level of CHIPs funding in the current five-year capital plan falls well short of what is needed to assist counties in addressing the ever-deteriorating conditions of local roads and bridges; while structural deficiencies in the State Dedicated Highway and Bridge Trust Fund (DHBTF) and expenditures for non-transportation infrastructure construction and maintenance purposes threaten the flow of capital funds to this vital local transportation funding program; and

WHEREAS, The Marchiselli Funding Program, is the State component of a successful federal, state, and local partnership, delivering transportation improvements to federally-aidable local highway projects; and

WHEREAS, Marchiselli Funding has not been increased in the past 6 years and remains flat at $40 million per year; this means some counties may not be able to take full advantage of the availability of federal funding, and many qualifying projects go unfunded; and

WHEREAS, The demands on the municipally-owned 9,000 bridges, too many of which are in aging and deteriorating condition, necessitate the establishment of a new funding commitment by the State to a local bridge and culvert program; and

WHEREAS, While the local system remains woefully under-funded, costs of maintenance, fuel, equipment and materials continue to increase and the local infrastructure continues to deteriorate, making it necessary to substantially increase CHIPs funding to meet today's and future needs and make up for the deleterious effects of inflation; and

WHEREAS, The Executive Budget Proposal holds CHIPs to the scheduled level—a decrease of $9.4 million from last year's appropriation--and provides no increase in Marchiselli funding; and proposes a new State and Local Bridge Preservation Program, to be funded by a surcharge on motor vehicle insurance policies and bonded through the DHBTF;

NOW, THEREFORE, BE IT RESOLVED, That the Wyoming County Board of Supervisors in conjunction with New York State Association of Counties (NYSAC), and the New York State County Highway Superintendents Association (NYSCHSA), applauds the Governors recognition of the construction and maintenance needs of local bridges and supports additional, reoccurring and dedicated revenues to fund bridge and highway projects as a good first step in addressing the critical needs of the local transportation system as long as the financial mechanisms will insure the integrity and long-term viability of the DHBTF; and

BE IT FURTHER RESOLVED, That The Wyoming County Board of Supervisors supports proposals to restore the fiscal integrity of the DHBTF by phasing-out the responsibility of nearly
$750 million of non-capital expenditures which are unrelated to construction and repair of transportation infrastructure; and

BE IT FURTHER RESOLVED, That The Wyoming County Board of Supervisors urges the Governor and the Legislature of the State of New York to support increases in local transportation programs, particularly for CHIPs and Marchiselli, to insure the safety of the local transportation system, so important to the state's economy and the millions of citizens who rely on local roads every day to get them to and from their places of employment; and

BE IT FURTHER RESOLVED, That the copies of this resolution be forwarded to the Governor, Senator Dale Volker, Assemblyman Daniel Burling and all others deemed necessary and proper.

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

#24

RESOLUTION NO. 08-161
(April 08, 2008)

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

CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF BUILDINGS AND GROUNDS

April 8, 2008

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 Wyoming County Buildings and Grounds:

- **NOMAD Enterprises,** 6270 Abbot Rd., Silver Springs, NY to provide lawn care at various county buildings in an amount not to exceed ten thousand five hundred forty-five dollars ($10,545.00); effective April 1, 2008 through November 31, 2008

- **Thyssen Krupp Elevator,** P.O. Box 93004, Atlanta, GA 31193 to provide monthly elevator service and pressure test on elevators in the Government Center and Public Safety Building in an amount not to exceed thirteen thousand seven hundred seventy-one dollars and sixty six cents ($13,771.66); effective March 01, 2008 through February 28, 2011.

- **Thyssen Krupp Elevator,** P.O. Box 93004, Atlanta, GA 31193 to provide monthly elevator service and pressure test on witness box lifts in the Court House in an amount not to exceed two thousand nine hundred eighty-seven dollars and nineteen cents ($2,987.19); effective March 01, 2008 through February 28, 2011.

Contingent upon availability of funds.

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

#25

RESOLUTION NO. 08-162
(April 08, 2008)

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

CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN A CONTRACT WITH BLUE HERON CONSTRUCTION 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 County Route 6 improvements (View Road / Middle Reservation Road) to Blue Heron Construction, 9293 Bonta Bridge, Jordan, NY 13080 as the lowest responsible bidder in an amount not to exceed nine

hundred sixty-four thousand four hundred fifty-three dollars and ninety-four cents ($964,453.94).

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

There was a motion by Mr. Davis, T/Covington, to combine resolutions #26 through #35. A voice vote was taken and all voted aye.

#26

RESOLUTION NO. 08-163
(April 08, 2008)

By Mr. Davis, Chairman of the Finance Committee:

RESOLUTION REQUESTING THE NEW YORK STATE LEGISLATURE TO ADOPT APPROPRIATE LEGISLATION ENABLING ASSESSING JURISDICTION(S) TO RECOUP THE COST OF DEFENSE AND FOR TAXING JURISDICTION(S) TO RECOUP THE LOSS OF TAX DOLLARS

WHEREAS, New York State Real Property Tax Law Article 5, Title 1-A allows for an aggrieved property owner to challenge their assessed value; and

WHEREAS, When a property owner, who has successfully reduced, by litigation, the assessed value of their property and sold said property for substantially more than the equalized assessed value (market value) then the property owner should be liable for a portion of the loss in tax revenue; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors hereby urges the State Legislature to consider legislation allowing assessing jurisdiction(s) to recoup the cost of litigation to defend assessed value(s) and taxing jurisdictions to recoup the resulting loss of tax revenue; and be it

FURTHER RESOLVED, That the Clerk to the Board is hereby directed to forward copies of this Resolution to Governor David Patterson, Senator Dale Volker, Assemblyman Daniel Burling, Inter-County of Western New

York, and the New York State Association of Counties and all others deemed necessary and proper.

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

#27

RESOLUTION NO. 08-164
(April 08, 2008)

By Mr. Davis, Chairman of the Finance Committee:

CHAIRMAN AUTHORIZED TO SIGN A GRANT ACCEPTANCE AWARD WITH NEW YORK STATE OFFICE OF REAL PROPERTY TAX SERVICE ON BEHALF OF THE COUNTY REAL PROPERTY TAX SERVICE 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 New York State Office of Real Property Tax Services, 16 Sheridan Ave, Albany, NY 12210 on behalf of Wyoming County Real Property Tax Service. Said grant is to provide necessary funding to study Collaborative Approaches to Assessment Administration including:

1) Countywide Assessing;
2) Coordinated Municipal Assessing; and
3) Municipal Contracts with the County

in a minimum amount of twenty-five thousand dollars ($25,000.00) effective March 3, 2008 through August 1, 2008.

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

RESOLUTION NO. 08-165
(April 08, 2008)

By Mr. Davis, Chairman of the Finance Committee:

APPROVES PROPERTY SALE

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

WHEREAS, The Finance Committee of the Wyoming County Board of Supervisors has obtained an offer to purchase said property and recommends the acceptance thereof, namely:

- ***PARCEL# 132 -*** Donald Maund, 3890 Weber Rd., Orangeville, NY 14066 has offered two thousand five hundred dollars ($2,500.00) for property located in the Town of Orangeville, on Almeter Road, 94.-1-32.

Now therefore, be it

RESOLVED, That the above is 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 and 2008 Town and County taxes are received by him on or before May 1, 2008.

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

#29

RESOLUTION NO. 08-166
(April 08, 2008)

By Mr. Davis, Chairman of the Finance Committee:

CANCELLATION OF VOID TAXES, IN THE TOWN OF PERRY

April 8, 2008

WHEREAS, Pursuant to the Real Property Tax Law §558 (1), the County of Wyoming may direct the cancellation of certain unpaid taxes where it is determined that the lien of such tax cannot be enforced, and,

WHEREAS, Such a parcel of real property exists within the County of Wyoming, and has been identified and so designated by the Finance Committee; now therefore,

BE IT RESOLVED, That the County of Wyoming hereby directs the cancellation of any and all such unpaid taxes in accordance with the applicable section of the Real Property Tax Law, and the Wyoming County Treasurer, shall charge back and apportion the various amounts thereof, if applicable, to the appropriate taxing authorities, to the extent to which each has been benefited thereby:

AUTHORITY: RPTL §558(1) Cancellation of Void Tax.

PARCEL: Town of Perry

Tax Map#: 100.7-10-50

ASSESSED TO: Unknown Owner
(Perry Temple-Benev. Assn., 29 N. Main St., Perry, NY 14530)

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

#30

RESOLUTION NO. 08-167
(April 08, 2008)

By Mr. Davis, Chairman of the Finance Committee:

2008 UNITED WAY CAMPAIGN SUPPORTED

WHEREAS, The United Way of Wyoming County has raised much needed funding for vital services provided by a number of human services agencies to residents of Wyoming County; and

WHEREAS, The United Way has a 2008 campaign goal of two hundred thousand eight hundred dollars ($200,800.00) 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 2008 United Way Campaign, and encourages county and municipal employees, county residents and employers to make a critical investment in their community. There is no one cause for the issues we face and no single solution. But, when we ***"act as one"*** we can make a real difference.

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

#31

RESOLUTION NO. 08-168
(April 08, 2008)

By Mr. Davis, Chairman of the Finance Committee:

CHAIRMAN AUTHORIZED TO EXTEND LETTER OF UNDERSTANDING WITH HARTFORD LIFE & ACCIDENT 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 extend the current 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; effective through December 31, 2008.

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

#32

RESOLUTION NO. 08-169
(April 08, 2008)

By Mr. Davis, Chairman of the Finance Committee:

ONE (1) POSITION OF CASE MANAGER (1.00 FTE) CREATED AND ONE (1) POSITION OF AGING SERVICES SPECIALIST ABOLISHED IN THE OFFICE FOR THE AGING

BE IT RESOLVED, That one position of Case Manager (1.00 FTE) be hereby created in the Office for the Aging and placed on the appropriate step and grade of the current CSEA Agreement; effective immediately; and be it

FURTHER RESOLVED, That one (1) position of Aging Services Specialist be hereby abolished; effective immediately.

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

#33

RESOLUTION NO. 08-170
(April 08, 2008)

By Mr. Davis, Chairman of the Finance Committee:

ONE (1) POSITION OF STUDENT AIDE (SEASONAL) CREATED IN THE WYOMING COUNTY HEALTH DEPARTMENT ENVIRONMENTAL UNIT

BE IT RESOLVED, That one (1) position of Student Aide (Seasonal) at the Wyoming County Health Department in the Environmental Unit be hereby created effective May 19, 2008 through August 29, 2008 not to exceed fifteen (15) weeks at a rate of $8.00 per hour plus an additional $0.25 per hour for each previous season worked, with no benefits extended other than those

mandated by law. Salary and fringe expense fully reimbursed through NYSDoH Drinking Water Enhancement grant.

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

#34

RESOLUTION NO. 08-171
(April 08, 2008)

By Mr. Davis, Chairman of the Finance Committee:

PETTY CASH FUNDS ESTABLISHED IN THE OFFICE OF THE WYOMING COUNTY DISTRICT ATTORNEY

BE IT RESOLVED, That this Board of Supervisors hereby approves establishment of a petty cash fund in the amount of one thousand dollars ($1,000.00) to be held and used by the Office of the Wyoming County District Attorney to take care of expenses related to extraditions and/or witnesses that cannot otherwise be paid for by purchase order or the county credit card.

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

#35

RESOLUTION NO. 08-172
(April 08, 2008)

By Mr. Davis, Chairman of the Finance Committee:

THREE (3) POSITIONS OF HEAVY EQUIPMENT OPERATOR (HEO) (1.00 FTE) CREATED AND THREE (3) POSITIONS OF MOTOR EQUIPMENT OPERATOR (MEO) (1.00 FTE) ABOLISHED IN THE COUNTY HIGHWAY DEPARTMENT

BE IT RESOLVED, That three (3) positions of Heavy Equipment Operator (HEO) be hereby created in the County Highway Department and placed on the appropriate step and grade of the current CSEA Agreement; effective immediately; and be it

FURTHER RESOLVED, That three (3) positions of Motor Equipment Operator (MEO) be hereby abolished; effective immediately.

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

Finance Davis was invited to present the United Way Proclamation just passed by this Board to the United Way Representatives (Karen Rumfola and Karen DuBois) present today. A thank you was extended to Andrea Aldinger and Linda Nash for their participation in this year's campaign.

United Way presentation is to be presented at the end of the meeting.

Public Comments (Ag District #2):

None

Chairman Berwanger stated that he has a written comment from one of the Town Assessors, Judy Foote. She could not stay for the meeting as she had a meeting out of town. She wanted to know why the radio said 2 PM. She stated that she wanted a better list of parcels on and off. Ms. Foote stated that she would contact Nancy Herman. The county has contracted with Wyoming County Soil & Water for the Agricultural Redistricting.

There being no comments on the following Ag Redistricting resolution, Chairman Berwanger asked for a motion to close the Public Hearing.

Supervisor Rogers made a motion to close the public hearing. All voted aye and the Public Hearing was closed.

Public Hearing #36

RESOLUTION NO. 08-173
(April 08, 2008)

By Mr. Gozelski, Chairman of the Agriculture Committee:

FINDING TO MODIFY AGRICULTURAL DISTRICT NO. 2

WHEREAS, This Board has conducted the review of Agricultural District No. 2 located in the Towns of Gainesville, Eagle, Wethersfield, Warsaw, and Pike; and

WHEREAS, The review process was initiated with a 30-day review 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. 2; 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. 2 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. 2 should be modified by adding eleven thousand nine hundred eighty-six (11,986) acres and removing nine hundred fifty-six (956) 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 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: 1618 Noes: Absent: Abstain:

Public Comments (Local Law Authorizing the Private Sale of Real Property):

None

Supervisor Bush stated that he will be glad to see it sold and back on the tax rolls.

There being no comments on the following Local Law, Chairman Berwanger asked for a motion to close the Public Hearing.

Supervisor Fleischman made a motion to close the public hearing. All voted aye and the Public Hearing was closed.

Public Hearing
2/3 Majority
#37

RESOLUTION NO. 08-174
(April 08, 2008)

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

LOCAL LAW INTRODUCTORY NO. B (4) YEAR 2008, ADOPTED

WHEREAS, There was duly presented and introduced at a meeting of this Board, held on the 11th day of March, 2008, a proposed local law of the County, designated as Local Law Introductory No. B, for the year 2008, entitled, **A Local Law Authorizing Private Sale of Real Property**; and

WHEREAS, In accordance with the provisions of Resolution No. 08-131, there was a public hearing held by this Board of Supervisors on this 8th day of April, 2008 at 2:30 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, at least a two-thirds 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 2008, County of Wyoming, New York, as presented to this Board on the 8th day of April, 2008, be hereby adopted, enacted and passed by this Board in its original form as follows:

WHEREAS, The Board of Supervisors for the County of Wyoming has determined that certain property located at 13 South Main Street in the Town of Gainesville, New York is surplus property based on its location, condition, age and lack of suitability for any County use, and

WHEREAS, The County has been informed and understands that this property may have some value to a prospective purchaser if said property can be marketed with the expectation of a private and conclusive sale.

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

Section 1. This local law shall authorize the private sale of the surplus real property located at 13 South Main Street in the Town of Gainesville, New York conditioned on the negotiation of acceptable terms of sale.

Section 2. Effective Date. This local law shall become effective upon the filing thereof in the office of the Secretary of State of the State of New York upon expiration of the relevant period for a permissive referendum.

Carried: XXX Ayes: 1687 Noes: Absent: Abstain: UC#38

RESOLUTION NO. 08-175
(April 08, 2008)

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

FUNDS TRANSFERED TO VARIOUS 2008 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2008 accounts as follows:

Treasurer			
From: 12.61.9950.9.99004 Transfer to Capital Fund **To:** 12.61.4510.2.21001 Hospital Capital Property **Reason:** Hospital CIP in Building Equipment Reserve Fund (Resolution 08-106 authorizing the purchase of 408 N. Main Street property)	$621,721.82	$621,721.82	
Treasurer Total			**$621,721.82**

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

Chairman Berwanger called upon the United Way representatives to comment on the United Way video about to be shown. Chairman Berwanger invited Linda Nash to comment on the county's involvement in this year's united way campaign. Ms. Nash stated that this year's campaign includes a candy bar sale. Presentations have been scheduled throughout the county.

There being no further business to come before this Board, Chairman Berwanger called upon Senior Supervisor Bush, T/Gainesville, to adjourn the meeting at 3:37 PM with a rap on his desk.

****

Respectfully submitted,
Cheryl J. Ketchum
Cheryl J. Ketchum, Board Clerk

REGULAR SESSION
(May 13, 2008)

Tuesday **2:30 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, Janis Cook; Clerk to the Board of Supervisors, Cheryl Ketchum and Deputy Clerk to the Board, Brenda Ferrell.

At 2:36 PM Chairman Berwanger, T/Arcade, called the meeting to order.

The Veteran leading the Pledge of Allegiance this month was:

WILLIAM H. ERICK

Mr. Erick's service to his country comes while serving during World War II. He enlisted in the United States Army on September 22, 1943 at the age of 18 and was inducted at Camp Upton, Long Island, where he took his battery of tests. Mr. Erick completed 16 weeks of Basic Training at Ft. Eustis, Virginia, where he became qualified as a Radio Operator and a crewman of a 40mm Anti-Aircraft weapon. He was then assigned to Ft. Benning, Georgia for Advanced Infantry Training, but while there contracted double pneumonia and spent 38 days in the hospital. He was then assigned to Camp McCain, Mississippi for further training, where he trained extra on weekends to make up training so the he could stay with his unit. Mr. Erick and his unit then boarded a Troop Ship "Mr. Black" at Ft. Dix, New Jersey and spent the next 10 days at Sea until docking in Glasgow, Scotland. He departed from South Hampton and was assigned duties with the 119th Infantry Regiment as a Radio Operator and crewman on a 40mm Anti-Aircraft gun. The 119th Infantry Regiment was under the 30th Infantry Division, and while assigned, Mr. Erick participated win Battles and Campaigns of: The Ardennes, Central Europe, Northern France, and the Rhineland. This included spending several days behind enemy lines. Mr. Erick returned to the United States with his unit and was Honorably Discharged at Ft. Dix, New Jersey on December 10, 1945.

For his service to his Country, Mr. Erick was awarded:

The American Service Medal
The World War II Victory Medal
The Distinguished Unit Badge
The Combat Infantry Badge

The European-African-Middle Eastern Service Medal

Following the War, Mr. Erick returned to his home in Angola, New York and went to work for the Evans National Bank as a clerk, earning $32 a week. He progressed through the ranks for the next 9 years to "Head Teller". He then moved to Arcade and went to work for the Citizens Central Bank of Arcade as Head Teller. Mr. Erick continued his education by attending training at the American Institute of Banking, earning certificates of "Pre-Standard, Standard, and Graduate" in Bank Management and Public Speaking. His skills excelled as he was chosen to train staff at new Bank locations in Western New York. Mr. Erick's career advanced when his next position was with the Installment Loan Department and as the Assistant Manager at the Delevan Office of Central Trust, where he worked until his retirement in 1965 after 31 years in Banking Service.

Prior to his retirement, Mr. Erick worked part-time for the "Arcade & Attica Railroad" in ticket sales, served on the Board of Directors, and was President of the Board for 10 years.
He is still active with the "Arcade & Attica Railroad" as a guest Conductor and wears the uniform his father wore while employed by the "20th Century Limited". In addition to his long time service on the Railroad Board of Directors, Mr. Erick has been very active with his church and a longtime member of the Hendershott-Mannes VFW Post 374 in Arcade and resides in the Village of Arcade.

The pledge was said by all.

Chairman Berwanger thanked Mr. Erick for leading in the pledge as he presented him with a certificate of appreciation.

Mr. Erick thanked the Board and shared a story from his service to his country during WWII. The Board enjoyed the story very much.

Social Services Employee of the Month

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 May 2008 is Sue Baumer. She has been employed at DSS since 1997 and is a Keyboard Specialist II in the Children & Family Services Unit. Sue has worked very diligently keeping up with her

workload as well as that of a co-worker who was out for six weeks. She never complained and her work was done timely and accurately.

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

Please join me in recognizing Sue Baumer. Ms. Baumer was unable to attend today's meeting.

Julia Reinstein Award Presentation to the County Historian:

By Amy Alden, Livingston County Historian and Regional Coordinator for Region 12

Ms. Alden gave some background to the award and explained that Wyoming County Historian, Doris Bannister is a co-recipient to this year's award.

Chairman Berwanger presented Ms. Bannister with a Certificate of Recognition for her dedication to Wyoming County History and her fellow Historians.

Communications:

None

#1

RESOLUTION NO. 08-176
(May 13, 2008)

By Mr. Davis, Chairman of the Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2008 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2008 accounts as follows:

Highway			
To: 04.53.5112.4.40940 HBRR Contract	$229,021.02		
w/04.12.5112.4089 Corps of Engineers		183,216.81	
04.11.5112.3089 Other State Aid		6,414.14	
Any Funds Available		$39,390.07	
Reason: Funds not used in 2007 are to be carried over for the 2008 expenses, which are being incurred for engineering and ROW for Bennington Bridge #04 (Tooley Road) and construction and construction inspection for Pike Bridge #02 (East Koy Road) and Warsaw Bridge #09 (Mungers Mill Road).			
To: 04.53.5110.4.41904 Bituminous Products	$182,600.87		
w/04.11.5110.3501 Consolidated Highway Aid		$182,600.87	
Reason: To allocate funds for CHIPS increased funding for 2008.			
Highway Total			**$411,621.89**

Planning & Development			
To: 01.42.6421.1.10001 Salary S/D/I 01.42.6421.8.81001 Retirement 01.42.6421.8.82001 Disability 01.42.6421.8.83001 FICA 01.42.6421.8.85001 Medicare 01.42.6421.8.89001 Hospital Ins. **From Any Funds Available** **Reason:** To cover the additional unplanned cost of the new Planner position.	$33,180.00 1,000.00 146.00 2,036.00 480.00 13,725.00		
Planning & Development Total			**$50,567.00**
Wyoming County Business Center (LDC)			
To: 01.45.7312.4.40953 Wyo Co LDC w/01.11.7312.3789 State Aid –Empire Zone **Reason:** To provide for additional State Aid received pertaining to Empire Zone Administration.	$17,500.00	$17,500.00	
Wyoming County Business Center (LDC) Total			**$17,500.00**
County Clerk			
To: 01.34.1410.8.84001 Unemployment Insurance **From Any Funds Available** **Reason:** Cover cost of unemployment insurance payments.	$10,218.00	$10,218.00	
County Clerk Total			**$10,218.00**
Sheriff			
To: 01.37.3110.2.20201 Computer Equip 01.37.3110.2.20401 Misc Equip 01.37.3110.2.20601 Instr./Audio/Photographic Equip w/01.12.3110.438903 Homeland Security Grant **REASON**: purchase of computer software & equipment; digital camera; security boxes for keys (Knox boxes)	$21,900.00 2,500.00 2,500.00	$26,900.00	
To: 01.37.3110.4.40401 Training/Education w/01.08.3110.2665 Sale of Equipment **Reason:** Upcoming training to be covered by sale of equipment.	$1.350.00	$1.350.00	
Sheriff Total			**$28,250.00**
Emergency Services			
To: 01.37.3645.4.42102 Safety Expenses w/01.12.3645.438901 Federal Aid **Reason:** To rollover unspent grant funds for Homeland Security Grant CFDA#97.067 from 2007 to the 2008 budget year.	$1,580.77	$1,580.77	
Emergency Services Total			**$1,580.77**
Probation			
To: 01.37.3140.1.10101 CSEA Salary 01.37.3140.8.83001 FICA 01.37.3140.8.85001 Medicare ***From Any Funds Available*** **Reason:** Recompense from a County Union grievance	$2,707.60 167.87 39.26	$2,914.73	
To: 01.37.3140.4.40701 Electronic Monitor w/01.03.3140.128914 Electronic Monitoring Income **Reason:** Judges are using this alternative more than budgeted. I did not anticipate this when I did the budget in 2007. We have only collected $2,468.00 for this service. All people but Drug Court pay for this service. We have used up our Drug Court allowance for electronic monitoring also.	$6,500.00	$6,500.00	
Probation Total			**$9,414.73**

Carried: XXX Ayes: 1554 Noes: Absent: 64 (Middlebury) Abstain:

RESOLUTION NO. 08-177
(May 13, 2008)

By Mr. Davis, Chairman of the Finance Committee:

FUNDS TRANSFERRED TO VARIOUS 2008 ACCOUNTS

BE IT RESOLVED, That funds are hereby transferred to the various 2008 accounts as follows:

Real Property Tax			
From: 01.33.1355.4.42483 CPTAP–Assm't Grant **To:** 01.33.1355.2.20201 Computer/Printer **Reason:** In order to purchase Printer/Copier/Fax/Scanner	$13,825.00	$13,825.00	
Real Property Tax Total			**$13,825.00**
Sheriff			
From: 01.37.3110.4.40305 Other (Drug Task Force) **To:** 01.37.3110.1.10301 Overtime **Reason:** transfer our share of the Drug Task Force Grant (Res 07-212)	$1,463.36	1,463.36	
Sheriff Total			**$1,463.36**

Carried: XXX Ayes: 1554 Noes: Absent: 64 (Middlebury) Abstain:

Mr. Bush, T/Gainesville, Chairman of the Audit Committee, presented bills totaling **$1,879,504.29** for the month of **April 2008**.

Carried: XXX Ayes: 1554 Noes: Absent: 64 (Middlebury) Abstain:

There was a motion by Mr. Patti, T/Attica, to combine resolutions #3 through #7. A voice vote was taken and all voted aye.

#3

RESOLUTION NO. 08-178
(May 13, 2008)

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

RESOLUTION NUMBER 08-157 AMENDED

WHEREAS, Resolution Number 08-157, entitled, **AUTHORIZING THE IMPLEMENTATION, AND FUNDING IN THE FIRST INSTANCE**

100% OF THE FEDERAL-AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS, OF A TRANSPORTATION FEDERAL-AID PROJECT, AND APPROPRIATING FUNDS THEREFORE, passed by this Board of Supervisors on April 08, 2008 provides 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 20% non-federal funds were initially determined to be $81,000.00; now therefore

BE IT RESOLVED, That Resolution Number 08-157 be hereby amended to reflect an updated amount of $127,000 to be the 20% in non-federal funds; and be it

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: 1554 Noes: Absent: 64 (Middlebury) Abstain: #4

RESOLUTION NO. 08-179
(May 13, 2008)

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

PAVEMENT MARKING 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 pavement markings to Twin Tier, 73 Industrial Park, Elmira, NY 14901 in the amount of $208.00 (two hundred eight dollars) which is the price/mile on centerline application (including material) (All municipalities within the county can use bid); effective April 03, 2008 through April 01, 2009.

Contingent on the availability of funds.

Carried: XXX Ayes: 1554 Noes: Absent: 64 (Middlebury) Abstain: #5

RESOLUTION NO. 08-180
(May 13, 2008)

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

CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH BERGMANN ASSOCIATES 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 sign a contract with Bergmann Associates, 40 LaRiviere Drive, Suite 150, Buffalo, NY 14202 on behalf of County Highway. Said contract is for the provision of Scope of Services for the Town of Bennington Bridge No. 10; Urf Road over Cayuga Creek; BIN 3319640; PIN 4754.99 in an amount not to exceed $150,825.00 (one hundred fifty thousand eight hundred twenty-five dollars), effective once contract is signed by the State of NY through December 18, 2017. Contingent upon the availability of funds.

Carried: XXX Ayes: 1554 Noes: Absent: 64 (Middlebury) Abstain: #6

RESOLUTION NO. 08- 181
(May 13, 2008)

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

COUNTY HIGHWAY SUPERINTENDENT AUTHORIZED TO EXTEND THE SNOW AGREEMENT WITH TOWNS AND VILLAGES FOR 2008/2009

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 ***2008/2009***. 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: 1554 Noes: Absent: 64 (Middlebury) Abstain:

#7

RESOLUTION NO. 08-182
(May 13, 2008)

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

CHAIRMAN AUTHORIZED TO SIGN GRANT APPLICATION AND ACCEPTANCE AWARD WITH THE GOVERNOR'S TRAFFIC SAFETY COMMITTEE ON 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 - $4,080.00
  - Village of Attica PD - $1,571.96
  - Village of Perry PD - $3,646.00
  - Wyoming Co. Sheriff - $4,250.00

- **Select Traffic Enforcement Program (STEP)**
  - Village of Arcade PD - $5,780.00
  - Village of Attica PD - $1,571.96
  - Wyoming Co. Sheriff - $27,700.00

- **Child Passenger Safety**
  - Village of Attica PD - $4,000.00
  - Wyoming Co. Public Health – $6,500.00

Carried: XXX Ayes: 1554 Noes: Absent: 64 (Middlebury) Abstain:

There was a motion by Mrs. Totsline, T/Genesee Falls, to combine resolutions #8 through #10. A voice vote was taken and all voted aye.

#8

RESOLUTION NO. 08-183
(May 13, 2008)

By Mrs. Totsline, Chairman of the Human Services Committee:

RESOLUTION NUMBER 07-200 AMENDED

WHEREAS, Resolution Number 07-200 entitled, **CHAIRMAN AUTHORIZED TO SIGN AN AMENDED CONTRACT WITH LETCHWORTH CENTRAL SCHOOL ON BEHALF OF THE YOUTH BUREAU,** passed by this Board on June 12, 2007 provides for the establishment of 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

WHEREAS, Resolution Number 06-328 provides for the original contract for the provision of Preschool Special Education Transportation for disabled preschoolers to Letchworth Little Learners at a cost of $30 per child per day; effective July 01, 2003 through June 30, 2008; now therefore

BE IT RESOLVED, That Resolution Number 06-328, passed by this Board of Supervisors on November 14, 2006, as amended by 07-200 be hereby further amended to reflect an extension of the expiration date through June 30, 2009. All other provisions of the contract remain unchanged.

Carried: XXX Ayes: 1554 Noes: Absent: 64 (Middlebury) Abstain:

#9

RESOLUTION NO. 08-184
(May 13, 2008)

By Mrs. Totsline, Chairman of the Human Services Committee:

RESOLUTION NUMBER 07-227 AMENDED

WHEREAS, Resolution Number 07-227 entitled, **CHAIRMAN AUTHORIZED TO SIGN AN AMENDED CONTRACT WITH McDONALD'S BUS SERVICE ON BEHALF OF THE YOUTH BUREAU,** passed by this Board on July 10, 2007 provides transportation for preschoolers with special needs 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; now therefore

BE IT RESOLVED, That Resolution Number 07-227, be hereby amended to reflect an extension of the expiration date through June 30, 2009. All other provisions of the contract remain unchanged.

Carried: XXX Ayes: 1554 Noes: Absent: 64 (Middlebury) Abstain:

#10

RESOLUTION NO. 08-185
(May 13, 2008)

By Mrs. Totsline, Chairman of the Human Services Committee:

FOSTER CARE MONTH PROCLAIMED

May 13. 2008

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 31 children and youth in foster care being provided with a safe, secure and stable home along with the compassion and nurture of 32 foster families; 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 that 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 2008*** 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: 1554 Noes: Absent: 64 (Middlebury) Abstain:

There was a motion by Mr. Kushner, T/Eagle, to combine resolutions #11 through #13. A voice vote was taken and all voted aye.

RESOLUTION NO. 08-186
(May 13, 2008)

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

MENTAL HEALTH MONTH PROCLAIMED
CHILDREN'S MENTAL HEALTH WEEK PROCLAIMED
OLDER AMERICAN'S MENTAL HEALTH WEEK PROCLAIMED

WHEREAS, Fifty years ago, Mental Health America founded May is Mental Health Month to raise awareness about mental health conditions and the importance of mental health for all; and

WHEREAS, Mental illnesses affect individuals of all ages and social status, including almost 21 percent of children ages 9 through 17 and more than two million adults over the age of 65 having a mental health disorder; and

WHEREAS, Research tells us that isolation leads to increased probability of mental health problems, and that social networks help reduce stress and improve health by providing a sense of belonging, self-worth, meaningfulness and security; and

WHEREAS, National organizations are encouraging all Americans to build their social support networks throughout the month of May to improve upon their coping abilities during times of stress, by issuing a Mental Health Connection Challenge to:

Get Connected:

- Connect to Family and Friends - talk to each other and reach out to others in need
- Connect to Co-workers – do something special with a coworker
- Connect to Community Members – volunteer for a community group
- Connect to Yourself – do something you enjoy just for yourself, and

- Connect to Professional Help if needed – the help is there if you need it!

NOW, THEREFORE, BE IT RESOLVED, That this Board of Supervisors hereby proclaims:
May 2008 as Mental Health Month
May 4th through 10th 2008 as Children's Mental Health Week
May 25th through 31st 2008 as Older American's Mental Health Week

and urges County residents to accept the Connection Challenge to strengthen personal mental health for each of us.

Carried: XXX Ayes: 1554 Noes: Absent: 64 (Middlebury) Abstain: #12

RESOLUTION NO. 08-187
(May 13, 2008)

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

STANDARD OPERATING PROCEDURES APPROVED FOR WYOMING COUNTY CORONERS

BE IT RESOLVED, That the Wyoming County Board of Supervisors hereby approves the Standard Operating Procedures for Wyoming County Coroners annexed hereto; effective immediately.

Carried: XXX Ayes: 1554 Noes: Absent: 64 (Middlebury) Abstain: #13

RESOLUTION NO. 08-188
(May 13, 2008)

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

RESOLUTION NUMBER 94-220 AMENDED

WHEREAS, Resolution Number 94-220 entitled, **COMPENSATION (CORONER CASES) FOR 1995 SET,** passed by this Board of Supervisors November 09, 1994 provides for Compensation to Wyoming County Coroners in the amount of $60.00 (sixty dollars) per case; now therefore

BE IT RESOLVED, That Resolution Number 94-220 be hereby amended to reflect a $15.00 per case increase in compensation, resulting in compensation of $75.00 (seventy-five dollars) per case; effective June 01, 2008.

Carried: XXX Ayes: 1554 Noes: Absent: 64 (Middlebury) Abstain:

At this time the Chairman invited Supervisors Kushner and Totsline to present their proclamations to the Departments.

Supervisor Kushner invited Supervisor Grant to join him in the presentation of the Mental Health Proclamations. Supervisor Grant is also an employee of the Mental Health Department.

Mr. Snell reminded the Supervisors of the Mental Health breakfast to take place the morning of May 29, 2008.
There was a motion by Mr. Fleischman, T/Java, to combine resolutions #14 through #21. A voice vote was taken and all voted aye.

#14

RESOLUTION NO. 08-189
(May 13, 2008)

By Mr. Fleischman, Chairman of the Planning Committee:

PAUL BIJHOWER APPOINTED TO THE COUNTY PLANNING BOARD

BE IT RESOLVED, That Paul Bijhower, PE, 217 Park Street, Arcade, New York 14009 be hereby appointed to the ***Wyoming County Planning Board as Alternate #1,*** to complete the one year term vacated by David Reckahn effective June 01, 2008 through December 31, 2008.

Carried: XXX Ayes: 1554 Noes: Absent: 64 (Middlebury) Abstain:

#15

RESOLUTION NO. 08-190
(May 13, 2008)

By Mr. Fleischman, Chairman of the Planning Committee:

RESOLUTION NUMBER 08-26 AMENDED

WHEREAS, Resolution Number 08-26 entitled, "**MEMBERS REAPPOINTED TO THE GLOW ADVISORY COMMITTEE,"** passed by this Board of Supervisors January 08, 2008 provides for the reappointment of members to the GLOW Advisory Committee; now therefore

BE IT RESOLVED, That Drew Shapiro (Director of Planning & Development)
6470 Route 20A, Suite 4, Perry, NY 14530 be hereby appointed to the GLOW Advisory Committee replacing Mark Rountree to complete a term of one (1) year; effective through December 31, 2008.

Carried: XXX Ayes: 1554 Noes: Absent: 64 (Middlebury) Abstain: #16

RESOLUTION NO. 08-191
(May 13, 2008)

By Mr. Fleischman, Chairman of the Planning Committee:

RESOLUTION NUMBER 08-27 AMENDED

WHEREAS, Resolution Number 08-27 entitled, "**MARK ROUNTREE REAPPOINTED TO THE GLOW PLANNING COMMITTEE,"** passed by this Board of Supervisors January 08, 2008 provides for the reappointment of Mark Rountree to the GLOW Planning Committee; now therefore

BE IT RESOLVED, That Drew Shapiro (Director of Planning & Development)
6470 Route 20A, Suite 4, Perry, NY 14530 be hereby appointed to the GLOW Planning Committee replacing Mark Rountree to complete a term of one (1) year; effective through December 31, 2008.

Carried: XXX Ayes: 1554 Noes: Absent: 64 (Middlebury) Abstain:

#17

RESOLUTION NO. 08-192
(May 13, 2008)

By Mr. Fleischman, Chairman of the Planning Committee:

RESOLUTION NUMBER 08-28 AMENDED

WHEREAS, Resolution Number 08-28 entitled, "**MARK ROUNTREE REAPPOINTED TO THE GLOW REGIONAL SOLID WASTE COMMITTEE,"** passed by this Board of Supervisors January 08, 2008 provides for the reappointment of Mark Rountree to the GLOW Regional Solid Waste Committee; now therefore

BE IT RESOLVED, That Drew Shapiro (Director of Planning & Development) 6470 Route 20A, Suite 4, Perry, NY 14530 be hereby appointed to the Glow Regional Solid Waste Management Committee replacing Mark Rountree to complete a term of one (1) year; effective through December 31, 2008.

Carried: XXX Ayes: 1554 Noes: Absent: 64 (Middlebury) Abstain:

#18

RESOLUTION NO. 08-193
(May 13, 2008)

By Mr. Fleischman, Chairman of the Planning Committee:

RESOLUTION NUMBER 08-73 AMENDED

WHEREAS, Resolution Number 08-73 entitled, **"MEMBERS REAPPOINTED TO THE GLOW REGIONAL SOLID WASTE COMMITTEE,"** passed by this Board of Supervisors February 12, 2008 provides for the reappointment of various members to the GLOW Regional Solid Waste Committee; now therefore

BE IT RESOLVED, That Mark Rountree (County Planner) 6470 Route 20A, Suite 4, Perry, NY 14530 be hereby appointed to the Glow Regional

Solid Waste Management Committee replacing Sue May, Supervisor T/Orangeville as the Alternate Member to complete a term of one (1) year; effective through December 31, 2008.

Carried: XXX Ayes: 1554 Noes: Absent: 64 (Middlebury) Abstain: #19

RESOLUTION NO. 08-194
(May 13, 2008)

By Mr. Fleischman, Chairman of the Planning Committee:

JAMES FLEISCHMAN REAPPOINTED TO THE LOCAL DEVELOPMENT CORPORATION

BE IT RESOLVED, That James Fleischman, Supervisors T/Java, 5824 Java Lake Rd., Arcade, NY 14009 be hereby reappointed to the Local Development Corporation for a term of three (3) years; effective May 10, 2008 through May 09, 2011.

Carried: XXX Ayes: 1554 Noes: Absent: 64 (Middlebury) Abstain: #20

RESOLUTION NO. 08-195
(May 13, 2008)

By Mr. Fleischman, Chairman of the Planning Committee:

AMANDA PARKER AND NORBERT FUEST REAPPOINTED TO THE WYOMING COUNTY INDUSTRIAL DEVELOPMENT AGENCY

BE IT RESOLVED, That ***Amanda Parker***, 3815 St. Helena St., Perry, NY 14530 be hereby reappointed to the Industrial Development Corporation ***for a term of three (3) years***; ***effective through August 15, 2011***; and be it

FURTHER RESOLVED, That ***Norbert Fuest***, 2039 Church Road, Town of Bennington, Darien, NY be hereby reappointed to the Industrial Development Corporation ***for a term of three (3) years; effective through July 07, 2011.***

Carried: XXX Ayes: 1554 Noes: Absent: 64 (Middlebury) Abstain:

#21

RESOLUTION NO. 08-196
(May 13, 2008)

By Mr. Fleischman, Chairman of the 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, 2008 through June 30, 2009.
The purpose of the Agreement is to define and delineate the functions, powers, duties, relationships, and operating procedures of the consortium*. Grant Recipient, the Workforce Investment Board (hereinafter known as the "WIB"), and the Chief Elected Officials, (hereinafter known as the CEO's) in order to facilitate the provision of policy guidance for, and the exercise of oversight of, the WIA. (*The Consortium is the term used to describe the legal union of the four local governments who are parties to this Agreement, and who comprise the GLOW Workforce Investment Area designated by the Governor of the State of New York pursuant to Section 112 (3) (A) (i & ii) of the WIA Act.).

Carried: XXX Ayes: 1554 Noes: Absent: 64 (Middlebury) Abstain:

There was a motion by Mr. Gozelski, T/Castile, to combine resolutions #22 and #23. A voice vote was taken and all voted aye.

#22

RESOLUTION NO. 08-197
(May 13, 2008)

By Mr. Gozelski, Chairman of the Agriculture Committee:

ORDER OF PROTECTION FOR DEER APPROVED

WHEREAS, The Wyoming County Department of Animal Control has indicated that there is a potential for unnecessary loss to the white tailed deer population within the County of Wyoming due to anticipated weather conditions; now therefore

BE IT RESOLVED, That this Board hereby orders and requires that all dogs in the County of Wyoming shall be securely confined for the period of November 1, 2008 through April 1, 2009, under Article 7, Section 122 of the New York State Agriculture and Markets Law; and be it

FURTHER RESOLVED, That notice of this Order has been given publication in the following newspapers of general circulation within the County of Wyoming:

Perry Herald, Perry NY
Daily News, Batavia NY

and be it

FURTHER RESOLVED, That the Clerk of this Board shall file a certified copy of this Order in the Office of each Town Clerk and Village Clerk in the County and with the Commissioner of the Department of Agriculture and Markets of the State of New York.

Carried: XXX Ayes: 1554 Noes: Absent: 64 (Middlebury) Abstain:

#23

RESOLUTION NO. 08-198
(May 13, 2008)

By Mr. Gozelski, Chairman of the Agriculture Committee:

RESOLUTION TO ENCOURAGE RETAILERS TO REDUCE TOBACCO ADVERTISING, A COMMITMENT TO OUR COMMUNITY

WHEREAS, 75% of youth shop in a convenience stores at least once a week; and

WHEREAS, Youth are more likely than adults to notice and remember tobacco advertising; and

WHEREAS, Tobacco advertising in retail stores has a powerful influence on teens, who are significantly more likely to smoke due to advertising than they are due to peer pressure; and

WHEREAS, Nearly 90% of adult smokers started smoking before they were 18 years old; and

WHEREAS, Every day, another 4,000 American children start to smoke, and another 2,000 become regular, daily smokers; one-third of these children will die prematurely from tobacco related illnesses; and

WHEREAS, Tobacco kills more Americans each year than alcohol, cocaine, crack, heroin, homicide, suicide, accidents, fires, an AIDS combined; now therefore

BE IT RESOLVED, That because of our commitment to the health of our community, the Wyoming County Board of Supervisors hereby supports raising awareness of the prevalence and impact of tobacco advertising and promotion with parents and local retailers; and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors encourages local retailers to voluntarily reduce, rearrange or eliminate tobacco advertisements in their stores to protect the health and wellness of our youth.

Carried: XXX Ayes: 1554 Noes: Absent: 64 (Middlebury) Abstain: #24

RESOLUTION NO. 08-199
(May 13, 2008)

By Mrs. Meeder, Chairman of the Human Resource Committee:

SALLY MEEDER REAPPOINTED TO THE WYOMING COUNTY RECORDS ADVISORY BOARD

BE IT RESOLVED, That Sally Meeder (T/Middlebury) 4631 Gay Rd., Warsaw, NY 14569 be hereby reappointed to the ***Wyoming County Records Advisory Board*** as a ***Supervisor Member*** for a term of one (1) year;

effective January 01, 2008 through December 31, 2008.

Carried: XXX Ayes: 1554 Noes: Absent: 64 (Middlebury) Abstain:

There was a motion by Mr. Rogers, T/Pike, to combine resolutions #25 and #26. A voice vote was taken and all voted aye.

#25

RESOLUTION NO. 08-200
(May 13, 2008)

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

AUTHORIZE HOME RULE REQUEST IN SUPPORT OF LEGISLATION S7312 AND A10455, AN ACT TO AMEND THE COUNTY LAW, IN RELATION TO ESTABLISHING A WIRELESS SURCHARGE FOR WYOMING COUNTY

WHEREAS, On March 11, 2008, the Wyoming County Board of Supervisors requested of the New York State Legislature to adopt an amendment to County Law Section 308-A to provide for a Wyoming County Wireless Surcharge; and

WHEREAS, The New York State Legislature answered that request by introducing S7312 and A10455 entitled, **AN ACT TO AMEND THE COUNTY LAW, IN RELATION TO ESTABLISHING A WIRELESS SURCHARGE FOR WYOMING COUNTY;"** and

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

BE IT RESOLVED, That the Wyoming County Board of Supervisors hereby approves the adoption and passage of said Senate Bill S7312 and Assembly Bill A10455 entitled "*An Act to Amend the County Law, in Relation to Establishing a Wireless Surcharge for Wyoming County,"* and hereby declares that a necessity exists for the passage of such bills in that the local legislative body of the County of Wyoming does not have the power to enact such legislation by local law, and be it

FURTHER RESOLVED, That a Home Rule Request be submitted to

the Senate and Assembly of the New York State Legislature indicating that the necessity exists for the enactment of said legislation.

Carried: XXX Ayes: 1554 Noes: Absent: 64 (Middlebury) Abstain: #26

RESOLUTION NO. 08-201
(May 13, 2008)

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

CHAIRMAN AUTHORIZED TO SIGN GRANT ACCEPTANCE AWARD WITH THE WILLIAM F. THIEL TRUST ON BEHALF OF WYOMING COUNTY EMERGENCY SERVICES

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a grant acceptance award with William F. Thiel Trust, through the Community Foundation for Greater Buffalo, 712 Main St., Buffalo, NY 14202 on behalf of Wyoming County Emergency Services. Said grant is to provide funding for defibrillators throughout county buildings, Deputy Sheriffs patrol vehicles, and volunteer ambulance services in a minimum amount of $30,000.00 (thirty thousand dollars).

Carried: XXX Ayes: 1554 Noes: Absent: 64 (Middlebury) Abstain: 2/3 Majority #27

RESOLUTION NO. 08-202
(May 13, 2008)

By Mr. Davis, Chairman of the Finance Committee:

BOND RESOLUTION OF THE COUNTY OF WYOMING, NEW YORK, DATED MAY 13, 2008, FOR THE ISSUANCE AND SALE OF BONDS OF THE COUNTY OF WYOMING, NEW YORK, IN THE AMOUNT OF $1,500,000.00 FOR THE ACQUISITION AND RENOVATION OF PROPERTY

May 13. 2008

LOCATED AT 408 NORTH MAIN STREET, WARSAW, NY FOR COUNTY PURPOSES.

RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF WYOMING, NEW YORK (by the favorable vote of not less than two-thirds of the voting strength of said Board) **AS FOLLOWS:**

Section 1. The County of Wyoming, New York is hereby authorized to acquire and renovate the property located at 408 North Main Street, Warsaw, New York.

Item	Estimated Maximum Cost
Equipment:	
Acquisition of 408 North Main Street, Warsaw NY	$642,000.00
Reconstruction and Equipment of 408 North Main Street, Warsaw NY	713,000.00
Professional Fees and Permits	30,000.00
Fixed Equipment	115,000.00
Total	$1,500,000.00

The estimated maximum cost of the acquisition and renovation of said property is the sum of $1,500,000.00 and said amount is hereby appropriated therefore. The plan of financing involves the issuance of $1,500,000.00 in serial bonds of the County of Wyoming to finance the appropriation, and the levy and collection of taxes upon all the taxable real property in the County in an amount sufficient to pay the principal of and interest of said bonds.

Section 2. Serial bonds of said County of Wyoming in the principal amount of $1,500,000.00 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law of the State of New York, to finance the said appropriation.

Section 3. The following additional matters are hereby determined and declared:

a. In accordance with Section 11 of the Local Finance Law, the period of probable usefulness for which said bonds are to be issued is hereinabove set forth for said acquisition and renovation, such period of probable usefulness being the period of twenty-five (25) years. Also, set forth for above is the maximum estimated cost for said acquisition and renovation.

b. No current funds need be provided because the period of probable usefulness for the acquisition and renovation of said property does not exceed twenty-five (25) years.

Section 4. Each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of

such bonds shall contain the recital of validity prescribed by Section 52.00 of said Local Finance Law, and said serial bonds and any notes issued in anticipation of said bonds shall be general obligations of the County payable as to both principal and interest by general tax upon all the taxable real property within the County without limitation of rate or amount. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and provision shall be made annually in the budget of the County by appropriation for (a) the amortization and redemption of the bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and pursuant to Section 30.00 of the Local Finance Law relative to the authorization of the issuance of bond anticipation notes and of Section 50.00 and Section 56.00 to Section 60.00 of said law, the powers and duties of the Board of Supervisors relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the serial bonds authorized by this resolution and of any notes authorized and issued in anticipation of the sale of said bonds, and the renewals thereof, are hereby delegated to the County Treasurer, as the Chief Fiscal Officer of the County.

Section 6. The validity of the bonds authorized by this resolution and of any notes issued in anticipation of the sale of said bonds may be contested only if: (a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or (b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. The specific object or purpose of the purchase herein authorized is to acquire and provide renovation to the property at 408 North Main Street, Warsaw, New York.

Section 8. **This resolution shall take effect immediately**

Carried: XXX Ayes: 1622 Noes: Absent: 65 (Middlebury) Abstain:

There was a motion by Mr. Davis, T/Covington, to combine resolutions #28 and #35. A voice vote was taken and all voted aye.

RESOLUTION NO. 08-203
(May 13, 2008)

By Mr. Davis, Chairman of the Finance Committee:

RESOLUTION IN OPPOSITION TO NEW YORK STATE LEGISLATION A10553 AND S6778, "AN ACT TO AMEND THE CIVIL SERVICE LAW, IN RELATION TO LEAVES OF ABSENCE FOR PUBLIC EMPLOYEES INJURED IN THE PERFORMANCE OF THEIR DUTIES

WHEREAS, The Wyoming County Board of Supervisors has reviewed the proposed legislation and **strongly opposes** its enactment into law; and

WHEREAS, This bill will amend section 71 of the civil service law, as amended by chapter 577 of the laws of 2003, in relation to leaves of absence by reason of disability resulting from an occupational injury or disease as defined in the workers compensation law; and

WHEREAS, Under the current law, a municipality may refill a position if an employee's leave of absence granted for an occupational injury or disease continues for a cumulative period of one year. If the employee is injured as a result of an on the job assault, the employee is entitled to a leave of absence of at least 2 years. The injured civil servant is granted notice of and an opportunity fro a hearing on any disputes regarding ability to work; and

WHEREAS, If the person recovers and applies for reinstatement within the time period specified depending on the cause of the disability and is found physically and mentally fit to perform the duties of their former position, they are reinstated if a vacancy exists, or can be appointed to a position for which they are eligible for transfer. If no vacancy exists, they are eligible for placement on a preferred list for up to four years; and

WHEREAS, Existing civil service law, workers compensation law, disability retirement law and applicable federal statutes provide ample benefits and protections to insure that proper treatment is afforded to the injured worker; and

WHEREAS, The proposed amendment to civil service law will lengthen the allowable term of leave of absence status currently provided to employees under existing statute of one year by an additional six months to eighteen months; and

WHEREAS, This proposed amendment will effectively render a municipality incapable of recruiting and retaining qualified individuals to provide essential services. If a municipality is able to interest a candidate in a position made vacant due to disability, but is required to inform the candidate that they may be bumped out of that job by a former employee for periods ranging from 18 months to 2 years, it is highly probable that this essential position will remain vacant for the entire period; and

WHEREAS, This bill would add additional costs to local government and the property taxpayers they serve, by increasing the likelihood that budgets for overtime payments will have to be increased to cover the costs of other employees providing the services normally provided by the injured worker for an additional 6 months; and

WHEREAS, This will impose severe hardships on all counties and municipal employers who are struggling to provide basic essential services while facing significant budgetary difficulties; and

WHEREAS, This new personnel mandate bill could result in higher personnel costs for county governments and increased property taxes in direct conflict with the stated intentions of the legislature and the Governor to reduce the local property tax burden; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors strongly opposes the passage of this proposed legislation.

Carried: XXX Ayes: 1554 Noes: Absent: 64 (Middlebury) Abstain: #29

RESOLUTION NO. 08-204
(May 13, 2008)

By Mr. Davis, Chairman of the Finance Committee:

CHAIRMAN AUTHORIZED TO SIGN AN AMENDED AGREEMENT WITH HR BEST PRACTICES ON BEHALF OF THE COUNTY INSURANCE OFFICE

May 13. 2008

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 contract with HR Best Practices, d/b/a DIVA Solutions, LLC, 795 Franklin Avenue, Franklin Lakes, NJ on behalf of the County Insurance office to reflect the following:

- Wyoming County will not be required to pay HR Best Practices (HRBP) doing business as DIVA Solutions, LLC more than Wyoming County saves on their 2008 Univera Healthcare bills. This is to make sure Wyoming County does not have to pay more for the audit then they will save.
- In the event Univera extends the savings into 2009 for Wyoming County due to the delay in starting the audit HR Best Practices (HRBP) doing business as DIVA Solutions, LLC will be compensated according to the original project authorization. This is to ensure HR Best Practices is fairly compensated based on the original intent of the project authorization; and be it

FURTHER RESOLVED, That resolution number 07-374 be hereby amended to reflect the above amendment.

Carried: XXX Ayes: 1554 Noes: Absent: 64 (Middlebury) Abstain: #30

RESOLUTION NO. 08-205
(May 13, 2008)

By Mr. Davis, Chairman of the Finance Committee:

ONE (1) POSITION OF SECRETARY TO THE WORKMEN'S COMPENSATION PROGRAM ADMINISTRATOR (1.00 FTE) ABOLISHED AND ONE (1) POSITION OF SECRETARY I (1.00 FTE) CREATED IN THE COUNTY INSURANCE OFFICE

BE IT RESOLVED, That one (1) position of Secretary to Workmen's Compensation Program Administrator (1.00 FTE) be hereby abolished and one (1) position of Secretary I (1.00 FTE) be hereby created in the County Insurance Office; effective immediately; and be it

FURTHER RESOLVED, That the position of Secretary I (1.00 FTE) replace the Secretary to the Workmen's Compensation Program Administrator on salary schedule "S;" effective immediately.

Carried: XXX Ayes: 1554 Noes: Absent: 64 (Middlebury) Abstain: #31

RESOLUTION NO. 08-206
(May 13, 2008)

By Mr. Davis, Chairman of the Finance Committee:

NURSING CLINICAL LADDER APPROVED AT PUBLIC HEALTH DEPARTMENT

WHEREAS, Representative 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 the Wyoming County Public Health Department and Certified Home Health Agency 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 that framework for the practical compensation for the effected positions; now therefore

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: 1554 Noes: Absent: 64 (Middlebury) Abstain:

RESOLUTION NO. 08-207
(May 13, 2008)

By Mr. Davis, Chairman of the Finance Committee:

DEFERRED COMPENSATION COMMITTEE RESOLUTION TO AMEND AND RESTATE THE MODEL PLAN

WHEREAS, The New York State Deferred Compensation Board (the "*Board*"), pursuant to Section 5 of the New York State Finance Law ("*Section 5*") and the Regulations of the New York State Deferred Compensation Board (the "*Regulations*"), has promulgated the Plan Document of the Deferred Compensation Plan for Employees of the County of Wyoming (the "*Model Plan*") and offers the Model Plan for adoption by local employers;

WHEREAS, The County of Wyoming, pursuant to Section 5 and the Regulations, has adopted and currently administers the Model Plan known as the Deferred Compensation Plan for Employees of the County of Wyoming;

WHEREAS, effective December 7, 2007 the Board amended the Model Plan to adopt provisions

- Expanding the eligibility for unforeseeable emergency withdrawals
- Permitting law enforcement officers, firefighters, members of a rescue squad or ambulance crew who have retired for service or disability to request a plan distribution of up to $3,000 annually to pay for health insurance or qualified long-term care premiums for themselves, their spouse or dependents.
- Permitting a beneficiary who is not the spouse of the deceased Participant to transfer their Plan account directly to an IRA.
- Permitting a Participant who is eligible for a distribution to rollover all or a portion of their Plan account to a Roth IRA.

WHEREAS, The Board has offered for adoption the amended and restated Model Plan to each Model Plan sponsored by a local employer in accordance with the Regulations; and

WHEREAS, Upon due deliberation, of the County of Wyoming has concluded that it is prudent and appropriate to amend the Deferred

Compensation Plan for Employees of the County of Wyoming by adopting the amended Model Plan; now therefore

BE IT RESOLVED, that the County of Wyoming hereby amends the Deferred Compensation Plan for Employees of the County of Wyoming by adopting the amended Model Plan effective December 7, 2007, in the form attached hereto as Exhibit A.

Carried: XXX Ayes: 1554 Noes: Absent: 64 (Middlebury) Abstain: #33

RESOLUTION NO. 08-208
(May 13, 2008)

By Mr. Davis, Chairman of the Finance Committee:

RESCIND AND REPLACE RESOLUTION NUMBER 08-94

WHEREAS, Resolution Number 08-94 entitled, **"CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH GENESEE/FINGER LAKES REGIONAL PLANNING COUNCIL ON BEHALF OF THE COUNTY OF WYOMING,"** provides for the updating of the Weighted Voting System of the Wyoming County Board of Supervisors utilizing the results of the 2000 US Census; and

WHEREAS, It was determined by the Genesee/Finger Lakes Regional Planning Council that they are not properly equipped to complete this project; now therefore

BE IT RESOLVED, That Resolution Number 08-94 be hereby rescinded and replaced; and be it

FURTHER RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Lee Papayanopoulos and Reapportionment Services, 31 Burnett Terrace, West Orange, New Jersey 07052 for the provision of updating the Weighted Voting System of Wyoming County in an amount not to exceed three thousand eight hundred dollars ($3,800.00)

Carried: XXX Ayes: 1554 Noes: Absent: 64 (Middlebury) Abstain:

RESOLUTION NO. 08-209
(May 13, 2008)

By Mr. Davis, Chairman of the 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 9, 2008*** 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: 1554 Noes: Absent: 64 (Middlebury) Abstain:
#35

RESOLUTION NO. 08-210
(May 13, 2008)

Regular Session

By Mr. Davis, Chairman of the Finance Committee:

ONE (1) POSITION OF LEGAL RESEARCH INTERN (TEMPORARY) (1.00 FTE) CREATED IN THE DISTRICT ATTORNEY'S OFFICE

BE IT RESOLVED, That one (1) position of Legal Research Intern (Temporary) (1.00 FTE) be hereby created in the Office of the District Attorney; effective through December 31, 2008; and be it

FURTHER RESOLVED, That this position will pay up to four thousand dollars ($4,000.00) annually with an hourly rate yet to be determined**.**

Carried: XXX Ayes: 1554 Noes: Absent: 64 (Middlebury) Abstain:

Chairman Berwanger reminded the Supervisors of the appointment to have the 2008 "Class Picture" taken on the front steps of the Government Center immediately following the meeting.

There being no further business to come before this Board, Chairman Berwanger called upon Senior Supervisor Bush, T/Gainesville, to adjourn the meeting at 3:14 PM with a rap on his desk.

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Respectfully submitted,
Cheryl J. Ketchum
Cheryl J. Ketchum, Board Clerk

REGULAR SESSION
(June 10, 2008)

Tuesday **2:30 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, Janis Cook; Clerk to the Board of Supervisors, Cheryl Ketchum and Deputy Clerk to the Board, Brenda Ferrell.

At 2:45 PM Chairman Berwanger, T/Arcade, called the meeting to order.

The Veteran leading the Pledge of Allegiance this month was:

Arthur J. Dean

Mr. Dean's service to his country comes while serving during World War II. He enlisted in the United States Army Air Corp. on December 7, 1942 and was assigned to Camp Danforam in Sacramento, California where he completed Basic Training and Air Force Radio Operator School.

Following completion of Basic and Advanced Individual Training, Mr. Dean was sent to Madison, Wisconsin to complete Advanced Communications School with expertise in Morris Code. He then returned to McClellan Field in Sacramento and shipped out to Angel Island for Overseas Training. After completing his Overseas Training, he spent the next 2 ½ years with assignments under the 68th Army Airway Command System with duties in Australia, New Guinea, the Admiralty Islands, and Manila, in the Philippines.

Mr. Dean returned to the United States and was Honorably Discharged on December 20, 1945.

For his service to his country Mr. Dean was awarded:

THE WORLD WAR II VICTORY MEDAL
THE ASIATIC-PACIFIC CAMPAIGN MEDAL
THE PHILLLIPINE LIBERATION MEDAL

Following the War, Mr. Dean operated a meat and grocery store in Cato, New York. Using the GI Bill, he went to New York City and attended the RCA Institutes, earning his certificate in Engineering.

Mr. Dean then returned to this area and went to work for Bell Aircraft in Buffalo as an Environmental Test Engineer. He worked for Bell Aircraft until his retirement in September of 1979.

Mr. Dean enjoys ham radio, and still maintains his license with capabilities to talk anywhere around the world. He presently lives in Genesee Heights in Corfu, New York.
The pledge was said by all.

Chairman Berwanger thanked Mr. Dean for leading in the pledge as he presented him with a certificate of appreciation.

Mr. Dean was offered the opportunity to address the Board of Supervisors. Mr. Dean thanked the Board for the invitation.

Social Services Employee of the Month
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 2008 is Nancy Maguire. She has been employed at DSS since 2006 as a Community Services Aide. Nancy has worked on the Merit Incentive Program and assisted Hillside on the Taste of Independence Program and both of these programs have shared positive results which is due in part to her hard work. Nancy wears many hats in her position and willingly assists anyone who asks. She meets with caseworkers regularly and discusses cases in common, asking for advice and input. Great teamwork effort!

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

Please join me in recognizing Nancy Maguire.

Chairman Berwanger offered Ms. Maguire an opportunity to address the Board of Supervisors. Ms. Maguire thanked the Board.

Chairman Berwanger introduced the Wyoming County Dairy Princess and her Alternate.

2008 Wyoming County Dairy Princess: Lauren Osborn.

Lauren is the daughter of Janet Osborn and Ken Osborn, and a member of the Class of 2009 at Letchworth High School. Lauren is a member of National Honor Society, Big Brother, Band and Jazz Band. Lauren is a member of both the Soccer and Track teams. Outside of Lauren's school activities, Lauren participates in 4-H as a member of the Silver Springs Salts and shows dogs in the areas of Agility, Rally, Grooming and Obedience. Lauren is a member of the Junior Holstein Club, National Junior Swine Association, Junior Brown Swiss and works with Registered Therapy Dogs. Lauren has plans to attend college majoring in business with the hopes of attending Law School to practice in Agricultural related fields.

2008 Wyoming County Alternate Dairy Princess: Brittany Spencer.

Brittany is the daughter of David and Lori Spencer of Perry. Brittany is a 2007 graduate of Perry High School. Brittany has been an active member of the Half Way 4-H club for 10 years, the Wyoming County Junior Holstein Club, where she was named "Outstanding Junior Member" in 2006. Brittany has been a member of the Wyoming County State Dairy Judging Team for 4 years, and enjoys showing Dairy Cattle, playing volleyball and hanging out with her friends. Brittany's future plans include the hopes that one day she will be able to start her own farm in partnership with her sister.

Communications:

None

#1

RESOLUTION NO. 08-211
(June 10, 2008)

By Mr. Davis, Chairman of the Finance Committee:

FUNDS TRANSFERRED TO VARIOUS 2008 ACCOUNTS

BE IT RESOLVED, That funds are hereby transferred to the various 2008 accounts as follows:

Public Health			
From: 01.38.4010.4.42433 Assist Grant To: 01.38.4010.2.23001 Motor Vehicles Reason: To move funds to cover the cost of 2009 Chevrolet Impala from current NYS bid using ATUPA funds (permission to pursue granted at 4/29/08 PHC meeting)	$16,050.00	$16,050.00	

Public Health Total			**$16,050.00**
County Clerk			
From: 01.34.1410.8.89001 Health Insurance **To:** 01.34.1410.2.20401 Misc. Equipment 01.34.1410.4.40404 Registration Fees 01.34.1410.4.41204 Advertising **Reason:** Health Insurance account appears to be considerably over-funded and could be used to fund the purchase of the camera and accessories and cover the advertising of the new feature in the Clerk's office.	$3,000.00	 1,650.00 350.00 1,000.00	
County Clerk Total			**$3,000.00**
Highway			
From: 03.54.5130.2.20401 Misc. Equip. **To:** 03.54.5130.4.40505 Misc. Tools **Reason:** Due to change in regulations in accounting	$5,000.00	 $5,000.00	
From: 04.53.5110.1.10101 FT CSEA Contract 04.53.5110.4.41907 Culverts 04.53.5110.8.83001 FICA 04.53.5110.8.85001 Medicare **To:** 04.53.5190.1.10101 FT CSEA Contract 04.53.5190.4.41907 Culvert Pipe 04.53.5190.8.83001 FICA 04.53.5190.8.85001 Medicare **Reason:** Due to cost in casting concrete box culverts	$9,945.00 10,000.00 616.00 144.00 $20,705.00	 $ 9,945.00 10,000.00 616.00 144.00 $20,705.00	
Highway Total			**$25,705.00**

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

#2

RESOLUTION NO. 08-212
(June 10, 2008)

By Mr. Davis, Chairman of the Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2008 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2008 accounts as follows:

Office for the Aging			
To: 01.44.6772.4.42306 Other w/01.03.6772.1289 Other Dept. Income **Reason:** Funds needed to cover cost of File of Life Program.	$3,557.10	$3,557.10	
Office for the Aging Total			**$3,557.10**
Youth Bureau			
To: 01.45.7310.4.42434 Stars of Tomorrow w/01.03.7310.1289 Other Dept. Income **Reason:** Funds will be used to help cover cost of Youth Bureau/Camp WYOMOCO Leadership Day.	$500.00	$500.00	
Youth Bureau Total			**$500.00**
Department of Social Services			
To: 01.39.6010.4.41010 Misc. Supplies w/01.09.6010.2705 Gifts & Donations **Reason:** Donation for DV Program. Money will be used for outreach supplies.	$200.00	$200.00	
Department of Social Services Total			**$200.00**
Planning and Development			
To: 01.42.6421.4.40406 Employee Mileage **From any funds available** **Reason:** To cover additional mileage/toll reimbursement expenses for two (2) employees instead of one (1). Moreover, initially not enough funds were originally budgeted in this line item.	$1,500.00	$1,500.00	
Planning and Development Total			**$1,500.00**
Emergency Services			
To: 01.37.3640.2.20201 Computer Equipment **w/**01.09.3640.2705 Donations **Reason:** Donation by Noble Environmental Power to purchase computer for the Training Center.	$1,751.00	$1,751.00	
To: 01.37.3020.4.40301 911 Prof. Serv. Contr w/01.02.3020.1140 911 Surcharge Reason: Robert Jae contract for the period of 07/01/2008-12/30/2008.	$25,000.00	$25,000.00	
Emergency Services Total			**$26,751.00**
Probation			
To: 01.37.3140.2.20401 Misc. Equipment ***From any funds available*** Reasons: Committee approved purchase of a new copy machine last month. After testing some and conferring with J. Cook, we have chosen the one on the attached bill.	$9,964.00	$9,964.00	
Probation Total			**$9,964.00**
Buildings & Grounds			
To: 01.34.1620.4.40803 Supplies - Repair w/01.08.1620.2665 Sale of Equipment **Reason:** Sale of 2001 Dodge to be used for truck lift gate.	$3,450.00	$3,450.00	
Buildings & Grounds Total			**$3,450.00**

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

Mr. Bush, T/Gainesville, Chairman of the Audit Committee, presented bills totaling **$986,878.07** for the month of **May 2008**.

Carried: XXX Ayes: 1554 Noes: Absent: 64 (Middlebury) Abstain:

There was a motion by Mrs. Totsline, T/Genesee Falls, to combine resolutions #3 through #7. A voice vote was taken and all voted aye.

#3

RESOLUTION NO. 08-213
(June 10, 2008)

By Mrs. Totsline, Chairman of Human Services Committee:

FLAG DAY PROCLAIMED

WHEREAS, The American Flag represents and has been the enduring symbol of our Nation's ideals since the earliest days of our Nation. Wherever it flies, we are reminded of America's unity and in the great cause of liberty and justice for all; and

WHEREAS, Two hundred and thirty years ago, the Second Continental Congress officially made the Stars and Stripes the Symbol of America. The Founders declared that the 13 stars gracing the original flag represented "a new constellation," just as America embodied new hope and new light for mankind. Today, our flag continues to convey the bold spirit of a proud and determined Nation; and

WHEREAS, Americans have long flown our flag as a sign of patriotism and gratitude for the blessings of liberty. We also pledge allegiance to the flag as an expression of loyalty to our country and to the belief in the American creed of freedom and justice. By displaying and showing respect for the flag, we honor the ideals upon which our democracy rests and show appreciation for the freedoms we enjoy today. Flying the flag can also be an expression of thanks for the men and women who have served and sacrificed in defense of our Freedoms – from the early patriots of the Continental Army to the courageous Americans in uniform who are defending those freedoms around the world today; and

WHEREAS, During Flag Day and National Flag Week, we honor Old Glory and reflect on the foundations of our freedom. As citizens of this great Nation, we are proud of our heritage, grateful for our liberty, and confident in our future; and

WHEREAS, To commemorate the adoption of our flag, the Congress, by joint resolution approved August 3, 1949, as amended (63 Stat. 492), designated June 14 of each year as "Flag Day, and requested that the President issue an annual proclamation calling for its observance and for the display of the flag of the United States on all Federal Government buildings. The Congress also requested, by joint resolution approved June 9, 1966, as amended (80 Stat. 194), that the President issue annually a proclamation designating the week in which June 14 occurs as "National Flag Week" and calling upon all citizens of the United States to display the flag during that week; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors, do hereby proclaim:

June 14, 2008, as Flag Day
and
The week beginning June 8, 2008, as National Flag Week

and direct the appropriate officials to display the flag on all County Government buildings during that week, and we urge all Americans to observe Flag Day and National Flag Week by flying the Stars and Stripes from their homes and other suitable places. We also call upon the people of the United States to observe with pride and all due ceremony those days from Flag Day through Independence Day, also set aside by the Congress (89 Stat. 211), as a time to honor America, to celebrate our heritage in public gatherings and activities, and to publicly recite the Pledge of Allegiance to the Flag of the United States of America; and be it

FURTHER RESOLVED, That the clerk of this Board, be hereby directed to forward certified copies of this resolution to President Bush, U.S. Senators Charles Schumer and Hillary Clinton, Congressman Thomas M. Reynolds, NYS Senator Dale Volker, Assemblyman Daniel Burling, Inter-County of Western New York, and the New York State Association of Counties and all others deemed appropriate and necessary.

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

RESOLUTION NO. 08-214
(June 10, 2008)

By Mrs. Totsline, Chairman of Human Services Committee:

SUPPLEMENTAL MILITARY LEAVE EXTENDED

WHEREAS, Resolution Number 06-157 entitled, "**SUPPLEMENTAL MILITARY LEAVE IMPLEMENTED,"** passed by this Board of Supervisors on May 09, 2006, provides for health insurance benefits to those county employees called to active duty and their families. Wyoming County shall supplement the military pay of those county employees called to long-term active duty, provided all accumulated benefit vacation time and fifty percent (50 %) of all accumulated benefit sick time is exhausted. The combination of their military pay and the supplement will equal what would otherwise be their regular base county pay, retroactive to the date of the activation. Wyoming County shall guarantee employment to any current county employee called to active duty. During the time of activation the employee will not be eligible for any accrual of benefit time. There will be no loss of seniority during a military leave of absence; and

WHEREAS, In response to the terrorist attack on the World Trade Center and the Pentagon on September 11, 2001, and the impact on State and County employees who may be federally activated or activated by the Governor of New York State in response to the "home land security" needs; and

WHEREAS, Employees of Wyoming County may be activated for Home Land Security or active duty in the Armed Forces of the United States; and

WHEREAS, These employees may be activated for long periods of time and those negotiated benefits may result in the loss of health insurance, reduction in pay, and under present contracts allow for only thirty (30) days of military leave pay per calendar year; and

WHEREAS, Those negotiated benefits may be insufficient to cover an extended activation; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors wishes to extend the Supplemental Military Leave, which will extend an

employee's military obligation by thirty (30) calendar days or twenty two (22) workdays; and be it

FURTHER RESOLVED, That Wyoming County shall continue to maintain the health insurance benefits of those county employees called to active duty and their families. Wyoming County shall supplement the military pay of those county employees called to long-term active duty, provided all accumulated benefit vacation time and fifty percent (50 %) of all accumulated benefit sick time is exhausted. The combination of their military pay and the supplement will equal what would otherwise be their regular base county pay, retroactive to the date of the activation. Wyoming County shall guarantee employment to any current county employee called to active duty. During the time of activation the employee will not be eligible for any accrual of benefit time. There will be no loss of seniority during a military leave of absence; and be it

FURTHER RESOLVED, That this benefit is based solely on the present military action associated with "Operation Iraqi Freedom"(OIF) and "Operation Enduring Freedom"(OEF) and will not be considered as past practice or precedent setting effective through May 08, 2010. The Board of Supervisors reserves the right to review this resolution every two years upon termination.

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

#5

RESOLUTION NO. 08-215
(June 10, 2008)

By Mrs. Totsline, Chairman of Human Services Committee:

CHAIRMAN AUTHORIZED TO SIGN A GRANT APPLICATION AND ACCEPTANCE AWARD WITH THE LONG TERM CARE INSURANCE EDUCATION & OUTREACH 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 application and acceptance award with The Long Term Care Insurance Education & Outreach Program New York State Office for the Aging, 2 Empire Plaza, Albany, NY on behalf of Wyoming County Office for the Aging. Said grant is for the provision of funding to provide Long Term Care Insurance information and education to residents of Wyoming County in a minimum

amount of forty-nine thousand eight hundred thirty dollars ($49,830.00); effective April 01, 2008 through March 31, 2009.

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

#6

RESOLUTION NO. 08-216
(June 10, 2008)

By Mrs. Totsline, Chairman of Human Services Committee:

CHAIRMAN AUTHORIZED TO SIGN A GRANT IN AID AWARD WITH THE NEW YORK STATE OFFICE FOR THE AGING 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 in aid award with the New York State Office for the Aging, 2 Empire Plaza, Albany, NY sponsored by Assemblyman Burling on behalf of the Wyoming County Office for the Aging. Said grant is for the provision of funding to provide "Files of Life" for senior residents of Wyoming County in a minimum amount of three thousand dollars ($3,000.00); effective September 01, 2008 through August 31, 2009.

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

#7

RESOLUTION NO. 08-217
(June 10, 2008)

By Mrs. Totsline, Chairman of Human Services Committee:

CHAIRMAN / COMMISSIONER OF SOCIAL SERVICES AUTHORIZED TO SIGN A GRANT ACCEPTANCE AWARD WITH NEW YORK STATE OFFICE OF CHILD 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 grant acceptance award with New York State Office of Child and Family Services (Cheri Doolittle), DV Contract Manager, 52 Washington Street, Rensselaer, NY 12144-2796 on behalf of the Department of Social Services. Said grant is for the provision of funding an approved residential and/or non-residential Domestic Violence Program in a minimum amount of thirty-six thousand nine hundred fifty-six dollars ($36,956.000; effective March 31, 2008 through March 30, 2009.

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

After the presentation of resolutions #3 through #7, Chairman Berwanger invited Supervisor Totsline, Chairwoman of the Human Services Committee to step forward for the presentation of the Flag Day Proclamation. In doing so, Supervisor Totsline invited Director of Veterans Services, Gary Cousins to step forward and accept the Proclamation. Director Cousins agreed to read the Flag Day Proclamation to the audience. Director Cousins invited everyone to use the "re-commissioned" mailbox (flag depository). The box has been emptied several times a week since its commission.

#8

RESOLUTION NO. 08-218
(June 10, 2008)

By Mr. Kushner, Chairman of Public Health Committee:

CHAIRMAN / COMMISSIONER OF PUBLIC HEALTH AUTHORIZED TO SIGN A GRANT APPLICATION AND ACCEPTANCE AWARD WITH THE GREATER ROCHESTER HEALTH FOUNDATION ON BEHALF OF THE WYOMING COUNTY HEALTH DEPARTMENT

BE IT RESOLVED, That the Chairman of this Board and the Commissioner of Public Health with the approval of the County Attorney are hereby authorized and directed to sign a grant application and acceptance award with Greater Rochester Health Foundation, 150 State Street, Suite 100, Rochester, New York 14614 on behalf of the Wyoming County Health Department. Said grant is for the purpose of developing a Wyoming County Health and Wellness Strategic Plan in a minimum amount of forty-two thousand nine hundred thirty-nine dollars ($42,939.00); effective July 1, 2008 through June 30, 2009.

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

There was a motion by Mr. Fleischman, T/Java, to combine resolutions #9 and #10. A voice vote was taken and all voted aye.

#9

RESOLUTION NO. 08-219
(June 10, 2008)

By Mr. Fleischman, Chairman of Planning Committee:

CHAIRMAN AUTHORIZED TO SIGN SMALL CITIES GRANT APPLICATIONS

WHEREAS, The County of Wyoming wishes to apply for a $100,000 Small Cities grant that will be used by the Wyoming County IDA to provide financial assistance to McCormick Farms, Inc., for their continued growth and expansion; and

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

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

FURTHER RESOLVED, That two public hearings on behalf of this Board of Supervisors will be held as required by the Office of Small Cities at a time to be determined at the Wyoming County Business Center, 6470 Route 20A, Town of Perry, New York, and at least five days notice of such hearings shall be given by the Clerk of this Board by publishing such notice at least once in the official newspapers of the town designated for such publications.

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

RESOLUTION NO. 08-220
(June 10, 2008)

By Mr. Fleischman, Chairman of Planning Committee:

CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH ANN McDONNELL 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 Ann McDonnell, 121 Woodside Dr., Elma, NY 14059 on behalf of Planning and Development. Said contract is for the provision of Grant Writing Services in an amount not to exceed fifteen thousand dollars ($15,000.00) at $75/hour; effective June 10, 2008 through December 31, 2008. Contingent upon the availability of funds.

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

#11

RESOLUTION NO. 08-221
(June 10, 2008)

By Mr. Fleischman, Chairman of Planning Committee and Mr. Gozelski, Chairman of the Agriculture Committee:

INTRODUCTION OF LOCAL LAW D ENTITLED, "ESTABLISHING THE RIGHT TO FARM LEGISLATION" AND SCHEDULING A PUBLIC HEARING

WHEREAS, The Wyoming County Board of Supervisors finds, declares, and determines that agriculture is vital to Wyoming County, New York, because it is a livelihood and provides employment for agri-service, locally produced fresh commodities, agricultural diversity, and promotes economic stability. Agriculture maintains open space, promotes environmental quality, and agricultural land does not increase the demand for services provided by local governments; and

WHEREAS, In order to maintain a viable farming economy in Wyoming County, farmers must be afforded protection allowing them the right to farm. When non-agricultural land uses extend into agricultural areas, agricultural operations may become the subject of nuisance suits. As a result, agricultural operations are sometimes forced to cease operation or are discouraged from making investments in agricultural improvements; and

WHEREAS, It is the purpose of this law to reduce the loss to Wyoming County of its agricultural resources by limiting the circumstances under which farming may be deemed to be a nuisance and to allow agricultural practices inherent to and necessary for the business of farming to proceed and be undertaken free of unreasonable and unwarranted interference or restriction; now therefore

BE IT RESOLVED, A public hearing shall be held on August 12, 2008 at 2:00 PM at the Wyoming County Fairgrounds in Pike, New York, on Wyoming County Local Law Introductory No. D, for the year 2008.

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

There was a motion by Mr. Gozelski, T/Castile, to combine resolutions #12 and #13. A voice vote was taken and all voted aye.

#12

RESOLUTION NO. 08-222
(June 10, 2008)

By Mr. Gozelski, Chairman of the Agriculture Committee:

CONFINEMENT OF DOGS IN WYOMING COUNTY AUTHORIZED

BE IT RESOLVED, That this Board hereby orders and requires that all dogs in the County of Wyoming shall be securely confined between sunset and one hour after sunrise for the period January 1, 2008 through Midnight, December 31, 2008, under Article 7, Section 122 of the New York State Agriculture and Markets Law; and be it

FURTHER RESOLVED, that notice of this Order shall be given publication in the following newspapers of general circulation within the County of Wyoming:

and be it

FURTHER RESOLVED, That the Clerk of this Board shall file a certified copy of this Order in the office of each Town Clerk and Village Clerk in the County and with the Commissioner of the Department of Agriculture and Markets of the State of New York.

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

#13

RESOLUTION NO. 08-223
(June 10, 2008)

By Mr. Gozelski, Chairman of the Agriculture Committee:

JUNE 2008 PROCLAIMED DAIRY MONTH IN WYOMING COUNTY

WHEREAS, June as Dairy Month was originally celebrated to help stabilize the demand for milk and dairy products during the spring months of peak production. Today we simply honor our dairy farmers and the safe, wholesome products they produce; and

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, The average dairy farm in New York State is family owned and consists of 100 cows, producing an average of 19,303 pounds of milk per cow per year. The top three leading dairy counties in the state are Wyoming, Cayuga and St. Lawrence; and

WHEREAS, The recently passed Farm Bill will benefit greatly New York dairy farmers. The Farm Bill strengthened the existing safety net for dairy farmers by increasing the differential for the Milk Income Loss Contract (MILC) trigger price to 45 percent, increases the eligible pounds of milk to nearly 3 million for that program, and ties the price of feed to the MILC trigger price during difficult financial times; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors, hereby proclaims ***June 2008*** to be:

National Dairy Month
In
Wyoming County

and encourages 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:

After the presentation of resolutions #12 and #13, Chairman Berwanger invited Supervisor Gozelski, Chairman of the Agriculture Committee to step forward for the presentation of the Dairy Month Proclamation. In doing so, Chairman Berwanger invited the Dairy Princess and her Alternate to step forward and accept the Proclamation.

Ms. Osborn and Ms. Spencer thanked that Board and shared a little bit of what helped them to decide on careers in agriculture.

There was a motion by Mr. Rogers, T/Pike, to combine resolutions #14 through #17. A voice vote was taken and all voted aye.

#14

RESOLUTION NO. 08-224
(June 10, 2008)

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

CHAIRMAN AUTHORIZED TO SIGN A GRANT ACCEPTANCE AWARD WITH THE STATE OF NEW YORK, 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 State of New York, Division of Criminal Justice Services, 4 Tower Place, Albany, New York 12203-3764 on behalf of the District Attorney's Office. Said grant is for the provision of funding for Aid to

Prosecution in a minimum amount of thirty-nine thousand five hundred three dollars ($39,503.00); effective April 01, 2008 through March 31, 2009.

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

#15

RESOLUTION NO. 08-225
(June 10, 2008)

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

RESOLUTION NUMBER 08-134 AMENDED

WHEREAS, Resolution Number 08-134, entitled, "**ONE (1) POSITION OF SECRETARY I (.5 FTE) (TEMPORARY) CREATED IN THE DISTRICT ATTORNEY'S OFFICE,"** passed by this Board of Supervisors on March 11, 2008, provides for the creation of one (1) position of Secretary I (.5 FTE) (Temporary) in the District Attorney's Office for a period of three (3) months; effective March 11, 2008 through June 10, 2008 or less depending on 2006 – 2008 Aid to Prosecution Funds remaining available; now therefore

BE IT RESOLVED, That the above mentioned resolution be amended to extend the position by three (3) more months through September 11, 2008.

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

#16

RESOLUTION NO. 08-226
(June 10, 2008)

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

CHAIRMAN AUTHORIZED TO SIGN A GRANT APPLICATION AND ACCEPTANCE AWARD WITH THE STATE OF NEW YORK DIVISION OF CRIMINAL JUSTICE SERVICES ON BEHALF OF THE SHERIFF'S MOUNTED PATROL

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 Services, Four Tower Plaza, Albany NY 12203-3764 on behalf of the Sheriff's Mounted Patrol. Said grant is to provide funding for the purchase of two (2) automated external defibrillators (Project Number LG08-1043-D00) in a minimum amount of three thousand five hundred dollars ($3,500.00); effective April 01, 2008 through December 31, 2010.

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

#17

RESOLUTION NO. 08-227
(June 10, 2008)

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

CHAIRMAN AUTHORIZED TO SIGN AN AGREEMENT WITH ROBERT JAE ON BEHALF OF WYOMING COUNTY EMERGENCY SERVICES

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract agreement with Robert Jae, 2227 Route 20A, Varysburg, New York, 14167 on behalf of Wyoming County Emergency Services. Said agreement is for services of Radio Enhancement, 911 and Emergency Dispatch Contractor in an amount not to exceed twenty-five thousand dollars ($25,000.00); effective July 1, 2008 through December 30, 2008.

Contingent upon the availability of funds.

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

There was a motion by Mr. Patti, T/Attica, to combine resolutions #18 through #20 and withdraw resolution number #21. A voice vote was taken and all voted aye.

RESOLUTION NO. 08-228
(June 10, 2008)

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

AUTHORIZING THE IMPLEMENTATION, AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL-AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS, OF A TRANSPORTATION FEDERAL-AID PROJECT, AND APPROPRIATING FUNDS THEREFORE.

WHEREAS, a Project for the **Middle Reservation Road (County Road 6) Improvements, Town of Castile, Wyoming County, P.I.N. 4754.32** (the Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 100% Federal funds and 0% non-federal funds; and

WHEREAS, the County of Wyoming desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of **Preliminary Engineering/Design, Construction and construction Inspection**.

NOW, THEREFORE, the Board of Supervisors, duly convened does hereby

RESOLVE, that the Board of Supervisors hereby approves the above-subject project; and it is hereby further

RESOLVED, that the Board of Supervisors hereby authorizes the Chairman to pay in the first instance 100% of the federal and non-federal share of the cost of Preliminary Engineering/design, construction and construction inspection work for the Project or portions thereof; and it is further

RESOLVED, that the sum of **$1,990,000** 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:

#19

RESOLUTION NO. 08-229
(June 10, 2008)

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

CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN A CONTRACT WITH WIND-SUN CONSTRUCTION, 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 Reconstruction of Town of Bennington Bridge No. 04; Tooley Road over Cayuga Creek; BIN 3319590; PIN 4753.22 to Wind-Sun Construction, Inc., 18 Hidden Meadow, Penfield, NY 14526 as the lowest responsible bidder after approval by the Engineer and Wyoming County Superintendent of Highways in an amount not to exceed five hundred sixty-two thousand one hundred forty dollars and eighty cents ($562,140.80).

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

RESOLUTION NO. 08-230
(June 10, 2008)

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

RESOLUTION NUMBER 07-416 AMENDED

WHEREAS, Resolution Number 07-416 entitled, "**ONE (1) POSITION OF LABORER, PT (TEMPORARY) CREATED IN BUILDINGS AND GROUNDS,"** passed by this Board of Supervisors on December 11, 2007 provided for one (1) position of laborer, pt (temporary) in buildings and grounds not to exceed six (6) months; effective January 01, 2008 through June 30, 2008; now therefore

BE IT RESOLVED, That Resolution Number 07-416 is hereby amended to extend the effective date through December 31, 2008.

Carried: XXX Ayes: 1618 Noes: Absent: Abstain:
WITHDRAWN BY COMMITTEE CHAIR

#21

RESOLUTION NO. 08-
(June 10, 2008)

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

CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN CONTRACT FOR THE SALE OF 13 SOUTH MAIN STREET IN THE TOWN OF GAINESVILLE, NEW YORK

WHEREAS, The Board of Supervisors by Local Law No. 4 of 2008 has authorized the sale of certain surplus property located at 13 South Main Street in the Town of Gainesville, New York to Douglas Copeland, 5 South Main Street, Gainesville, New York, 14066; now therefore

BE IT RESOLVED, That the Chairman of the Wyoming County Board of Supervisors is authorized to accept the purchase offer presented by Mr. Copeland in the amount of twelve thousand five hundred dollars ($12,500.00) and is further authorized to execute all documents in connection with the sale of said property.

Carried: Ayes: Noes: Absent: Abstain:

There was a motion by Mr. Davis, T/Covington, to combine resolutions #22 through #24 and resolutions #26 through #29. Resolution # 25 will require a 2/3 majority vote, so that resolution will be voted on separately. A voice vote was taken and all voted aye.

Supervisor May informed the Board that she will be abstaining from voting on resolution #23.

#22

RESOLUTION NO. 08-231
(June 10, 2008)

By Mr. Davis, Chairman of the Finance Committee:

ONE (1) POSITION OF CLERK (TEMPORARY) (1.00 FTE) CREATED IN REAL PROPERTY TAX SERVICE

BE IT RESOLVED, That one (1) position of Clerk (Temporary) (1.00 FTE) be hereby created in the Real Property Tax Service through the medical leave of a current departmental employee at a rate of $13.13 per hour.

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

#24

RESOLUTION NO. 08-233
(June 10, 2008)

By Mr. Davis, Chairman of the Finance Committee:

THREE (3) POSITIONS OF MOTOR EQUIPMENT OPERATOR (SEASONAL) (1.00 FTE) CREATED IN COUNTY HIGHWAY

BE IT RESOLVED, That three (3) positions of Motor Equipment Operator (Seasonal) (1.00 FTE) be hereby created in County Highway at a rate of $12.00/hour for a period not to exceed nineteen (19) weeks.

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

#26

RESOLUTION NO. 08-235
(June 10, 2008)

By Mr. Davis, Chairman of the Finance Committee:

Mr. Davis, Chairman of the Finance Committee, presented the **SEMI-ANNUAL MORTGAGE TAX REPORT** for the period of October 01, 2007 through March 31, 2008 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 **$227,640.80** 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	$50,313.02	$12,101.94	$38,211.08
Attica	$18,335.86	$3,692.06	$14,643.80
Bennington	$25,907.37		$25,907.37
Castile	$14,085.10	$1,149.44	$12,066.81
Perry Village		$868.85	
Covington	$7,166.25		$7,166.25
Eagle	$3,649.50		$3,649.50
Gainesville	$6,635.26	$205.57	$5,548.73
Silver Springs Village		$880.96	
Genesee Falls	$3,075.37		$3,075.37
Java	$14,394.98		$14,394.98

Middlebury	$6,498.04	$616.49	$5,881.55
Orangeville	$7,225.94		$7,225.94
Perry	$15,491.43	$4,104.99	$11,386.44
Pike	$3,712.34	$342.33	$3,370.01
Sheldon	$17,001.57		$17,001.57
Warsaw	$27,603.69	$9,641.28	$17,962.41
Wethersfield	$6,545.08		$6,545.08
Total:		**$33,603.91**	**$194,036.89**
Grand Totals:	**$227,640.80**		

Let This Be Your Warrant for Such Payment: **$227,640.80** IN WITNESS WHEREOF, I have hereunto set my hand and seal of the Board of Supervisors this 10th day of June 2008.

s/Cheryl J. Ketchum, Clerk
Board of Supervisors

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

#27

RESOLUTION NO. 08-236
(June 10, 2008)

By Mr. Davis, Chairman of the 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, 2007 through March 31, 2008 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 **$29,351.97** (Twenty-nine thousand three hundred fifty-one dollars and ninety-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:

TOWNS	REVENUE SHARING DISTRIBUTIED
Arcade	$6,487.35
Attica	$2,364.22
Bennington	$3,340.49
Castile	$1,816.13
Covington	$924.02
Eagle	$470.56
Gainesville	$855.54
Genesee Falls	$396.54
Java	$1,856.09
Middlebury	$837.85
Orangeville	$931.71
Perry	$1,997.46
Pike	$478.67
Sheldon	$2,192.19
Warsaw	$3,559.22
Wethersfield	$843.93
Grand Totals:	**$29,351.97**

Let this be your Warrant for Such Payment: **$29,351.97** (Twenty-nine thousand three hundred fifty-one dollars and ninety-seven cents) IN WITNESS WHEREOF, I have hereunto set my hand and seal of the Board of Supervisors this 10th day of June, 2008.

s/ *Cheryl J. Ketchum*, Clerk
Board of Supervisors

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

#28

RESOLUTION NO. 08-237
(June 10, 2008)

By Mr. Davis, Chairman of the Finance Committee:

WYOMING COUNTY PURCHASING POLICY ADOPTED

BE IT RESOLVED, That this Board of Supervisors does hereby approve and adopt the Purchasing Policy and Procedures for the County of Wyoming as presented to this Board for all county departments, except the Wyoming County Community Hospital which shall maintain their own procedures; and be it

FURTHER RESOLVED, That all county departments shall be responsible for the implementation and adherence to this Policy; and be it

FURTHER RESOLVED, That these procedures may be amended and / or revised, with the approval of the appropriate Committee of this Board as required.

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

#29

RESOLUTION NO. 08-238
(June 10, 2008)

By Mr. Davis, Chairman of the Finance Committee:

CANCELLATION OF VOID TAXES, IN THE TOWN OF WARSAW

WHEREAS, Pursuant to the Real Property Tax Law §558 (1), the County of Wyoming may direct the cancellation of certain unpaid taxes where it is determined that the lien of such tax cannot be enforced; and

WHEREAS, Such a parcel of real property exists within the County of Wyoming, and has been identified and so designated by the by the Finance Committee; now therefore

BE IT RESOLVED, That the County of Wyoming hereby directs the cancellation of any and all such unpaid taxes for 1993, 1994 and 1995 in accordance with the applicable section of the Real Property Tax Law, and the Wyoming County Treasurer, shall charge back and apportion the various amounts thereof, if applicable, to the appropriate taxing authorities, to the extent to which each has been benefited thereby;

AUTHORITY: RPTL §558(1) Cancellation of Void Tax
PARCEL: Town of Warsaw
TAX MAP#: 84.-2-2.2
ASSESSED TO: David J. Gierlinger

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

#23

RESOLUTION NO. 08-232
(June 10, 2008)

By Mr. Davis, Chairman of the Finance Committee:

ONE (1) POSITION OF DEPUTY SHERIFF TECHNICAL SERGEANT (1.00 FTE) ABOLISHED AND ONE (1) POSITION OF DEPUTY SHERIFF SERGEANT (1.00 FTE) CREATED IN THE SHERIFF'S DEPARTMENT

BE IT RESOLVED, That one (1) position of Deputy Sheriff Technical Sergeant (1.00 FTE) be hereby abolished; effective after the appropriate postings per language in the current union agreement; and be it

FURTHER RESOLVED, That one (1) position of Deputy Sheriff Sergeant (1.00 FTE) be hereby created in the Sheriff's Department; effective after the appropriate postings per language in the current union agreement.

Carried: XXX Ayes: 1570 Noes: Absent: Abstain: (48) Orangeville
2/3 Majority
#25

RESOLUTION NO. 08-234
(June 10, 2008)

By Mr. Davis, Chairman of the Finance Committee:

CHAIRMAN AUTHORIZED TO SIGN USDA LOAN CONTRACT

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed as the official representative of Wyoming County, New York, to execute and submit loan documents on to the United States Department of Agriculture Rural Development, 29 Liberty Street, Suite 2, Batavia, NY 14020 for a Community Facilities Direct Loan on behalf of the 408 North Main Street Building, Warsaw, New York, purchase and renovation project, in the amount of one million five hundred thousand dollars ($1,500,000.00) and is hereby authorized and directed, to take all actions needed for the submission of the loan application and to provide such additional information and assistance as may be necessary; and be it

FURTHER RESOLVED, That a public hearing on behalf of this Board of Supervisors will be held within ten (10) days of the application submission at a time to be determined by the Wyoming County Board of Supervisors, 143 North Main Street, Warsaw, New York, and at least five days notice of such hearing shall be given by the Clerk of this Board by publishing such notice at least once in the official newspapers of the town designated for such publications.

Carried: XXX Ayes: 1687 Noes: Absent: Abstain:

Chairman Berwanger stated that there are now four unanimous consent resolutions to be presented and asked if any Supervisor had any objection to the presentation of unanimous consent resolutions #30 through #33. Hearing none he instructed Clerk Ketchum to call the roll.

#UC - 30

RESOLUTION NO. 08-239
(June 10, 2008)

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

CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH CLARK PATTERSON LEE ON BEHALF OF WYOMING COUNTY 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 Lee, 186 N. Water Street, Rochester, New York

14604 on behalf of Wyoming County Buildings and Grounds. Said contract is to provide for engineering costs associated with the Department of Social Services Building Capital Improvement Project established by Resolution Number 08-135, passed by this Board on March 11, 2008, entitled,

"DEPARTMENT OF SOCIAL SERVICES BUILDING CAPITAL IMPROVEMENT PROJECT APPROVED," in an amount not to exceed three hundred thousand dollars ($300,000.00).
Contingent upon the availability of funds.

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

#UC - 31

RESOLUTION NO. 08-240
(June 10, 2008)

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

FUNDS TRANSFERRED TO VARIOUS 2008 ACCOUNTS

BE IT RESOLVED, That funds are hereby transferred to the various 2008 accounts as follows:

Capital Improvement			
From: 12.61.9950.9.99004 CIP Interfund Transfer **To:** 12.61.6010.4.40301 CIP – DSS Professional Svc. **Reason:** To cover the cost of Engineering Services associated with the DSS Building Reconstruction Project.	$300,000.00	$300,000.00	
Capital Improvement Total			**$300,000.00**

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

#UC - 32

RESOLUTION NO. 08-241
(June 10, 2008)

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

ONE (1) POSITION OF PRINCIPAL ACCOUNT CLERK (1.00 FTE) CREATED IN THE DEPARTMENT OF BUILDINGS AND GROUNDS

BE IT RESOLVED, That one (1) position of Principal Account Clerk (1.00 FTE) be hereby created in the Department of Buildings and Grounds, to also be utilized by the Department of Fire and Building Codes as directed by the Superintendent of Buildings and Grounds; effective immediately; and be it

FURTHER RESOLVED, That this position is to be placed on the appropriate step and grade of the current CSEA agreement.

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

#UC - 33

RESOLUTION NO. 08-242
(June 10, 2008)

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

ONE (1) POSITION OF COUNTY RECORDS MANAGER CREATED IN THE DEPARTMENT OF COUNTY RECORDS MANAGEMENT

BE IT RESOLVED, That one (1) position of County Records Manager be hereby created in the Department of County Records Management effective immediately; and be it

FURTHER RESOLVED, That this position is to be placed on Salary Schedule "D" and set the salary at $30,000.00 annually.

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

Before adjournment of the meeting Chairman Berwanger had a few announcements to make:

1. He reminded everyone of the reception the Dairy Princesses have provided.

2. Chairman Berwanger stated that today is a very important day because it marks a very special birthday for the Clerk to the Board, Cheryl Ketchum, and as the custom of the Board of Supervisors, the official County Choral Director

and County Attorney Eric Dadd will lead in a rousing rendition of Happy Birthday.

There being no further business to come before this Board, Chairman Berwanger called upon Senior Supervisor Bush, T/Gainesville, to adjourn the meeting at 3:25 PM with a rap on his desk.

****

Respectfully submitted,
Cheryl J. Ketchum
Cheryl J. Ketchum, Board Clerk

REGULAR SESSION
(July 08, 2008)

Tuesday **2:30 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 E. Grant, T/Bennington. Also present were County Attorney, Eric T. Dadd; Budget Officer, Janis Cook; Clerk to the Board of Supervisors, Cheryl Ketchum and Deputy Clerk to the Board, Brenda Ferrell.

At 2:35 PM Chairman Berwanger, T/Arcade, called the meeting to order.

The Veteran leading the Pledge of Allegiance this month was:

DONALD P. LONGHINI

Mr. Longhini's service to his country comes while serving during World War II. At the age of 20, Mr. Longhini enlisted in the United States Army. He took his Basic Training at Ft. Bliss, Texas and then went to Camp Hahn and Ft. Ord, California where he completed Advanced Individual Training and became qualified as a crewman with the newly formed 740th Anti-Aircraft Artillery Unit. Mr. Longhini and his unit were then transferred to Camp Sharks where they boarded a Merchant Marine ship, the "Santa Paula" and were enroute to England. Mr. Longhini and his unit spent a period of time defending London by manning a 90 mm Anti-Aircraft Artillery gun during the constant bombing attempts of Germany. The 740th Anti-Aircraft Unit then boarded an "LST" and left South Hampton where they engaged in the Battle of Normandy at Omaha Beach. Mr. Longhini continued on with his Unit, pursuing the enemy through Paris, Northern France, the Rhineland, and Belgium, until reaching Antwerp in Holland. Here he would partake in the "Battle of the Bulge". The proficiency of his unit increased with the capability of coordinating the special radar unit through the sights of the artillery piece which not only gave proper direction of their projectiles, but also coordinated the right length of fuse to insure the right time of detonation of the explosive round. Mr. Longhini's unit received numerous citations for their efforts when they destroyed over 82% of enemy aircraft and "buzz bombs" during the "Battle of the Bulge." Following VE Day, Mr. Longhini's unit was sent to Bulbic, France where they ran a POW Camp that housed 10,000 German Prisoners. Mr. Longhini and his unit were preparing to go to the war in the Pacific when Japan surrendered. Mr. Longhini and his unit returned to the United States where his unit was deactivated. Mr. Longhini was honorably discharged at Ft. Dix, N.J. on December 17, 1945 at the rank of Tec 4.

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

The Good Conduct Medal
The World War II Victory Medal
The European-African-Middle-Eastern Campaign Medal

After his discharge from the Army, Mr. Longhini returned to this area and took up Dairy Farming for many years on a farm that he had purchased and eventually converted to cash crop farming of: peas, sweet corn, lima beans, wheat, and hay. Mr. Longhini is not sure if he really retired or just "slowed down" in recent years.

Mr. Longhini is a Charter Member of the Bostian-Rowe Post 1849 of the American Legion and a longtime member of the Veterans of Foreign Wars Post in Warsaw. He enjoys bowling, baseball and football games and has attended 52 Reunions of his WW II Army Unit. Mr. Longhini and his wife Regina of 62 years, live on Saltvale Road in the Town of Wyoming.

The pledge was said by all.

Chairman Berwanger thanked Mr. Longhini for leading in the pledge as he presented him with a certificate of appreciation.

Mr. Longhini was offered the opportunity to address the Board of Supervisors. He expressed his thanks to the Board for the invitation.

Social Services Employee of the Month

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 2008 is Meghan Stowell. Meghan began her career at DSS in 2007 as a Caseworker in the Children & Family Services Unit. Since that time, she has continually proven herself to be an invaluable asset to the families she works with, her peers and the department. She goes above and beyond everyday and is always willing to take on additional cases without compromising her quality of work.

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

Please join me in recognizing Meghan Stowell.

Chairman Berwanger offered Ms. Stowell an opportunity to address the Board of Supervisors. Ms. Stowell expressed her thanks to her department and to the Supervisors.

Demonstration of the New Voting Machine by the Commissioners of Election, J. Schlick (R), A. Balmas (D) and IT Director, T. MacConnell . Chairman Berwanger moderated the demonstration. Paper ballots will be used at a cost of.35¢ to .50¢ each. Commissioner Schlick commented on Villages and School Districts being required to use the same machines so they will need to decide on owning vs. rental of the county machines. Storage of the machines was discussed. Some of the short falls of the machines were also discussed.

There was a short questions and answers session by the Supervisors.

Communications:

None

#1

RESOLUTION NO. 08-243
(July 08, 2008)

By Mr. Davis, Chairman of the Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2008 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2008 accounts as follows:

Public Health			
To: 01.38.4035.2.20401 Misc Equipment	$ 3,000.00		
01.38.4035.4.41706 Med & Safety Supplies	41,885.00		
01.38.4035.4.41204 Advertising	11,534.00		
01.38.4035.4.41214 Supplies Purchased	4,714.00		
01.38.4035.4.40301 Professional Svc Contract	14 ,926.00		
01.38.4035.4.40201 Dues	462.00		
w/01.12.4035.4489 Other Health Revenue		$76,521.00	
Reason: To appropriate for various expenses / increased 2008 grant award NYSDOH Title X.			
To: 01.38.4010.4.42484 GRHF Grant	$21.500.00		
w/01.04.4010.160112 GRHF Grant Revenue		$21.500.00	
Reason: To appropriate for contractual consulting services and various expenses connected with the creation of a Wyoming County Health and Wellness Strategic Plan.			

To: 01.38.4013.4.41010 Misc Ofc/Op Supplies 01.38.4013.4.40406 Employee Mileage 01.38.4013.4.41214 Supplies Purchased 01.38.4013.4.40009 Cellular Phone w/01.12.4013.448916 Bio-Terrorism Grant Revenue	5,920.58 405.58 1,131.66 326.08	$7,783.90	
Public Health Total			**$105,804.90**
Sheriff			
To: 01.37.3110.4.40938 Sheriff's Posse w/01.11.3110.308901 State Aid **Reason:** purchase 2 AED's through Legislative Grant LG08-1043-D00 for the Mounted Unit	$3,500.00	$3,500.00	
To: 01.37.3110.4.40938 Sheriff's Posse **w/**01.11.3110.308901 State Aid **Reason**: equipment purchase for LG08-1158-D00	$14,000.00	$14,000.00	
To: 01.37.3110.4.42101 Law Enf Supplies **w/**01.11.3110.308901 State Aid **Reason:** AEDs purchase for LG08-1042-D00	$5,000.00	$5,000.00	
Sheriff Total			**$22,500.00**
Highway			
Road Fund **To:** 04.53.5142.4.41804 Pymt T/V for Snow & Ice Rem. w/ 04.13.5142.5031 Interfund Transfer **Reason:** To allocate funds for the severe winter with a snow index of 1.86 payable to Towns & Villages for 2007-08 snow season. **General Fund** **To:** 01.52.9901.9.99002 County Snow Removal ***From any funds available***	$415,610.44 $415,610.44	$415,610.44 $415,610.44	
To: 04.53.5010.2. 20201 Computer Equipment ***From any Funds Available*** **Reason:** For the purchase of Pub Works software for the Highway Department.	$19,000.00	19,000.00	
2008 Budget Reduction: **From:** 17.66.5112.2.24001 Middle Res. Rd. **w/**17.12.5112.4089 Fed. Aid **Reason:** To reflect actual reimbursement amount relating to Middle Reservation Road Project (Castile).	($10,000.00)	($10,000.00)	
Highway Total			**$424,610.44**
County General Fund			
To: 01.51.9748.7.70001 Debt Service Interest/Serial Bond w/ 01.03.9748.1289 Other Depart. Income **Reason:** TASC operating revenue toward General Fund debt service expenses.	$25,000.00	$25,000.00	
County General Fund Total			**$25,000.00**

Carried: XXX Ayes: 1491 Noes: Absent: 127 (Bennington) Abstain:

Mr. Bush, T/Gainesville, Chairman of the Audit Committee, presented bills totaling **$1,191,010.41** for the month of **June 2008**.

Carried: XXX Ayes: 1554 Noes: Absent: 64 (Middlebury) Abstain:

There was a motion by Mrs. Totsline, T/Genesee Falls, to combine resolutions #2 through #6. A voice vote was taken and all voted aye.

#2

RESOLUTION NO. 08-244
(July 08, 2008)

By Mrs. Totsline, Chairman of Human Services Committee:

RESOLUTION NUMBER 08-142 AMENDED

WHEREAS, Resolution Number 08-142, entitled, **CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH FRONTIER FOOD SERVICE ON BEHALF OF THE OFFICE FOR THE AGING,** passed by this Board of Supervisors on April 08, 2008 provides for meals for the Office For the Aging congregate and home delivered meal programs in an approximate amount of three hundred thousand dollars ($300,000.00); effective April 01, 2008 through March 31, 2011; now therefore

BE IT RESOLVED, That Resolution Number 08-142 be hereby amended to extend the Frontier Food Service Contract through March 31, 2013; and be it

FURTHER RESOLVED, That the Chairman of this Board with the approval of the County Attorney be hereby authorized and directed to sign an amended contract with Frontier Food Service to reflect this new effective date.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1491 Noes: Absent: 127 (Bennington) Abstain:

#3

RESOLUTION NO. 08-245
(July 08, 2008)

By Mrs. Totsline, 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 Route 20A, Suite 1, Perry, NY 14530 on behalf of the Office for the Aging. Said contract is for the

provision of funding for senior employment opportunities to residents 55+ in Wyoming County in an amount not to exceed thirty thousand dollars ($30,000.00); effective July 01, 2008 through June 30, 2009.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1491 Noes: Absent: 127 (Bennington) Abstain: #4

RESOLUTION NO. 08-246
(July 08, 2008)

By Mrs. Totsline, Chairman of Human Services Committee:

RESOLUTION NUMBER 05-298 AMENDED

WHEREAS, Resolution Number 05-298, entitled, **CHAIRMAN AUTHORIZED TO SIGN CONTRACTS ON BEHALF OF WYOMING COUNTY YOUTH BUREAU,** passed by this Board of Supervisors on October 11, 2005 provides for contracts with Attica Bus Service and McDonald's Bus Service for EI/PS transportation; effective July 01, 2005 through June 30, 2008, with 2 one year extensions possible; now therefore

BE IT RESOLVED, That Resolution Number 05-298 be hereby amended to extend the Attica Bus Service, 949 Creek Road, Attica, NY 14011 contract by one year; effective July 01, 2008 through June 30, 2009; and be it

FURTHER RESOLVED, That an increase of 2.5% be hereby implemented per the provisions of the initial contract for the extension period of July 01, 2008 through June 30, 2009.

Carried: XXX Ayes: 1491 Noes: Absent: 127 (Bennington) Abstain: #5

RESOLUTION NO. 08-247
(July 08, 2008)

By Mrs. Totsline, Chairman of Human Services Committee:

CHAIRMAN / COMMISSIONER AUTHORIZED TO SIGN THE FOOD STAMP NUTRITION EDUCATION PROGRAM FOR 2009 WITH CORNELL COOPERATIVE EXTENSION

OF WYOMING COUNTY 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 Food Stamp Nutrition Education Program for 2009 with Cornell Cooperative Extension of Wyoming County, 401 N. Main St., Warsaw 14569 on behalf of the Department of Social Services. Said agreement is for nutrition education services to be provided in an amount not to exceed one hundred eighty thousand seven hundred thirty-two dollars ($180,732.00) (50% federal, 50% In-Kind Cornell Coop. Ext.); effective October 01, 2008 through September 30, 2009.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1491 Noes: Absent: 127 (Bennington) Abstain: #6

RESOLUTION NO. 08-248
(July 08, 2008)

By Mrs. Totsline, Chairman of Human Services Committee:

CHAIRMAN / COMMISSIONER AUTHORIZED TO SIGN A CONTRACT WITH DEELICIOUS WEB DESIGN 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 Deelicious Web Design, 388 N. Main St Warsaw, NY 14569 on behalf of the Department of Social Services. Said contract is for the development of the NY Connects web design (site design, browser, structure, interactivity, etc.) in an amount not to exceed five thousand two hundred dollars ($5,200.00) (100% State).

Contingent upon the availability of funds.

Carried: XXX Ayes: 1491 Noes: Absent: 127 (Bennington) Abstain:

There was a motion by Mr. Kushner, T/Eagle, to combine resolutions #7 and #8. A voice vote was taken and all voted aye.

RESOLUTION NO. 08-249
(July 08, 2008)

By Mr. Kushner, Chairman of Public Health Committee:

RESOLUTION NUMBER 08-62 AMENDED

WHEREAS, Resolution Number 08-62, entitled, **CHAIRMAN AUTHORIZED TO SIGN VARIOUS GRANT APPLICATIONS AND/OR RENEWALS ON BEHALF OF WYOMING COUNTY HEALTH DEPARTMENT AND CERTIFIED HOME HEALTH AGENCY FOR THE YEAR 2008,** passed by this Board of Supervisors on February 12, 2008 and provides for various Grant Applications / Award Acceptances for the year 2008 on behalf of Wyoming County Health Department and the Certified Home Health Agency; now therefore

BE IT RESOLVED, That Resolution Number 08-62 be hereby amended to reflect corrected minimum amounts as follows:

- NYS Department of Health – Division of Family Health (MWHS) Application amount was in a minimum amount of $248,524 reduced to $241,521 (1/1/08-12/31/08) (***decreased amount of original approval by $7,003; funds were expended and reimbursed in 2007)***

- NYS Department Health (Zoonoses Program Grant) Application amount was in a minimum amount of $9,000 increased to $16,380.00 (From April 01, 2008 through March 31, 2009 to January 01, 2008 through March 31, 2009) ***(extended term to fifteen months and increased amount)***

Carried: XXX Ayes: 1491 Noes: Absent: 127 (Bennington) Abstain:
#8

RESOLUTION NO. 08-250
(July 08, 2008)

By Mr. Kushner, Chairman of Public Health Committee:

ABDUL CHAUDHRY, MD REAPPOINTED TO THE WYOMING COUNTY BOARD OF HEALTH

July 8, 2008

BE IT RESOLVED, That Abdul Chaudhry, MD, 326 North Main Street, Warsaw, NY 14569 be hereby reappointed to the Wyoming County Board of Health for a six (6) year corrected term; effective May 08, 2008 through December 31, 2014.

Carried: XXX Ayes: 1491 Noes: Absent: 127 (Bennington) Abstain:

There was a motion by Mr. Fleischman, T/Java, to combine resolutions #9 through #12. A voice vote was taken and all voted aye.

#9

RESOLUTION NO. 08-251
(July 08, 2008)

By Mr. Fleischman, Chairman of Planning Committee:

2009 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 2009 Matching Funds Program for tourist promotional activities;
and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors hereby
designates the Wyoming County Tourist Promotion Agency, Inc. as the official tourist promotion
agency for the County of Wyoming and as the agency to apply for and receive matching funds on behalf of the County, under the Matching Funds Program.

Carried: XXX Ayes: 1491 Noes: Absent: 127 (Bennington) Abstain:

#10

RESOLUTION NO. 08-252
(July 08, 2008)

By Mr. Fleischman, Chairman of Planning Committee:

FUNDS APPROVED FOR MATCHING FUNDS PROGRAM FOR TOURIST PROMOTION

BE IT RESOLVED, That the Wyoming County Board of Supervisors hereby approves taking part in the 2009 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 2009 County Budget; contingent upon the availability of funds from New York State.

Carried: XXX Ayes: 1491 Noes: Absent: 127 (Bennington) Abstain: #11

RESOLUTION NO. 08-253
(July 08, 2008)

By Mr. Fleischman, Chairman of Planning Committee:

CHAIRMAN AUTHORIZED TO SIGN A LEASE AGREEMENT WITH TOSHIBA BUSINESS SOLUTIONS 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 lease agreement with Toshiba Business Solutions, 190 Lawrence Bell Dr., Williamsville, NY 14221 on behalf of Planning and Development. Said lease is to provide for a Toshiba Color Copier, Scanner & Fax in an amount not to exceed nineteen thousand two hundred forty-eight ($19,248.00) ($320.80/mo. for 60 months).

Contingent upon the availability of funds.

Carried: XXX Ayes: 1491 Noes: Absent: 127 (Bennington) Abstain: #12

RESOLUTION NO. 08-254
(July 08, 2008)

By Mr. Fleischman, Chairman of Planning Committee:

MEMBERS REAPPOINTED TO THE WYOMING COUNTY EMPIRE ZONE ADMINISTRATIVE BOARD

BE IT RESOLVED, That the following members are hereby reappointed to the Empire Zone Administrative Board (EZAB) for a two (2) year term; effective August 15, 2008 through August 14, 2010:

- 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: 1491 Noes: Absent: 127 (Bennington) Abstain:

There was a motion by Mrs. Meeder, T/Middlebury, to combine resolutions #13 through #15. A voice vote was taken and all voted aye.

#13

RESOLUTION NO. 08-255
(July 08, 2008)

By Mrs. Meeder, Chairman of Human Resource Committee:

GAIL ROYCE APPOINTED COUNTY RECORDS MANAGER

BE IT RESOLVED, That ***Gail Royce,*** 39 Oak Street, Warsaw NY 14569 is hereby provisionally promoted to the competitive class position of ***County Records Manager;*** effective June 10, 2008.

Carried: XXX Ayes: 1491 Noes: Absent: 127 (Bennington) Abstain:

#14

RESOLUTION NO. 08-256
(July 08, 2008)

By Mrs. Meeder, Chairman of Human Resource Committee:

RESOLUTION NUMBER 08-32 RESCINDED

WHEREAS, Resolution Number 08-32, entitled, **RICHARD HARRISON APPOINTED RECORDS MANAGEMENT OFFICER,** passed by this Board of Supervisors on January 08, 2008 and provides for the appointment of Richard Harrison as County Records Management Officer; effective January 01, 2008; now therefore

BE IT RESOLVED, That Resolution Number 08-32 be hereby rescinded effective immediately.

Carried: XXX Ayes: 1491 Noes: Absent: 127 (Bennington) Abstain: #15

RESOLUTION NO. 08-257
(July 08, 2008)

By Mrs. Meeder, Chairman of Human Resource Committee:

RESOLUTION NUMBER 91-141 AMENDED

WHEREAS, Resolution Number 91-141, entitled, **APPOINTED POSITIONS TO THE RECORDS ADVISORY BOARD,"** as amended by resolution numbers 95-179, 03-156, and 06-394; now therefore

BE IT RESOLVED, That the Records Advisory Board be hereby amended to reflect the following:

- Delete Records Management Officer
- Add County Highway Superintendent, County Records Manager, and Human Resource Committee Chairperson.

Carried: XXX Ayes: 1491 Noes: Absent: 127 (Bennington) Abstain:

Chairman Berwanger invited Human Resource Committee Chair, Mrs. Meeder, T/Middlebury to introduce Gail Royce as the newly appointed County Records Manager.

There was a motion by Mr. Copeland, T/Wethersfield, to combine resolutions #16 through #25. A voice vote was taken and all voted aye.

#16

RESOLUTION NO. 08-258
(July 08, 2008)

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

CHAIRMAN AUTHORIZED TO SIGN A GRANT APPLICATON AND ACCEPTANCE AWARD WITH THE STATE OF NEW YORK DIVISION OF CRININAL JUSTICE SERVICES ON BEHALF OF THE SHERIFF'S MOUNTED PATROL

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 Services, Four Tower Plaza, Albany NY 12203-3702 on behalf of the Sheriff's Mounted Patrol. Said grant is for the provision of purchasing AEDs, CPR kits and additional safety equipment (Project No. LG08-1158-D00) in a minimum amount of fourteen thousand dollars ($14,000.00); effective April 01, 2008 through December 31, 2009.

Carried: XXX Ayes: 1491 Noes: Absent: 127 (Bennington) Abstain:

#17

RESOLUTION NO. 08-259
(July 08, 2008)

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

CHAIRMAN AUTHORIZED TO SIGN A GRANT APPLICATION AND ACCEPTANCE AWARD WITH THE STATE OF NEW YORK 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 the State of New York, Division of Criminal Justice Services, Four Tower Plaza, Albany, NY 12203-3702 on behalf

of the Sheriff's Department. Said grant is to provide funding for the purchase of AEDs, (Project No. LG08-1042-D00) in a minimum amount of five thousand $5,000.00); effective April 01, 2008 through December 31, 2009.

Carried: XXX Ayes: 1491 Noes: Absent: 127 (Bennington) Abstain: #18

RESOLUTION NO. 08-260
(July 08, 2008)

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

MEMBERS APPOINTED / REAPPOINTED TO THE FIRE ADVISORY BOARD FOR 2008/2009

BE IT RESOLVED, That the following named persons are hereby appointed / 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, 2008 through July 10, 2009***:

DEPARTMENT	MEMBER	ADDRESS
Arcade	Gregory Landis	782 Geer Rd. Arcade, NY 14009
Attica	Jay Myers	297 Main St. Attica, NY 14011
Bennington	Joseph Heller, Jr	1290 Maxon Rd. Attica, NY 14011
Bliss	Richard Maher	3248 Rt. 39 Bliss, NY
Castile	William Dake	73 W. Park Rd. Castile, NY 14427
Cowlesville	John Church	1270 Urf Rd. Cowlesville, NY 14037
Gainesville	Robert Patterson	5006 Shearing Rd. Gainesville, NY 14066
Genesee Falls	Jason Carpenter	6944 Hubbard St. Portageville, NY 14536
Harris Corners	Mark Keem	2563 Rt. 77 Strykersville, NY 14145
North Java	Raymond Wilson	1464 Beaver Meadow Rd. Java Center, 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	11 Summitt Ave. Warsaw, NY 14569
Strykersville	Donald Simons	425 Factory Rd. Strykersville, NY 14145
Varysburg	Carl Parmerter	2151 Rt. 98 Attica, NY 14011
Warsaw	Ralph Millen	42 S. Maple St. Warsaw, NY 14569
Wyoming	Michael Sullivan	5990 Rowley Rd. Wyoming, NY 14591

Members At-Large for towns without Departments:

Orangeville	Town Supervisor	Town of Orangeville
Covington	Town Supervisor	Town of Covington

Carried: XXX Ayes: 1491 Noes: Absent: 127 (Bennington) Abstain: #19

RESOLUTION NO. 08-261
(July 08, 2008)

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

CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH CLARK PATTERSON LEE ON BEHALF OF EMERGENCY SERVICES

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Clark Patterson Lee, 186 North Water Street, Rochester NY 14604 on behalf of Emergency Services. Said contract is to provide for engineering associated with the construction of the new training tower and oversight of the current Fire Training Clean up project in an amount not to exceed thirty thousand dollars ($30,000.00); effective through the construction of the Training Tower and through the completion of the Fire Training clean up project.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1491 Noes: Absent: 127 (Bennington) Abstain: #20

RESOLUTION NO. 08-262
(July 08, 2008)

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

WYOMING COUNTY MULTI-JURISDICTIONAL ALL-HAZARD MITIGATION PLAN APPROVED

WHEREAS, The Wyoming County Office of Emergency Services, with assistance from the Genesee/Finger Lakes Regional Planning Council, has gathered information and prepared the Wyoming County All-Hazard Mitigation Plan; and

WHEREAS, The Wyoming County All-Hazard Mitigation Plan has been prepared in accordance with the Disaster Mitigation Act of 2000 and reviewed by the office of the County Attorney on July 3, 2008; and

WHEREAS, The Wyoming County Office of Emergency Services is a local unit of government that has afforded the citizens an opportunity to comment and provide input in the Plan and the actions in the Plan; and

WHEREAS, The Wyoming County Board of Supervisors has reviewed the Plan and affirms that the Plan will be updated less than every five years; now therefore

BE IT RESOLVED, The Wyoming County Board of the Supervisors hereby adopts the Wyoming County All-Hazard Mitigation Plan as this jurisdiction's All-Hazard Mitigation Plan, and further resolves to execute such Plan.

Carried: XXX Ayes: 1491 Noes: Absent: 127 (Bennington) Abstain:

RESOLUTION NO. 08-263
(July 08, 2008)

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

RESOLUTION REQUESTING THE GOVERNOR AND THE LESIGLATURE OF THE STATE OF NEW YORK TO INCREASE THE FUNDING FOR FIREFIGHTER TRAINING IN ORDER TO ESTABLISH A REALISTIC FUNDING BASE TO ENSURE THE DELIVERY OF THE FIRE SERVICE PROTECTION WITHIN NEW YORK STATE

WHEREAS, The County of Wyoming of the State of New York has identified the need for volunteer firefighters in order to deliver fire service protection and save the residents of New York State billions of dollars each year; and

WHEREAS, Wyoming County has identified the shortage of trained emergency response personnel and the initial training of new firefighters is crucial in developing enthusiastic, proficient and safety conscious volunteers; and

WHEREAS, The State of New York has an obligation to train existing firefighters in advanced level training to advance the skills and knowledge of the New York Fire Service annually; and

WHEREAS, The New York State Office of Fire Prevention and Control ("OFPC") operates the sole training program which provides such initial firefighter training programs; and

WHEREAS, The current OFPC resource assignments are insufficient to support this level of training; and the current New York State budget will reduce the number of hours the OFPC Training section will be able to provide for training; and it has been identified that there is a significant shortfall within the OFPC budget to provide sufficient training funds to support the States need for the annual fire training program; and

WHEREAS, the basis for all levels of emergency response within the State of New York depend on well trained Volunteer Fire and EMS service; now therefore

BE IT RESOLVED, That the County of Wyoming of the State of New York memorializes New York State to immediately increase the field training budget for the Office of Fire Prevention and Control by a minimum of $400,000 to meet all of the needs of the State Fire Training Program; and be it

FURTHER RESOLVED, That the County of Wyoming, of the State of New York memorializes New York State to conduct an in depth review of the training needs of the fire service to establish a realistic funding base for the delivery of fire service protection within New York State. Such review needs to reflect the size of the training base, the types of training that are required and the conditions that this service is expected to be delivered resulting in realistic funding of the program to properly accomplish what is expected; and be it

FURTHER RESOLVED, That certified copies of this resolution shall be forwarded to Governor David Paterson, Executive Chamber, State Capitol, Albany, NY 12224; Senate Majority Leader, Joseph L. Bruno, 909 Legislative Office Building, Albany, NY 12247; Senate Minority Leader, Malcolm A. Smith, 508 Legislative Office Building, Albany, NY 12247; Assembly Speaker, Sheldon Silver, 932 Legislative Office Building, Albany, NY 12248; Assembly Majority Leader, Ron Canestrari, 717 Legislative Office Building, Albany, NY 12248; Assembly Minority Leader, James Tedisco, 933 Legislative Office Building, Albany, NY 12248; Senator George H. Winner, 802 Legislative Office Building, Albany, NY 12447; Senator Dale M. Volker, 427 CAP, Albany, NY 12247; Assemblyman James G. Bascalles, 439 Legislative Office Building, Albany, NY 12248; Assemblyman Daniel Burling, L. O. B. Room 635, Albany, NY 12248; Ms. Lorraine A. Cortes-Vasquez, Secretary of State, 41 State St.; Albany, NY 12231; Mr. Floyd A. Madison, State Fire Administrator; NYS Office of Fire Prevention and Control, 41 State St., Albany, NY 12231; Stephen Acquario, Esq., Executive Director, New York State Association of Counties, 540 Broadway, 5th Floor, Albany, NY 12207; and Inter-County of Western New York, c/o Monroe County Legislature, 407 County Office Building, Rochester, NY 14614.

Carried: XXX Ayes: 1491 Noes: Absent: 127 (Bennington) Abstain: #22

RESOLUTION NO. 08-264
(July 08, 2008)

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

2008 INTENSIVE SUPERVISION CONTRACT APPROVED ON BEHALF OF PROBATION

July 8, 2008

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign the Intensive Supervision Contract with the Division of Probation and Correctional Alternatives, 80 Wolf Rd, Albany, NY 12205, on behalf of Wyoming County Probation. Said contract provides extra monies to closely supervise court ordered probationers sentenced to Intense Supervision Program instead of jail and is in a minimum amount of six thousand seven hundred dollars ($6,700.00); effective January 01, 2008 through December 31, 2008.

Carried: XXX Ayes: 1491 Noes: Absent: 127 (Bennington) Abstain: #23

RESOLUTION NO. 08-265
(July 08, 2008)

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

CHAIRMAN AUTHORIZED TO SIGN A GRANT ACCEPTANCE AWARD FOR THE ALTERNATIVES TO INCARCERATION / SHARED SERVICES GRANT 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 the Alternatives to Incarceration/Shared Services Grant with the Division of Probation and Correctional Alternatives, 80 Wolf Rd., Albany, N.Y. 12205 on behalf of Wyoming County Probation. Said grant is to provide funding for Wyoming County Probation to contract with Wyoming County Mental Health at Wyoming County Community Hospital to help case management and supervision of probationers with a mental illness diagnosis in a minimum amount of fifty thousand dollars ($50,000.00); effective July 01, 2008 through June 30, 2009.

Carried: XXX Ayes: 1491 Noes: Absent: 127 (Bennington) Abstain:

#24

RESOLUTION NO. 08-266
(July 08, 2008)

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

CHAIRMAN AUTHORIZED TO SIGN A GRANT ACCEPTANCE AWARD FOR THE ENHANCED SUPERVISION OF SEX OFFENDERS GRANT 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 the Enhanced Supervision of Sex Offenders Grant 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 extra funding to supervise level one and two sex offenders in a minimum amount of eleven thousand three hundred dollars ($11,300.00), effective April 01, 2008 through March 31, 2009.

Carried: XXX Ayes: 1491 Noes: Absent: 127 (Bennington) Abstain:

#25

RESOLUTION NO. 08-267
(July 08, 2008)

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

CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH AUTOMON SOFTWARE 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 Automon Software, 3125 South Park Rd., 12th Floor, Aurora, CO, 80014 on behalf of Wyoming County Probation. Said contract is for maintenance of the old and new software system in an amount not to exceed four thousand two hundred eighty-six dollars ($4,286.00); effective June 19, 2008 through June 18, 2009.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1491 Noes: Absent: 127 (Bennington) Abstain:

There was a motion by Mr. Patti, T/Attica, to combine resolutions #26 through #31. A voice vote was taken and all voted aye.

#26

RESOLUTION NO. 08-268
(July 08, 2008)

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

CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH D&H EXCAVATING 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 sign a contract with D&H Excavating, 11939 Route 98S, Arcade, NY 14009 on behalf of County Highway. Said contract is for the provision of emergency Hall Rd. bridge repairs associated with the construction of the Wethersfield Noble Wind Park in an amount to be 100% reimbursed by Noble Environmental Power, Wethersfield Construction Office, 7294 Centerville Road, PO Box 72, Bliss, New York 14024.

Carried: XXX Ayes: 1491 Noes: Absent: 127 (Bennington) Abstain:

#27

RESOLUTION NO. 08-269
(July 08, 2008)

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

CHAIRMAN AUTHORIZED TO SIGN SUPPLEMENTAL AGREEMENT NO. 1 WITH LABELLA ASSOCIATES 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 and

sign Supplement Agreement No. 1 with LaBella Associates, P.C. 300 State Street, Suite 201, Rochester, NY 14614 on behalf of County Highway. Said agreement is for Construction Inspection Services for the Reconstruction of the Town of Bennington Bridge No. 04; Tooley Road over Cayuga Creek; BIN 3319590; PIN 4753.22 in an amount not to exceed eighty-eight thousand dollars ($88,000.00).
Contingent upon the availability of funds.

Carried: XXX Ayes: 1491 Noes: Absent: 127 (Bennington) Abstain: #28

RESOLUTION NO. 08-270
(July 08, 2008)

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

PURCHASE OF PUBLIC WORKS SOFTWARE APPROVED ON BEHALF OF COUNTY HIGHWAY

BE IT RESOLVED, That permission to purchase Public Works software entitled, "Pub Works," from Business Management Systems, Inc. (BMSI), 33 Dow Avenue, P.O. Box 907, Franconia, New Hampshire 03580 in an amount not to exceed nineteen thousand dollars ($19,000.00) is hereby approved.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1491 Noes: Absent: 127 (Bennington) Abstain: #29

RESOLUTION NO. 08-271
(July 08, 2008)

By Mr. Patti, Chairman of the 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 construction and construction inspection **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 **$684,250** 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: 1491 Noes: Absent: 127 (Bennington) Abstain:

#30

RESOLUTION NO. 08-272
(July 08, 2008)

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

RESOLUTION NUMBER 07-243 AMENDED

WHEREAS, Resolution Number 07-243, entitled, **CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH CLARK PATTERSON ON BEHALF OF THE DEPARTMENT OF BUILDINGS AND GROUNDS,** passed by this Board of Supervisors on July 10, 2007 and provides 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; now therefore

BE IT RESOLVED, That Resolution Number 07-243 be hereby amended to reflect an effective date through "the completion of the job."

Carried: XXX Ayes: 1491 Noes: Absent: 127 (Bennington) Abstain:

#31

RESOLUTION NO. 08-273
(July 08, 2008)

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

CHAIRMAN AUTHORIZED TO SIGN A LEASE AGREEMENT WITH TOMPKINS TRUST ON BEHALF OF WYOMING COUNTY 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 lease agreement with the Tompkins Trust, P.O. Box 460, 121 Seneca St., The Commons, Ithaca, NY 14851 on behalf of Wyoming County Buildings and Grounds. Said lease is for a 2008 F-250 Ford Pickup truck purchased from Conroy Motors, Java Center in an amount not to exceed eighteen thousand seven hundred forty seven dollars ($18,747.00) ($362.71/monthly at 6.25% APR). Said lease to be for 60 months with a $1.00 buy-out at the end of the agreement.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1491 Noes: Absent: 127 (Bennington) Abstain:

There was a motion by Mr. Davis, T/Covington, to combine resolutions #32 through #40. A voice vote was taken and all voted aye.

#32

RESOLUTION NO. 08-274
(July 08, 2008)

By Mr. Davis, Chairman of the Finance Committee:

LOCATION AND TIME OF AUGUST 2008 REGULAR SESSION CHANGED

WHEREAS, The Rules of Procedure of the Board of Supervisors have 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 12th, 2008 at 2:00 PM*** at the ***Wyoming County Fairgrounds in Pike, New York***.

Carried: XXX Ayes: 1491 Noes: Absent: 127 (Bennington) Abstain:

RESOLUTION NO. 08-275
(July 08, 2008)

By Mr. Davis, Chairman of the Finance Committee:

ONE (1) POSITION OF CASEWORKER TRAINEE (TEMPORARY) (1.00 FTE) CREATED IN THE DEPARTMENT OF SOCIAL SERVICES

BE IT RESOLVED, That one (1) position of Caseworker Trainee (Temporary) (1.00 FTE) be hereby created in the Department of Social Services through the medical leave of a current employee.

Carried: XXX Ayes: 1491 Noes: Absent: 127 (Bennington) Abstain:
#34

RESOLUTION NO. 08-276
(July 08, 2008)

By Mr. Davis, Chairman of the Finance Committee:

SALARY SCHEDULES "S," "D," AND "I" AMENDED

WHEREAS, The Chairman of Finance, Supervisor Jerry Davis, T/Covington with the support of the Finance Committee has identified inequities among certain titles on Salary Schedules "S," "D," and "I"; now therefore

BE IT RESOLVED, That the Wyoming County Salary Plan which became effective January 01, 1967, as amended, is hereby amended as follows:

Salary Schedule "I":
Commencing ***July 01, 2008*** the following eligible elected officials in the job titles covered thereby shall be paid the basic salary in accordance with the wage and salary schedules:

- Members of the Board of Supervisors – set the salary at $10,404.00

annually;

- County Treasurer – set the salary at $50,000.00 annually

Salary Schedule "D":

Commencing ***April 01, 2008*** the following eligible employee in the job title covered thereby shall be paid the basic salary in accordance with the wage and salary schedule:

- Superintendent of Highways – set salary at $75,000.00 annually

Commencing ***July 01, 2008*** the following eligible employees in the job titles covered thereby shall be paid the basic salary in accordance with these wage and salary schedules:

- Clerk to the Board – set the salary at $42,500.00 annually;
- Superintendent of Buildings and Grounds – set the salary at $60,000.00 annually
- County Historian – set the salary at $29,000.00 annually;
- Director of Information Technology – set the salary at $65,000.00 annually; and
- Director of Veteran Services – set the salary at $21,000.00 annually

Commencing ***October 03, 2008*** the following eligible employee in the job title covered thereby shall be paid the basic salary in accordance with the wage and salary schedule:

- Probation Director I - set the salary at $53,172 annually

Salary Schedule "S":

Commencing ***July 01, 2008*** the following eligible employees in the job titles covered thereby shall be paid the basic salary in accordance with these wage and salary schedules:

- Deputy Clerk to the Board – set the salary at $32,260.00 annually;
- Civil Service Technician – set the salary at $40,000.00 annually;
    - Amend Title to Civil Service Administrator; effective July 08, 2008

- Fiscal Officer I (Mental Health) – set the salary at $36,500.00 annually;
- Director of Environmental Health – set the salary at $52,000.00 annually;
- Public Health Administrator – set the salary at $53,500.00 annually; and

- Assistant Director of Veteran Services – set the salary at $30,000.00 annually

And be it

FURTHER RESOLVED, That the salary of any position vacated shall be open for review by the appropriate committee.

Carried: XXX Ayes: 1491 Noes: Absent: 127 (Bennington) Abstain: #35

RESOLUTION NO. 08-277
(July 08, 2008)

By Mr. Davis, Chairman of the Finance Committee:

ONE (1) POSITION OF PROBATION ASSISTANT (TEMPORARY) (1.00 FTE) CREATED IN PROBATION

BE IT RESOLVED, That one (1) position of Probation Assistant (Temporary) (1.00 FTE) be hereby created in Wyoming County Probation; effective July 16th not to exceed 6 weeks, through the leave of absence of the current Probation Assistant.

Carried: XXX Ayes: 1491 Noes: Absent: 127 (Bennington) Abstain: #36

RESOLUTION NO. 08-278
(July 08, 2008)

By Mr. Davis, Chairman of the Finance Committee:

RESOLUTION IN OPPOSITION TO ELECTED TAX COLLECTORS AND ASSESSORS BEING ELIMINATED AT THE TOWN LEVEL

WHEREAS, There is a Tax collector and a Real Property Assessor within the Towns, conveniently located and accessible to our citizens; and

WHEREAS, The Town Clerks, Tax Collectors and Town Assessors have conscientiously and successfully handled the assessing of property and collection of taxes worth millions of dollars for the Towns; and

WHEREAS, The Town Clerks, Tax Collectors and Town Assessors provide service to Town taxpayers with professionalism, diligence and integrity and bring a specialized knowledge and experience to the position, particularly with issues unique to the Towns; and

WHEREAS, Since 1984, provisions that are only amenable by Local Referendum have been in place to protect Home Rule in New York State and the services provided by the Towns within New York State; and

WHEREAS, The Governor's 2009 Budget seeks to remove those powers from the voters without voter input; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors supports the continuation of centuries old tradition of local assessment and tax collections provided by the Towns; and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors oppose any effort to eliminate citizen's local and convenient access to the Assessor and Tax Collector; and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors finds that the local presence of the Assessor and Tax Collector provides a meaningful and necessary presence within our community and ensures the continued safety of our taxpayer's dollars; and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors is overwhelmingly opposed to any amendment to the Real Property Tax Law, General Municipal Law, Town Law and Education Law that would remove the statutory impediments for the consolidation of local government assessment and tax collection functions including eliminating elected tax collectors in towns and making these offices appointed; and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors is opposed to the governor's proposal to dispense with the requirement that town tax collectors be town residents; and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors is opposed to any measures that would create bigger, more costly government which is less convenient and lacking in the personal service that is currently provided on the town level, and be it

FURTHER RESOLVED, That the Clerk to the Board of Supervisors is hereby directed to send copies of this resolution to Governor David Paterson, Senator Dale Volker, Assemblyman Dan Burling, the New York State Association of Counties, and Inter-County of Western New York.

Carried: XXX Ayes: 1491 Noes: Absent: 127 (Bennington) Abstain: #37

RESOLUTION NO. 08-279
(July 08, 2008)

By Mr. Davis, Chairman of the Finance Committee:

SET PUBLIC HEARING – INTRODUCTORY LOCAL LAW NO. E YEAR 2008

WHEREAS, There has been duly presented and introduced at a meeting of this Board of Supervisors of Wyoming County on this 8th day of July, 2008**,** a proposed local law entitled, "Local Law Introductory No. E Year 2008, "**A LOCAL LAW AUTHORIZING THE INSTALLMENT PAYMENT OF ELIGIBLE DELINQUENT REAL PROPERTY TAXES BY WRITTEN AGREEMENT**," 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 12th day of August, 2008 at 2:00 PM at the Wyoming County Fair Grounds, Pike, New York.

Carried: XXX Ayes: 1491 Noes: Absent: 127 (Bennington) Abstain:

#38

RESOLUTION NO. 08-280
(July 08, 2008)

By Mr. Davis, Chairman of the Finance Committee:

CHAIRMAN AUTHORIZED TO SIGN AGREEMENT WITH TECHNICAL ANALYSTS FOR GOVERNMENT 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 an agreement with Technical Analysts For Government, Inc. 254 Springfield Avenue, Rutherford, NJ 07070 on behalf of the County Treasurer. Said agreement is to provide Professional Accounting Services - Indirect Cost Recovery in an amount not to exceed ten thousand dollars ($10,000.00) annually; effective January 01, 2008 through December 31, 2010.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1491 Noes: Absent: 127 (Bennington) Abstain:

#39

RESOLUTION NO. 08-281
(July 08, 2008)

By Mr. Davis, Chairman of the Finance Committee:

ONE (1) POSITION OF DATA ENTRY MACHINE OPERATOR (ACCOUNTING) (1.00 FTE) CREATED IN THE TREASURER'S OFFICE

BE IT RESOLVED, That one (1) position of Data Entry Machine Operator (Accounting) (1.00 FTE) be hereby created in the Treasurer's Office and placed on the appropriate step and grade of the current CSEA agreement; effective immediately.

Carried: XXX Ayes: 1491 Noes: Absent: 127 (Bennington) Abstain:

RESOLUTION NO. 08-282
(July 08, 2008)

By Mr. Davis, Chairman of the Finance Committee:

SET PUBLIC HEARING – INTRODUCTORY LOCAL LAW NO. F YEAR 2008

WHEREAS, There has been duly presented and introduced at a meeting of this Board of Supervisors of Wyoming County on this 8th day of July, 2008**,** a proposed local law entitled, "Local Law Introductory No. F Year 2008, "**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 12th day of August, 2008 at 2:00 PM at the Wyoming County Fair Grounds, Pike, New York.

Carried: XXX Ayes: 1491 Noes: Absent: 127 (Bennington) Abstain:

There being no further business to come before this Board, Chairman Berwanger called upon Senior Supervisor Bush, T/Gainesville, to adjourn the meeting at 3:15 PM with a rap on his desk.

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Respectfully submitted,
Cheryl J. Ketchum
Cheryl J. Ketchum, Board Clerk

REGULAR SESSION
(August 12, 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, Eric Dadd; Budget Officer, Janis Cook; Clerk to the Board of Supervisors, Cheryl Ketchum and Deputy Clerk to the Board, Brenda Ferrell.

At 2:10 PM Chairman Berwanger, T/Arcade, called the meeting to order.

The Veteran leading the Pledge of Allegiance this month was:

Ronald H. Ashworth

Mr. Ashworth served in the United States Army during the Vietnam War. He answered the call to serve his country when he joined the United States Army in June of 1965. His Basic and Advance Individual Training was at Fort Dix, N.J. and became qualified as an 11B Infantryman.

Mr. Ashworth completed "Jump School" at Ft. Benning, Georgia and was then assigned duties with the 101st. Airborne at Ft. Campbell, Kentucky. Here he completed "Search and Destroy Training" before being assigned duties overseas. Mr. Ashworth spent the next year in Vietnam, still with the 101st Airborne and assigned to the 1st of the 12th under the "Big Red One", the 1st Cavalry Division. He spent the year working in the Province of Ankay in Vietnam with missions of "Search and Destroy". Mr. Ashworth's unit became the famous "Anderson Platoon" which was filmed as a Documentary and Training Film. This documentary of the "Anderson Platoon" was used as the basis for the movie "Platoon" which won an Academy Award in 1967. Mr. Ashworth returned to the United States in the spring of 1967 and was Honorably Discharged in Oakland, California on the 18th of April 1967.

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

NATION DEFENSE SERVICE MEDAL
AIR MEDAL
PARACHUTIST BADGE
VIETNAM SERVICE MEDAL
VIETNAM CAMPAIGN MEDAL

Mr. Ashworth returned to the area and operated the Gulf Station in Arcade for 2 years. He then worked at the Borden's Milk Plant in Maintenance and Steam Heating until its closing. Mr. Ashworth then worked for Aronson as machinist and lathe operator. The next 8 years he spent working for Monroe Games as a Warehouse Supervisor before making his change in vocation to become a truck driver. He spent 10 years driving for R. Conley Trucking in Elma, 13 years driving for Pioneer Transport, and 2 years with Nathan's Delivery in Springville. Retiring from Local 375 of the Teamsters Union Truck Drivers with 25 years of service.

Mr. Ashworth's service to his community includes being the Supervisor for the Town of Freedom since 1986, a member of VFW Post 374 of Arcade for 40 years, being its commander for the past 15 years. He also has been a member of the Eagle Memorial Post in Bliss for over 20 years and a longtime member of the Arcade Overseas Club for many years and is still presently serving on its Board of Directors. Mr. Ashworth has played baseball for the towns of Freedom and Arcade beginning in 1976. He has been married to his wife Sandy for 41 years and they live in Sandusky.

The pledge was said by all.

On behalf of the Board of Supervisors a certificate of appreciation was presented to Mr. Ashworth in honor of his service to his country and also to commemorate his participation in this month's Board Meeting.

Chairman Berwanger offered his good friend, Mr. Ashworth the opportunity to address the Board of Supervisors. Mr. Ashworth told the Board Members that, as a fellow Legislator, he wouldn't want their job for anything in the world. He thanked the Board for the opportunity to lead in the pledge. He stated that he was very proud of the Wyoming County Board of Supervisors for the Veteran's programs and all that they've done for Wyoming County.

Introduction of Assemblyman Daniel Burling. Assemblyman Burling thanked the residents of Wyoming County for their support and shared his family heritage that connects him to Wyoming County. The Assemblyman commented on the work that State Representatives have left to do on the State Budget and the fact that they've been called back to Albany early by the Governor to address the budget issues.

Introduction of the Social Services Employee of the Month. 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 2008 is Jennifer Tross. She has been employed at DSS since 2007 as an Account clerk in our Fiscal Department. Jennifer is being recognized for her tremendous work in assisting the Adult Services department with their various accounts. She questions and meets with the caseworkers to insure accuracy and is very professional.

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

Please join me in recognizing Jennifer Tross.

Communications:

C1: Supervisors are to note that Audit Committee on September 09, 2008 will meet immediately following the Regular Board Meeting that day.

Open Public Hearings:

1. Local Law D (5) of the year 2008, entitled, ***"A Local Law of the County of Wyoming, Establishing the Right to Farm Legislation"***

2. Local Law E (6) of the year 2008, entitled, ***"A Local Law of the County of Wyoming, Authorizing the Installment Payment of Eligible Delinquent Real Property Taxes by Written Agreement"***

3. Local Law F (7) of the year 2008, entitled, ***"A Local Law of the County of Wyoming, Providing Salaries for Certain County Officers for the year 2008"***

Supervisor Gozelski was invited to read the resolution prior to its adoption. Supervisor Gozelski was accompanied by Wyoming County Fair Queen, 3rd runner up, Christina Schie. Ms. Schie is a resident of the Town of Attica. She is sponsored by Plato Brook Farms in Java, owned and operated by Russ and Janet Miller.

Ms. Schie thanked the Board for the award and wished everyone a great year!

RESOLUTION NO. 08-283
(August 12, 2008)

By Mr. Gozelski, Chairman of Agriculture Committee:

WYOMING COUNTY FAIR WEEK PROCLAIMED

WHEREAS, The Wyoming County Fair will be held from August 9th through August 16th , 2008 in the Town of Pike, 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, This year's theme, "Building Strong Foundations for Future Generations," 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 9th through August 16th in the year 2008 as:

"WYOMING COUNTY FAIR WEEK"

and be it

FURTHER RESOLVED, That the Board does hereby applaud the annual efforts produced by the Wyoming County Fair Association.

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

#2

RESOLUTION NO. 08-284
(August 12, 2008)

By Mr. Davis, Chairman of the Finance Committee:

FUNDS TRANSFERRED TO VARIOUS 2008 ACCOUNTS

August 12, 2008

BE IT RESOLVED, That funds are hereby transferred to the various 2008 accounts as follows:

Capital Improvement Projects			
From: 12.61.1620.2.21004 Kaplan Ren. Project 12.61.1620.4.40312 Kaplan Ren. Project 12.61.1620.4.40315 Public Health CIP 12.61.1620.4.40310 Gov. Ctr Repairs 12.61.1620.2.21019 Records Building CIP **To:** 12.61.1620.2.21017 Kaplan Elections CIP 12.61.1620.2.21005 Public Health CIP 12.61.1620.2.21018 Linwood Ave (PD) CIP **Reason:** To adjust Capital Improvement Project budget to cover the cost of individual projects.	$10,941.27 5,287.71 11,133.72 13,000.00 46,000.00	 16,228.98 24,133.72 46,000.00	
From: 12.61.4510.2.21001Hosp. Capital Prop. **To:** 12.61.9950.9.99004 Transfer to Capital **Reason:** To return appropriation to Capital Improvement Project budget following repayment by BAN revenue.	$621,721.82	$621,721.82	
Capital Improvement Projects Total			**$708,084.52**
Social Services			
From: 01.39.6015.2.20001 Furniture 01.39.6015.4.42306 Point of Entry **To**: 01.39.6015.2.20201 Computer Equip. **Reason:** To cover costs of Server	$623.13 $3,346.96	 $3,970.09	
Social Services Total			**$3,970.09**
Sheriff			
From: 01.37.3110.4.40305 Other - Drug Task Force **To:** 01.37.3110.1.10301 Overtime **Reason:** transfer our share of the Drug Task Force Grant (Res 07-212)	$1,359.50	$1,359.50	
Sheriff Total			**$1,359.50**
Emergency Services			
From: 01.37.3020.4.40006 Telephone Maint. **To:** 01.37.3020.2.20501 Fire & Safety Equipment **Reason:** Installation of 17 batteries for Liebert UPS system in dispatch center.	$5,753.60	$5,753.60	
Emergency Services Total			**$5,753.60**

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

#3

RESOLUTION NO. 08-285
(August 12, 2008)

By Mr. Davis, Chairman of the Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2008 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2008 accounts as follows:

Capital Improvement Projects			
To: 14.63.1620.2.21001 CIP Property 14.63.1620.2.21002 Property Renovations **w**/14.14.1620.5730 County Bldgs BAN **Reason:** To set up appropriation and revenue pertaining to the USDA Loan project (408 North Main) approved by Resolution 08-234.	$641,721.82 $858,278.18	$1,500,000.00	
Capital Improvement Projects Total			**$1,500,000.00**
Insurance Department			
To: 01.35.1910.4.40301 Professional Svc. ***From any funds available*** **Reason:** To cover the cost of HR Best Practices, Insurance Dependent Audit (approved by Resolution #07-374)	$23,378.62	$23,378.62	
Insurance Department Total			**$23,378.62**
Youth Bureau			
To: 01.45.7310.4.42479 Positive Parenting w/01.11.7310.3820 State Aid **Reason:** to appropriate for necessary expenses relating to the Positive Parenting Grant with offsetting revenues to be appropriated.	$ 8,157.00	$ 8,157.00	
Youth Bureau Total			**$8,157.00**
Social Services			
To: 01.39.6015.4.42306 Misc. Other w/ 01.11.6015.3615 State Aid **Reason:** POE 2 Grant for period 10/1/07-9/30/08. POE 1 Grant covered period thru 6/30/08, met requirements to get POE 2 Funding.	$45,437.76	$45,437.76	
To: 01.39.6010.4.40508 Private Auto Repair w/01.08.6010.2680 Insurance Recovery **Reason:** To cover cost of vehicle repairs due to accident on 7/8/08.	$2,710.74	$2,710.74	
Social Services Total			**$48,148.50**
Public Health			
To: 01.38.4010.4.42429 Rabies Treatment w/01.11.4010.3442 State Aid - Rabies Grant ***from any funds available*** **Reason:** Rabies Vaccine & Immune Globuline for Rabies post exposure treatment.	$15,380.00	5,380.00 $10,000.00	
Public Health Total			**$15,380.00**
Mental Health			
To: 01.38.4324.4.42306 Miscellaneous Other w/01.03.4324.1289 Other Dept. Revenue **Reason:** MH Month donations to offset expenses.	$1,134.00	$1,134.00	
Mental Health Total			**$1,134.00**
Board of Elections			
To: 01.34.1450.2.23001 Motor Vehicle/Equipment ***From Any funds available*** **Reason:** Purchase 8x20 custom cargo trailer.	$11,066.40	$11,066.40	
Board of Elections Total			**$11,066.40**
District Attorney			
To: 01.32.1168.1.10101 Full Time CSEA 01.32.1168.1.10202 Temporary 01.32.1168.1.10604 Bonus Award (Salary) 01.32.1168.4.40301 Prf. Svc. Contracts 01.32.1168.8.81001 Retirement 01.32.1168.8.83001 FICA 01.32.1168.8.85001 Medicare w/01.11.1168.3089 Aid to Pros Rev. **Reason:** Grant year started on April 1, 2008 and money needs to be appropriate prior to it being spent.	$ 500.00 4,000.00 27,500.00 1,503.00 3,552.00 1,984.00 464.00	$39,503.00	
District Attorney Total			**$39,503.00**
Emergency Services			
To: 01.37.3640.2.20401 Misc. Equipment	$23,205.00		

01.37.3640.4.40401 Training/Education 01.37.3640.4.42102 Safety Expenses **w/**01.03.3640.128901 Other Grant Funds **Reason:** Received grant award of $30,000.00 from William F. Thiel Trust for funding for defibrillators throughout the county buildings, Resolution No. 08-201.	2,035.75 4,759.25	$30,000.00	
Emergency Services Total			**$30,000.00**
Probation			
To: 01.37.3140.4.40406 Employee Mileage ***From any funds available.*** **Reason:** To cover additional mileage expenses for new employee traveling for required training.	$5,000.00	$5,000.00	
Probation Total			**$5,000.00**

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

Mr. Bush, T/Gainesville, Chairman of the Audit Committee, presented bills totaling **$3,056,022.78** for the month of **July 2008**

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

There was a motion by Mr. Patti, T/Attica, to combine resolutions #4 through #7. A voice vote was taken and all voted aye.

Before the roll was called for resolutions 4 through 7 Chairman Berwanger expressed the Board Member's support for Resolution Number 7, regarding WICKS Reform in the Governor Paterson's 2008-2009 New York State Budget and asked Assemblyman Burling take that message back to Albany.

#4

RESOLUTION NO. 08-286
(August 12, 2008)

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

RESOLUTION NUMBER 08-178 AMENDED

WHEREAS, Resolution Number 08-178, entitled, **RESOLUTION NUMBER 08-157 AMENDED,** passed by this Board of Supervisors on May 13, 2008 provides for amended funding under Title 23 U. S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds for engineering, design and Right Of Way in connection with the renovation of East Lake Road; and

WHEREAS, The 20% non-federal funds were initially determined to be $81,000.00 in Resolution Number 08-157 and increased to $127,000.00 in Resolution Number 08-178; now therefore

BE IT RESOLVED, That Resolution Number 08-178 be hereby amended to reflect an updated amount of $134,000.00 as the 20% in non-federal funds; and be it

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.

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

#5

RESOLUTION NO. 08-287
(August 12, 2008)

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

VEHICLE PURCHASE APPROVED IN HIGHWAY DEPARTMENT

BE IT RESOLVED, That the purchase of one (1) 2009 F-150 Reg. cab 4X4 from: ***Pioneer Ford-Mercury,*** 566 Main Street, Arcade, NY 14009 in an amount not to exceed seventeen thousand twenty dollars ($17,020.00) be hereby approved.
Contingent upon the availability of funds.

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

RESOLUTION NO. 08-288
(August 12, 2008)

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

RESOLUTION NUMBER 07-191 AMENDED

WHEREAS, Resolution number 07-191 entitled**, "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 OF APPROXIMATELY 16± MILES OF COUNTY OF WYOMING ROADWAYS IN THE TOWNS OF CASTILE, ATTICA, AND MIDDLEBURY, WYOMING COUNTY, NEW YORK,"** passed by this Board of Supervisors on May 08, 2008, and provides for the borrowing of $3,345,000.00 for the reconstruction of 16± miles of Roadway Reconstruction in the Towns of Castile Attica, and Middlebury, Wyoming County, New York; now therefore

BE IT RESOLVED, That Section 3 of Resolution Number 07-191 be hereby amended to reflect the addition of the Towns of Wethersfield and Orangeville; and be it

FURTHER RESOLVED, That Section 4 of Resolution Number 07-191 be hereby repealed and replaced with the following:

Section 4. The estimated maximum cost of the reconstruction of said road is the sum of $4,645,000.00 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 $1,290,000.00 will be generated from other funds.

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

RESOLUTION NO. 08-289
(August 12, 2008)

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

RESOLUTION IN OPPOSITION TO WICKS REFORM AS OF GOVERNOR PATERSON'S 2008-2009 STATE BUDGET

WHEREAS, Under the cover of "Wicks Reform," legislation included a new Section 222 of the Labor Law. Section 222 encourages the adoption by local government of union-only project labor agreements (PLAs) by promising localities a complete waiver from the separate contract requirements of the Wicks Law whenever a PLA is adopted; and

WHEREAS, Section 222 mandates that when a PLA has been adopted, all contractor and subcontractors participating on the project must participate in a Department of Labor approved apprenticeship program that has been operating for at least 3 years, has graduated at least one apprentice in the past 3 years, and has at least one apprentice currently enrolled; and

WHEREAS, The PLA requirement, apprenticeship provisions, and prequalification all spell higher costs for taxpayers and fewer public contracting opportunities for hundreds of firms, both union and non-union; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors strongly opposes the WICKS Reform implemented with Governor David Paterson's 2008-2009 New York State Budget and urges the Governor and legislature to take immediate action to repeal this costly legislation; and be it

FURTHER RESOLVED, That the Clerk to this Board forward copies of this resolution to New York State Governor David Paterson, New York State Senator Dale Volker, New York State Assemblyman Daniel Burling, Inter-County of Western New York, and the New York State Association of Counties.

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

There was a motion by Mrs. Totsline, T/Genesee Falls, to combine resolutions #8 through #12. A voice vote was taken and all voted aye.

#8

RESOLUTION NO. 08-290
(August 12, 2008)

By Mrs. Totsline, Chairman of Human Services Committee:

CHAIRMAN AUTHORIZED TO SIGN A GRANT APPLICATION AND ACCEPTANCE AWARD WITH THE NEW YORK STATE EXECUTIVE DEPARTMENT OFFICE OF GENERAL SERVICES ON BEHALF OF VETERAN 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 Application and Acceptance Award with NYS Executive Department Office of General Services, OGS Division of Financial Administration, PO Box 2282, Empire State Plaza, Albany NY 12220-0282 on behalf of Veteran Services. Said grant is for the provision of state aid for veterans services in a minimum amount of five thousand dollars ($5,000.000); effective April 01, 2008 through March 31, 2009.

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

#9

RESOLUTION NO. 08-291
(August 12, 2008)

By Mrs. Totsline, 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 the Office for the Aging. Said contract is for the provision of HEAP application processing not to exceed two thousand five hundred dollars ($2,500.00); effective September 15, 2008 through November 30, 2008.

Contingent upon the availability of funds.

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

#10

RESOLUTION NO. 08-292
(August 12, 2008)

By Mrs. Totsline, Chairman of Human Services Committee:

CHAIRMAN / COMMISSIONER OF SOCIAL SERVICES AUTHORIZED TO SIGN A MEMORANDUM OF AGREEMENT WITH ADECCO ON BEHALF OF THE DEPARTMENT OF SOCIAL SERVICES

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a memorandum of agreement with Adecco, 230 East Main Street, Arcade, NY 14009 on behalf of the Department of Social Services. Said contract is for the employment of 2 Energy Resource Aides for the HEAP Program for the 2008-2009 season in an amount not to exceed forty thousand five hundred six dollars ($40,506.00) (100% Federal); effective September 12, 2008 through September 30, 2009.

Contingent upon the availability of funds.

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

#11

RESOLUTION NO. 08-293
(August 12, 2008)

By Mrs. Totsline, Chairman of Human Services Committee:

CHAIRMAN / COMMISSIONER OF SOCIAL SERVICES AUTHORIZED TO SIGN MAINTENANCE AGREEMENT WITH COMPLETE OFFICE SOLUTIONS, INC. ON BEHALF OF THE DEPARTMENT OF SOCIAL SERVICES

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a maintenance agreement with Complete Office Solutions, Inc. (COSI), 636 West Main St., Arcade, NY 14009 on behalf of the Department of Social Services. Said agreement is to provide for maintenance, parts, labor & toner for the 6 photocopies/printers at the Department of Social Services in an amount not to exceed six thousand seventy eight dollars ($6,078.00); effective June 10, 2008 through June 10, 2009.
Contingent upon the availability of funds.

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

#12

RESOLUTION NO. 08-294
(August 12, 2008)

By Mrs. Totsline, 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;

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 supported 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

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 2008** as

CHILD SUPPORT AWARENESS MONTH

in the County of Wyoming.

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

Supervisor Totsline was invited to present the resolution for Child Support Awareness Month to Social Services Commissioner D. Schmitt and Director of Child Support Enforcement and Fraud, Judy Gardner.

New York Connects Kick off Announcement by S. Wheeler, D. Schmitt, and A. Proper

(Ms. Wheeler was unavailable for the Kick off Announcement.) A New York Connects sign was presented to the Board of Supervisors for display at the Government Center.

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

#13

RESOLUTION NO. 08-295
(August 12, 2008)

By Mr. Kushner, Chairman of Public Health Committee:

CHAIRMAN / COMMISSIONER OF PUBLIC HEALTH AUTHORIZED TO SIGN A LEASE AGREEMENT WITH VISION FORD ON BEHALF OF THE COUNTY HEALTH DEPARTMENT

BE IT RESOLVED, That the Chairman of this Board and the Commissioner of Public Health with the approval of the County Attorney are hereby authorized and directed to sign a lease agreement with Vision Ford, 4545 Ridge Road West, Rochester NY 14626 as the lowest responsible bidder on

behalf of the County Health Department. Said agreement is for the lease of a 2009 Ford Focus not to exceed thirteen thousand one hundred eight dollars and fifty-six cents ($13,108.56) funds provided through the NYSDOH Drinking Water Enhancement grant.
Contingent upon the availability of funds.

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

#14

RESOLUTION NO. 08-296
(August 12, 2008)

By Mr. Kushner, Chairman of Public Health Committee:

RESOLUTION NUMBER 08-62 AMENDED

WHEREAS, Resolution Number 08-62, entitled, **CHAIRMAN AUTHORIZED TO SIGN VARIOUS GRANT APPLICATIONS AND/OR RENEWALS ON BEHALF OF WYOMING COUNTY HEALTH DEPARTMENT AND CERTIFIED HOME HEALTH AGENCY FOR THE YEAR 2008,** passed by this Board of Supervisors on February 12, 2008 provides for various contracts for the Health Department and Certified Home Health Agency; now therefore

BE IT RESOLVED, That resolution number 08-62 be hereby amended to reflect A change in funding ONLY:

- NYS Department of Health Childhood Lead Poisoning Prevention Program (4/1/08-3/31/09) $39,200 (***decreased amount of original approval by 2% totaling $800 due to FY 08/09 State Budget directive);*** and

- NYS Department Health Children with Special Health Care Needs (10/1/08-9/30/09) $17,427.00 (***decreased amount of original approval by 2% totaling $356.00 due to FY 08/09 State Budget directive).***

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

RESOLUTION NO. 08-297
(August 12, 2008)

By Mr. Kushner, Chairman of Public Health Committee:

CHAIRMAN / COMMISSIONER OF PUBLIC HEALTH AUTHORIZED TO SIGN A SUBCONTRACT WITH UNIVERSITY OF ROCHESTER CENTER FOR COMMUNITY HEALTH ON BEHALF OF THE COUNTY HEALTH DEPARTMENT

BE IT RESOLVED, That the Chairman of this Board and the Commissioner of Public Health with the approval of the County Attorney are hereby authorized and directed to sign a subcontract with the University of Rochester Center for Community Health, 601 Elmwood Ave., Box 706, Rochester, NY 14642 on behalf of the County Health Department. Said subcontract is for reimbursement of Cancer Prevention Program activities, in a minimum amount of sixty-eight thousand nine hundred twenty-two dollars ($68,922.00); effective April 01, 2008 through March 31, 2009.

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

#16

RESOLUTION NO. 08-298
(August 12, 2008)

By Mr. Fleischman, Chairman of Planning Committee:

CHAIRMAN AUTHORIZED TO SIGN A YEARLY RENEWAL 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 the annual renewal contract with Wyoming County Community Action, 6470 Route 20A, Suite 1, Perry NY 14530 on behalf of Wyoming County. Said contract is

for the provision of the July 01, 2007 through June 30, 2012 Workforce Investment Board programs administration; effective July 01, 2008 through June 30, 2012.
Contingent upon the availability of funds.

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

There was a motion by Mrs. Meeder, T/Middlebury, to combine resolutions #17 and #18. A voice vote was taken and all voted aye.

#17

RESOLUTION NO. 08-299
(August 12, 2008)

By Mrs. Meeder, Chairman of Human Resource Committee:

SET PUBLIC HEARING – INTRODUCTORY LOCAL LAW NO. H YEAR 2008

WHEREAS, There has been duly presented and introduced at a meeting of this Board of Supervisors of Wyoming County on this 12th day of August, 2008**,** a proposed local law entitled, "Local Law Introductory No. H Year 2008, "**A LOCAL LAW PROVIDING FOR ENHANCED PERSONAL PRIVACY PROTECTION FOR DOCUMENTS RECORDED IN THE OFFICE OF THE COUNTY CLERK, AND AUTHORIZING AN INCREASE IN FEES COLLECTED BY THE COUNTY CLERK FOR THE RECORDING, ENTERING, INDEXING AND ENDORSING A CERTIFICATE ON ANY INSTRUMENT**," 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 9th day of September, 2008 at 2:30 PM at the Wyoming County Government Center, Warsaw, New York.

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

RESOLUTION NO. 08-300
(August 12, 2008)

By Mrs. Meeder, Chairman of Human Resource Committee:

CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH BRADLEY JANSON ON BEHALF OF THE COUNTY ATTORNEY

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 Bradley Janson, 52 North Main Street, Warsaw, NY 14569 on behalf of the County Attorney. Said contract is for the provision of representation of Wyoming County Social Services in Child Support Court two (2) days per week and any Article 8 conflict cases which may arise for the Supervising Assistant County Attorney, as well as such services to include with limitation thereto all necessary legal services to complete tasks assigned in an amount not to exceed two thousand five hundred dollars ($2,500.00) per month not to exceed five thousand dollars ($5,000.00) total; effective August 01, 2008 through September 30, 2008.
Contingent upon the availability of funds.

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

There was a motion by Mr. Rogers, T/Pike, to combine resolutions #19 through #28. A voice vote was taken and all voted aye.

Prior to the roll call vote for resolutions numbered 19 through 28, Supervisor Rogers commented on the importance of resolution number 24 supporting a County Wide Addressing Policy.

#19

RESOLUTION NO. 08-301
(August 12, 2008)

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

CHAIRMAN AUTHORIZED TO SIGN A GRANT ACCEPTANCE AWARD WITH THE DEPARTMENT OF

CRIMINAL JUSTICE SERVICES ON BEHALF OF THE DISTRICT ATTORNEY

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, 4 Tower Place, Albany, New York on behalf of the District Attorney. Said grant is for the provision of funding for the District Attorney's Recruitment and Retention Program in a minimum amount of five thousand nine hundred sixteen dollars ($5,916.00); effective January 01, 2008 through December 31, 2009. This award is intended as a one time payout of two thousand nine hundred fifty-eight dollars ($2,958.00) for each Assistant District Attorney, inclusive of all fringe benefits, with no county match; effective January 01, 2009, however, contract is deemed complete once all salaries and fringes are expended.

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

#20

RESOLUTION NO. 08-302
(August 12, 2008)

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

CHAIRMAN AUTHORIZED TO SIGN A GRANT ACCEPTANCE AWARD WITH THE DEPARTMENT OF CRIMINAL JUSTICE SERVICES ON BEHALF OF THE DISTRICT ATTORNEY

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 Operation Impact Tools Initiative Grant with DCJS, 4 Tower Place, Albany, New York 12203-3764 on behalf of the District Attorney. Said grant to provide for training, reduction of criminal activity within Wyoming County through collaboration between the District Attorney's office and the Wyoming County Drug Task Force in a minimum amount of forty-seven thousand nine hundred dollars ($47,900.00). Requires 10% match as this would be the second year of funding; effective October 01, 2008 through September 30, 2009.

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

RESOLUTION NO. 08-303
(August 12, 2008)

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

RESOLUTION NUMBER 08-224 AMENDED

WHEREAS, Resolution Number 08-224, entitled, **CHAIRMAN AUTHORIZED TO SIGN A GRANT ACCEPTANCE AWARD WITH THE STATE OF NEW YORK, DIVISION OF CRIMINAL JUSTICE SERVICE ON BEHALF OF THE DISTRICT ATTORNEY'S OFFICE,** passed by this Board of Supervisors on June 10, 2008 provides for Aid to Prosecution funding; now therefore

BE IT RESOLVED, That resolution number 08-224 be amended to reflect an extended effective date of March 31, 2009 through September 15, 2009.

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

#22

RESOLUTION NO. 08-304
(August 12, 2008)

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

CHAIRMAN AUTHORIZED TO SIGN AN AGREEMENT WITH FRED A. NUDD ON BEHALF OF WYOMING COUNTY 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 Fred A. Nudd Corporation, 1743 Route 104, Box 577, Ontario, NY 14519 on behalf of Wyoming County Emergency Services. Said agreement to provide inspection and adjustments of radio tower in an amount not to exceed three thousand eight hundred twenty dollars ($3,820.00); effective August 12, 2008 through August 11, 2010.

Contingent upon the availability of funds.

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

#23

RESOLUTION NO. 08-305
(August 12, 2008)

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

SET PUBLIC HEARING – INTRODUCTORY LOCAL LAW NO. G YEAR 2008

WHEREAS, There has been duly presented and introduced at a meeting of this Board of Supervisors of Wyoming County on this 12th day of August, 2008**,** a proposed local law entitled, "Local Law Introductory No. G Year 2008, "**A LOCAL LAW IMPOSING A SURCHARGE ON WIRELESS COMMUNICATIONS SERVICE IN THE COUNTY OF WYOMING**," 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 9th day of September, 2008 at 2:30 PM at the Wyoming County Government Center, Warsaw, New York.

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

#24

RESOLUTION NO. 08-306
(August 12, 2008)

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

DIRECTING THE OFFICE OF WYOMING COUNTY FIRE AND EMERGENCY SERVICES TO IMPROVE AND ESTABLISH, AS NECESSARY, A COUNTYWIDE SYSTEM OF PROPERTY IDENTIFICATION AND NUMBERING

WHEREAS, The Director of Wyoming County Fire and Emergency Management has reviewed the status of the existing property identification and numbering system in the County of Wyoming and has determined that there is a need to improve said property identification and numbering system so as to advance the public safety, health, and welfare of the residents of Wyoming County; and

WHEREAS, The office of the Wyoming County Fire and Emergency Management has consulted with the Wyoming County Highway Department, the Wyoming County Fire and Building Codes Department, the Wyoming County Sheriff's Department and Wyoming County Real Property Tax Services and has developed an initial proposed plan for improving the property identification and numbering system in the County of Wyoming; and

WHEREAS, It is anticipated that upon completion of the improvement of the Wyoming County property identification and numbering system as contemplated by this Resolution, this Board of Supervisors will adopt a local law requiring the property owners in the County of Wyoming display identifying property numbering signs on their property; now therefore

BE IT RESOLVED, That the Board of Supervisors for the County of Wyoming hereby designates the office of Wyoming County Fire and Emergency Management as the responsible agency to undertake the improvement of the countywide real property identification and numbering system; and be it further

RESOLVED, That the Wyoming County Highway Department, the Wyoming County Fire and Building Codes Department, the Wyoming County Sheriff's Department and Wyoming County Real Property Tax Services are hereby requested to cooperate fully in the completion of this important project.

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

#25

RESOLUTION NO. 08-307
(August 12, 2008)

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

CHAIRMAN AUTHORIZED TO SIGN A GRANT PARTICIPATION AGREEMENT WITH THE NEW YORK STATE EMERGENCY MANAGEMENT OFFICE ON

August 12, 2008

BEHALF OF WYOMING COUNTY EMERGENCY SERVICES

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign the Local Emergency Management Performance Grant participation agreement for Federal Fiscal Year 2008 with NYS Emergency Management Office, 1220 Washington Avenue, Building 22, Suite 101, Albany, NY 12226-2251 on behalf of Wyoming County Emergency Services. Said grant is for reimbursement of personnel and administrative expenses that support readiness, response and recovery activities for disasters and emergencies that threaten our communities in a minimum amount of twenty-two thousand six hundred sixty-seven dollars ($22,667.00); effective October 01, 2007 through September 30, 2009.

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

#26

RESOLUTION NO. 08-308
(August 12, 2008)

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

CHAIRMAN AUTHORIZED TO SIGN AN AGREEMENT WITH NEW YORK STATE DEPARTMENT OF STATE FOR THE LOCAL ENHANCED WIRELESS 911 ON BEHALF OF WYOMING COUNTY EMERGENCY SERVICES

BE IT RESOVLED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign an agreement with NYS Department of State for the Local Enhanced Wireless 911 Program on behalf of Wyoming County Emergency Services. Said agreement provides for reimbursement of costs associated with the provision of Wireless 911 services in a minimum amount of twenty-four thousand seven hundred eighty-nine dollars ($24,789.00); effective April 01, 2007 through March 31, 2010.

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

RESOLUTION NO. 08-309
(August 12, 2008)

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

CHAIRMAN AUTHORIZED TO SIGN CONTRACTS 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 the following contracts with the Division of Probation and Correctional Alternative, 80 Wolf Rd., Albany, NY 12205 on behalf of Probation:

- ***Probation Eligible Diversion Contract –*** Funds from this program are applied to drug court supervision and expenses in a minimum amount of thirteen thousand one hundred dollars ($13,100.00); effective January 01, 2008 through December 31, 2008.
- ***State Aid to Probation –*** Reimbursement for basic probation services in a minimum amount of sixty-five thousand five hundred dollars ($65,000.00); effective January 01, 2008 through December 31, 2008.

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

#28

RESOLUTION NO. 08-310
(August 12, 2008)

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

CHAIRMAN AUTHORIZED TO SIGN AN MEMORANDUM OF AGREEMENT WITH WYOMING COUNTY COMMUNITY HEALTH

August 12, 2008

CENTER/BEHAVIORAL UNIT 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 Memorandum of Understanding with Wyoming County Community Health Center/Behavioral Unit on behalf of Wyoming County Probation. Said Memorandum of Understanding is for mental health services to mentally ill probationers in an amount not to exceed fifty thousand dollars ($50,000.00) to be paid out of the Shared Services Grant from State Probation; effective July 01, 2008 through June 30, 2009.
Contingent upon the availability of funds.

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

There was a motion by Mr. Davis, T/Covington, to combine resolutions #29 through #35. A voice vote was taken and all voted aye.

Prior to the roll call vote of resolutions 29 through 35, Supervisor Rogers questioned the dollar amount presented in resolution number 29. Clerk Ketchum confirmed the correct amount with Director Santoro prior to this Board Meeting.

Supervisor Davis commented on resolution number 31 as being a continuation of a current mortgage recording tax not a newly imposed tax.

Supervisor Rogers clarified resolution number 33 as being an annual New York State grant. Funds are specific to the retention of District Attorney personnel. If Wyoming County does not use these Aid to Prosecution funds they will be reallocated to another county for their use.

#29

RESOLUTION NO. 08-311
(August 12, 2008)

By Mr. Davis, Chairman of the Finance Committee:

APPROVING SOLE SOURCE PROCUREMENT FOR FIRE TRAINING BUILDING STRUCTURE

WHEREAS, The Director of Wyoming County Fire and Emergency Management has advised the Board of Supervisors for the County of Wyoming that there is an immediate and present need to procure and construct a fire training tower so as to facilitate the mission of the County Fire and Emergency Management as well as to ensure the public safety, health and welfare of the residents of Wyoming County by providing appropriate firefighting training facilities; and

WHEREAS, Fire Facilities, Inc. is the manufacturer of certain "Live Burn Building" structures which employ the proprietary WestTec Insulation system which is a proprietary project; and

WHEREAS, Based upon market research conducted by Wyoming County Fire and Emergency Management and confirmed in consultation with numerous other counties in the State of New York, there are no other manufacturers of fire training structures who offer a comparable product to that offered by Fire Facilities, Inc.; and

WHEREAS, The Director of the County Fire and Emergency Management has arranged for professional design services and other services and/or resources necessary to proceed with the construction of a fire training tower; now therefore

BE IT RESOLVED, That the Board of Supervisors for the County of Wyoming hereby authorizes the Director of Wyoming County Fire and Emergency Management to negotiate a sole source contract with Fire Facilities, Inc. for a pre-engineered Live Burn Building/fire training tower for an amount not to exceed two hundred thousand dollars ($200,000.00); and be it further

RESOLVED, That the contract with Fire Facilities, Inc. shall be subject to the approval of the County Attorney pursuant to this resolution.

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

#30

RESOLUTION NO. 08-312
(August 12, 2008)

By Mr. Davis, Chairman of the Finance Committee:

SALARY SCHEDULE "S" AMENDED

BE IT RESOLVED, That the Wyoming County Salary Plan which became effective January 01, 1967, as amended, is hereby amended as follows:

- Set the salary of the Deputy County Treasurer at $38,000.00 annually; effective August 12, 2008; and

- Approve a one time stipend in the amount of $5,000.00 to the Secretary to the County Highway Superintendent for additional time and paperwork involved with the "Better Pavement Program"; effective with the first payroll in December of 2008.

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

#31

RESOLUTION NO. 08-313
(August 12, 2008)

By Mr. Davis, Chairman of the Finance Committee:

SET PUBLIC HEARING – INTRODUCTORY LOCAL LAW NO. C YEAR 2008

WHEREAS, There has been duly presented and introduced at a meeting of this Board of Supervisors of Wyoming County on this 12th day of August, 2008**,** a proposed local law entitled, "Local Law Introductory No. C Year 2008, "**A LOCAL LAW TO CONTINUE TO IMPOSE A COUNTY MORTGAGE RECORDING TAX ON OBLIGATIONS SECURED BY A MORTGAGE ON REAL PROPERTY AND TO REPEAL LOCAL LAW NUMBER 5 OF 2005**," 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 9th day of September, 2008 at 2:30 PM at the Wyoming County Government Center, Warsaw, New York.

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

RESOLUTION NO. 08-314
(August 12, 2008)

By Mr. Davis, Chairman of the Finance Committee:

ONE POSITION OF CLERK (TEMPORARY) (1.00 FTE) CREATED IN THE DEPARTMENT OF SOCIAL SERVICES

BE IT RESOLVED, That one (1) position of Clerk (Temporary) (1.00 FTE) be hereby created in the Department of Social Services; effective through the medical leave of a current Clerk.

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

#33

RESOLUTION NO. 08-315
(August 12, 2008)

By Mr. Davis, Chairman of the Finance Committee:

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":

District Attorney:

One time stipends payable after April 01, 2009 with Aid to Prosecution Grant funds.

- (1st) Assistant District Attorney $11,000.00
- (2nd) Assistant District Attorney 10,000.00
- Secretary to the District Attorney 3,500.00
- Secretary I 2,500.00
- Crime Victims Program Coordin. 500.00

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

One time Recruitment and Retention Award payable after January 01, 2009.

- (1st) Assistant District Attorney$2,493.00
- (2nd) Assistant District Attorney 2,493.00

- Set the salary of the ***Domestic Violence Coordinator*** at $31,000.00 annually; effective October 01, 2007 (this position runs concurrently with the Violence Against Women Act Grant and the Crime Victims Board Grant).

- Set the salary of the ***Domestic Violence Coordinator*** at $32,000.00 annually; effective October 01, 2008 (this position runs concurrently with the Violence Against Women Act Grant and the Crime Victims Board Grant).

- Place one (1) position of ***Secretary I (.5 FTE)*** within the District Attorney's Office on Salary Schedule "G" at an hourly rate of $12.00, effective immediately to run concurrently with the Aid to Prosecution Funds for as long as these funds remain available.

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

#34

RESOLUTION NO. 08-316
(August 12, 2008)

By Mr. Davis, Chairman of the Finance Committee:

JOAN KIBLER APPOINTED HIPAA PRIVACY OFFICER

BE IT RESOLVED, That Joan Kibler, 3 Perry Avenue, Warsaw, NY 14569 be hereby appointed as Wyoming County's HIPAA Privacy Officer; effective October 04, 2008, with the retirement of current HIPAA Privacy Officer, Anne Herod through December 31, 2008.

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

RESOLUTION NO. 08-317
(August 12, 2008)

By Mr. Davis, Chairman of the Finance Committee:

PRIVATE SALE OF REAL PROPERTY APPROVED

WHEREAS, The Wyoming County Board of Supervisors by Local Law No. 4 of 2008 has authorized the sale of certain surplus property located at 13 S. Main Street in the Town of Gainesville, NY to Douglas Copeland, 5 South Main Street, Gainesville, NY 14066 with the approval of the County Attorney; now therefore

BE IT RESOLVED, That the Chairman of this Board of Supervisors is authorized to accept the purchase offer presented by Douglas Copeland for twelve thousand five hundred dollars ($12,500.00) and is further authorized to execute all documents in connection with the sale of said property.

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

Public Comment:

Russ Miller *of Arcade representing the Agriculture and Farmland Protection Board. Mr. Miller commented on the importance of the Right to Farm legislation about to be considered by this Board of Supervisors today and urged the Board to pass the local law.*

Close Public Hearing:

There being no further comments on the following Local Law, Chairman Berwanger asked for a motion to close the Public Hearing.

Supervisor Rogers moved that the public hearing be closed. Supervisor Gozelski seconded the motion, all voted aye and the Public Hearing was closed.

Public Hearing
#36

RESOLUTION NO. 08-318
(August 12, 2008)

August 12, 2008

By Mr. Fleischman, Chairman of the Planning Committee and Mr. Gozelski, Chairman of the Agriculture Committee:

LOCAL LAW 5 (INTRODUCTORY D) - YEAR 2008, A Local Law of the County of Wyoming, Establishing the Right to Farm Legislation, ADOPTED

WHEREAS, there was duly presented and introduced at a meeting of this Board, held on the 10th day of June, 2008, a proposed local law of the County, designated as Local Law Introductory No. D, for the year 2008, entitled, ***A Local Law of the County of Wyoming, Establishing the Right to Farm Legislation***; and

WHEREAS, in accordance with the provisions of Resolution No. 08-221, there was a public hearing held by this Board of Supervisors on this 12th day of August, 2008 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. D, Year 2008, County of Wyoming, New York, as presented to this Board on the 10th day of June, 2008, is hereby adopted, enacted and passed by this Board in its original form as follows:

LOCAL LAW NO. 5 - YEAR 2008

County of Wyoming, Providing a Local Law Establishing the Right to Farm Legislation

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

SECTION 1 – TITLE

This local Law shall be known and cited as "A Local Law of Wyoming County, New York Establishing the Right to Farm Legislation."

SECTION 2 – LEGISLATIVE INTENT AND PURPOSES

The Wyoming County Board of Supervisors finds, declares and determines that agriculture is vital to Wyoming County, New York, because it is a livelihood and provides employment for agri-service, provides locally produced fresh commodities; agricultural diversity promotes economic stability; agriculture maintains open space and promotes environmental quality; and agricultural land does not increase the demand for services provided by local governments. In order to maintain a viable farming economy in Wyoming County, farmers must be afforded protection allowing them the right to farm. When non-agricultural land uses extend into agricultural areas, agricultural operations may become the subject of nuisance suits. As a result, agricultural operations are sometimes forced to cease operation or are discouraged from making investments in agricultural improvements.

It is the purpose of this law to reduce the loss to Wyoming County of its agricultural resources by limiting the circumstances under which farming may be deemed to be a nuisance and to allow agricultural practices inherent to and necessary for the business of farming to proceed and be undertaken free of unreasonable and unwarranted interference or restriction.

SECTION 3 – DEFINITIONS

a. "Agricultural and Farmland Protection Board" shall mean a board formally
appointed by the County Board of Supervisors according to Article 25AA – 302 of New York State Agriculture and Markets Law.

b. "Right to Farm Committee" shall mean a committee, formally appointed by the Town Board of any town within Wyoming County, for the purpose of resolving right to farm disputes as provided hereunder. Such a committee shall be appointed on either an annual or ad hoc basis (or an existing committee can be designed to serve in that capacity) with such number of members as the Town Board shall determine, provided there are no less than three with at least one representative each from the farm and non-farm communities. All members, however, shall be knowledgeable regarding agricultural practices common to the Town. The decision to form such a committee shall be at the sole discretion of the Town Board.

c. "Agricultural Practices" shall mean all activities conducted by a farmer on a farm to produce agricultural products and which are inherent and necessary to the operation of a farm, and the on-farm production, processing and marketing of agricultural products including, but not limited to, the collection, transportation, distribution, storage and land

application of animal wastes; storage, transportation and use of equipment for tillage, planting, harvesting, irrigation, fertilization and pesticide application; storage and use of legally permitted fertilizers, limes and pesticides all in accordance with local, state and federal law and regulations and in accordance with manufacturers' instructions and warnings; storage, use, and application of animal feed and foodstuffs; construction and use of farm structures and facilities for the storage of animal wastes, farm equipment, pesticides, fertilizers, agricultural products and livestock, for the processing of animal wastes and agricultural products, for the sale of agricultural products, and for the use of farm labor, as permitted by local and state building codes and regulations; including the construction and maintenance of fences.

d. "Agricultural Products" shall mean those products as defined in Section 301(2) of
Article Twenty-five-AA (25-AA) of the Agriculture and Markets Law.

e. "Farm" shall mean the land, buildings, farm residential buildings and machinery
used in the production, whether for profit or otherwise, of agricultural products.

f. "Farmer" shall mean any person, organization, association, partnership or
corporation engaged in the business of agriculture, for profit or otherwise, including the cultivation of land, the raising of crops, or the raising of livestock, poultry, fur bearing animals, or fish, the harvesting of timber or the practicing of horticulture or apiculture.

g. "Generally Accepted Agricultural Practices" shall mean those practices which are
feasible, lawful, inherent, customary, necessary, reasonable, normal, safe and typical to the industry or unique to the commodity as they pertain to the practices listed in Section 3(c) entitled "agricultural practices".

h. Unless specifically defined, the above words or phrases used in this Local Law
shall be interpreted so as to give them meanings they have in common usage, and to give this Local Law its most reasonable application.

I. "Agricultural Advisory Resolution Committee" shall mean all eight (8) voting

members of the Wyoming County Agricultural Farmland Protection Board plus

one (1) annually appointed member of the County Planning Board.

SECTION 4 – RIGHT-TO-FARM DECLARATION

Farmers, as well as those employed, retained or otherwise authorized to act on behalf of farmers, may lawfully engage in agricultural practices within Wyoming County at all such times and in all such locations as are reasonably necessary to conduct the business of agriculture. For any agriculture practice, in determining the reasonableness of the time, place and methodology of such practice, due weight and consideration shall be given to both traditional customs and procedures in the farming industry as well as to advances resulting from increased knowledge and improved technologies.

Agricultural practices conducted on farmland shall not be found to be a public or private nuisance if such agricultural practices are:

1. Reasonable and necessary to the particular farm or farm operation

2. Conducted in a manner which is not negligent or reckless

3. Conducted in conformity with generally accepted agricultural practices

4. Conducted in conformity with all local, state and federal laws and regulations

5. Conducted in a manner which does not constitute a threat to public health and safety or cause injury to health or safety of any person, and

6. Conducted in a manner that does not unreasonably obstruct the free passage or use of navigable waters or public roadway.

Nothing in this Local Law shall be construed to prohibit an aggrieved party from recovering damages for bodily injury or wrongful death due to failure to follow sound agricultural practices, as set forth in this section.

SECTION 5 – SEVERABILITY CLAUSE

If for any part of the Local Law is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remainder of this Local Law.

SECTION 6 – NOTIFICATION OF REAL ESTATE BUYERS

In order to promote harmony between farmers and their new neighbors, Wyoming County requires landholders and/or their agents and assigns to provide written disclosure notice to prospective purchasers and occupants as follows: "This property is within Wyoming County and it is the policy of the County to conserve, protect, and encourage the development of farm operations within our borders for the production of food and other products and one should be aware of the inherent potential conditions associated with such purchases or residence. Such conditions may include, but are not limited to, noise, odors, fumes, dust, smoke, insects, operation of machinery during any hour, day or night, storage, and disposal of plant and animal waste products and the application of chemical fertilizers, soil amendments, herbicides, and pesticides by ground or aerial spraying or other methods.

Property owners and residents of Wyoming County should be aware that farmers have the right to undertake generally accepted practices and one should expect such conditions as a normal and necessary aspect of living in an agricultural area.

The failure to include a documented disclosure notice shall not affect the validity of such purchase and sale contract.

SECTION 7 – RESOLUTION OF DISPUTES

Any issue of controversy that arises which cannot be resolved directly between the parties involved, shall first submit the controversy to the Town's Right to Farm Committee or, in the absence of a local committee, the Wyoming County Agricultural Advisory Resolution Committee for prompt and inexpensive open hearing, recommendations and resolution. The Wyoming County Agricultural Advisory Resolution Committee will consist of all eight (8) voting members of the Agricultural Farmland Protection Board and one annually appointed individual from the Wyoming County Planning Board, who should be a non-farm resident. The Agricultural Advisory Resolution Committee will act as a grievance committee as a whole. The Committee will consist of nine (9) members and a quorum (5 members) must be present. Any controversy between the parties may be submitted to the Resolution Committee, whose decision shall be advisory only, within thirty one (31) days of the date of occurrence of the particular and specific activity giving rise to the controversy or of the date a party became aware of the occurrence so that the issue can be placed on the agenda of the next regularly scheduled meeting of the Agricultural Farmland Protection Board for referral to the Wyoming County Agricultural Advisory Resolution Committee. The Resolution Committee will hold a hearing within thirty one (31) days of receipt of referral. Within thirty one (31) days of the Resolution Committee Meeting a written decision must be rendered to the parties involved.

The effectiveness of the Resolution Committee as a forum for resolution of grievances is dependent upon full discussion and complete disclosure and presentation of all pertinent facts concerning the dispute in order to eliminate any misunderstandings. The parties are encouraged to cooperate in the exchange of pertinent information concerning the controversy.

Any dispute decision made by the Resolution Committee is advisory only and can be appealed to the State Commissioner of the Department of Agriculture and Markets.

SECTION 8 – EFFECTIVE DATE

This Local Law shall be effective immediately upon acceptance by the Wyoming County Board of Supervisors and filing with the New York State Secretary of State.

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

Public Comment:

Wyoming County Treasurer, Cheryl Mayer. *Ms. Mayer urged the Board of Supervisors to pass this local law because it offers the real property tax payers of Wyoming County an opportunity to pay delinquent real property taxes by written agreement in certain instances and not loose their properties.*

Close Public Hearing:

There being no further comments on the following Local Law, Chairman Berwanger asked for a motion to close the Public Hearing.

Supervisor Gozelski moved that the public hearing be closed. Supervisor Knab seconded the motion, all voted aye and the Public Hearing was closed.

Public Hearing #37

RESOLUTION NO. 08-319
(August 12, 2008)

By Mr. Davis, Chairman of the Finance Committee:

LOCAL LAW 6 (INTRODUCTORY E) - YEAR 2008, A Local Law of the County of Wyoming, Authorizing the Installment Payment of Eligible Delinquent Real Property Taxes by Written Agreement, ADOPTED

WHEREAS, There was duly presented and introduced at a meeting of this Board, held on the 8th day of July, 2008, a proposed local law of the County, designated as Local Law Introductory No. E, for the year 2008, entitled, ***A Local Law of the County of Wyoming, Authorizing the Installment Payment of Eligible Delinquent Real Property Taxes by Written Agreement***; and

WHEREAS, in accordance with the provisions of Resolution No. 08-279, there was a public hearing held by this Board of Supervisors on this 12th day of August, 2008 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. E, Year 2008, County of Wyoming, New York, as presented to this Board on the 8th day of July, 2008, is hereby adopted, enacted and passed by this Board in its original form as follows:

LOCAL LAW NO. 6 - YEAR 2008

A Local Law Authorizing the Installment Payment of Eligible Delinquent Real Property Taxes by Written Agreement

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

Section 1) PURPOSE. Real Property Tax Law, Section 1184 authorizes the enactment of a local law providing for the payment of eligible delinquent taxes through an installment payment agreement. The purpose of this Local law is to authorize such installment payment agreements in Wyoming County. Such installment payment of eligible delinquent taxes shall be made available to each eligible owner(s) on a uniform basis pursuant to the provisions of the New York State Real Property Tax Law and this Local Law. Such installment payments shall be

available to eligible owners, irrespective of the classification or use of the parcel upon which property taxes are delinquent.

Section 2) DEFINITIONS. Words and phrases used in this Local Law to the extent defined in Real Property Tax Law Section 1184 or any amendments

thereto shall have the same definition. The term Real Property Taxpayer(s) as used in this Local Law is intended to refer to owner(s) of the subject property and be such person as is eligible pursuant to Real Property Tax Section 1184 or any subsequent amendment thereto.

Section 3) INSTALLMENT AGREEMENTS AUTHORIZED. As provided by the provisions of this Local law, eligible real property tax payers owing eligible delinquent taxes on eligible parcels in Wyoming County may execute an agreement with Wyoming County, in a form approved by the Wyoming County Attorney, whereby they will pay eligible delinquent taxes plus interest that is to accrue on each installment payment as set forth in this Local Law, over a period of time, and Wyoming County will suspend other procedures to collect such taxes during the performance of that agreement.

Section 4) TERMS AND CONDITIONS OF AGREEMENT. Any agreements entered into by Wyoming County shall contain the following terms and conditions:

A) **Term**. Installment payments of eligible delinquent taxes shall commence upon the signing of the agreement between Wyoming County, by the tax enforcement officer, and the eligible owner(s). The maximum term for such agreement shall be twenty-four (24) months from the implementation of the tax lien when unpaid tax rolls are returned to the County Treasurer by the Town Tax Collector. Agreements not completed within this period may be subject to Article 11 Petition and Notice of Foreclosure proceedings

B) **Down Payment and Amortization Schedule**. A down payment of twenty-five percent (25%) of the total amount of eligible delinquent taxes shall be due and payable upon the execution of such agreement. The balance of such delinquent taxes shall then be amortized, with interest as provided herein, over eight (8) quarterly payments. Installment payments will be due on the last days June, September, December and March, next following the date of the installment payment agreement. The first quarterly payment shall thus be due no more than three (3) months following the execution of the installment payment agreement and the making of the down payment.

C) **Multiple Eligible Owners**. If there is more than one owner of a parcel, each owner shall be a party to the agreement and all owners shall be jointly and *severally* liable for the obligation of the eligible owner under such agreement.

D) **Property Sales**. If a subject parcel is sold or otherwise conveyed during the term of an installment agreement, all eligible delinquent taxes shall be immediately due and payable.

E) **Interest and Late Payment Penalties**. Interest shall be added to the amount of the eligible delinquent taxes due after payment of the down payment at the rate of interest set by Real Property tax law Section 924-a or such other law as may be applicable on the date of the agreement. If an installment payment is not paid when due, interest shall be added at the applicable rate for each month or portion thereof until the amounts due are paid.

F) **Late Payments**. A five percent (5%) late payment penalty will be added to any payment received more than fifteen (15) calendar days after the due date.

G) **Prepayment**. There shall be no penalty for the prepayment of the entire outstanding balance of the installment payment agreement, and unearned interest shall be deducted from the balance then due Wyoming County.

H) **Events of Default.** The following shall constitute events of default under the installment payment agreement, such defaults will entitle Wyoming County to require the entire unpaid balance with interest and late charges to be paid in full and resume all other means of collecting the entire tax deficiency then owed:

(1) Non payment of any installment within thirty (30) days of the due date.

(2) Nonpayment of any subsequent tax levy special ad valoren and/or special assessment(s) levied by the tax district before the return of such tax warrant to the County Treasurer.

(3) A default on any other installment payment agreement.

I) **Nonwaiver**. Where an eligible real property taxpayer is in default and the County does not require the payment of the entire unpaid balance or elect to institute foreclosure proceedings, the County shall not be deemed to have waived the right to do so.

J) **Tax Lien**. Any installment agreement shall not affect the tax lien against the subject real property except that the lien shall be reduced by the payments made under the agreements.

Section 5) AUTHORITY. The enforcing officer is hereby granted the authority to prepare and execute on behalf of the County of Wyoming agreements with eligible delinquent taxes in accordance with Section 1184 of the Real Property Tax law, as amended, and this Local law, without further notice to nor consent of the County Board of Supervisors. In addition to the powers granted to the County Treasurer in this Local Law, he/she is hereby authorized and empowered:

(1) To recommend to the Board of Supervisors rules and regulations appropriate to the carrying out of this Local Law and purposes thereof, and consistent with the provisions of the Real Property tax Law of the State of New York;

(2) To Annually review the Interest Charge and make recommendations to the Board of Supervisors for necessary increases/decreases in the interest to cover all costs associated with the installment payment of taxes; and

(3) To delegate his/her functions hereunder to any employee or employees of the Office of the County Treasurer.

Section 6) ELIGIBLE PARCELS. Any separately assessed parcel of real property within Wyoming County with an outstanding tax liability of greater than five-hundred dollars ($500.00) for the applicable year upon which there is no other delinquent tax lien which is not eligible to be part of the agreement.

Section 7) INELIGIBLE REAL PROPERTY TAXPAYERS. No real property taxpayer may enter into an installment payment agreement if any of the following conditions apply:

(1) Such real property taxpayer owes a delinquent tax lien on a Wyoming County parcel that is otherwise ineligible to be included in the installment payment agreement.

(2) Such real property taxpayer was the owner of property on which there existed a delinquent tax lien and which lien was foreclosed within three (3) years of the date of which application is made to execute an agreement pursuant to this Local Law.

(3) Such real property taxpayer defaulted on an agreement executed pursuant to this Local Law within three (3) years of the date on which an

application is made to execute an agreement pursuant to this Local Law.

Section 8) PERIOD FOR AGREEMENT. An eligible real property taxpayer may enter into and execute an installment payment agreement at any time more than thirty (30) days after the town tax collectors make their returns to the Wyoming County Treasurer.

Section 9) NOTICE. The County Treasurer shall mail, by first class mail, notice of the availability of this installment payment agreement program to all eligible real property taxpayers within (45) days of the return of the tax warrant or as soon thereafter as is practicable. The sum of One Dollar ($1.00) shall be added to each tax lien for the cost of preparing and mailing such notice. Such notice shall be mailed by first class mail to the last know address of the taxpayer of record. Failure to mail such notice shall not affect the validity of any tax or tax lien.

Section 10) EFFECTIVE DATE. This Local Law shall take effect immediately upon filing with the Secretary of State and publication as required by law.

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

Public Comment:

Wyoming County Board of Supervisors Finance Chairman, J. Davis T/Covington*. Supervisor Davis urged the Board of Supervisors to pass this local law because it provides much needed salary adjustments to valuable Department Heads. Supervisor Davis stated that the research for these adjustments started back in February of this year.*

Close Public Hearing:

There being no further comments on the following Local Law, Chairman Berwanger asked for a motion to close the Public Hearing.

Supervisor Patti moved that the public hearing be closed. Supervisor Copeland seconded the motion, all voted aye and the Public Hearing was closed.

Public Hearing #38

RESOLUTION NO. 08-320
(August 12, 2008)

By Mr. Davis, Chairman of the Finance Committee:

LOCAL LAW 7 (INTRODUCTORY F) - YEAR 2008, A Local Law of the County of Wyoming, Providing Salaries for Certain County Officers for the year 2008, ADOPTED

WHEREAS, There was duly presented and introduced at a meeting of this Board, held on the 8th day of July, 2008, a proposed local law of the County, designated as Local Law Introductory No. F, for the year 2008, 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. 08-282, there was a public hearing held by this Board of Supervisors on this 12th day of August, 2008 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. F, Year 2008, County of Wyoming, New York, as presented to this Board on the 8th day of July, 2008, is hereby adopted, enacted and passed by this Board in its original form as follows:

LOCAL LAW NO. 7 - YEAR 2008

County of Wyoming, Providing Salaries for Certain County Officers for the year 2008

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 $5,009.00.

Section 2. Effective as hereafter provided, the annual salary of the Clerk to the Board of Supervisors shall be increased by $2,960.00.

Section 3. Effective as hereafter provided, the annual salary of the Director of Veterans Services shall be increased by $1,792.00.

Section 4. All salaries set forth above shall be effective as of July 01, 2008.

Section 5. Effective as hereafter provided, the annual salary of the Highway Superintendent shall be increased by $5,000.00.

Section 6. All salaries in section 5 above shall be effective as of April 01, 2008.

Section 7. 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 8. This Local Law is subject to permissive referendum.

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

Chairman Berwanger thanked all for attending. If there are any questions please feel free to ask any member of the Board of Supervisors. A special thank you was extended to Supervisor Rogers and the Town of Pike for hosting the Fair, to Mike Roche, Superintendent of the Fair and also to the Fair Board for their hard work.

There being no further business to come before this Board, Senior Supervisor, Mr. Harold Bush, T/Gainesville adjourned the meeting at 3:10 PM with a rap on his desk.

****

Respectfully submitted,

Cheryl J. Ketchum
Cheryl J. Ketchum, Board Clerk

REGULAR SESSION
(September 09, 2008)

Tuesday **2:30 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, Janis Cook; Clerk to the Board of Supervisors, Cheryl Ketchum and Deputy Clerk to the Board, Brenda Ferrell.

At 2:57 PM Chairman Berwanger, T/Arcade, called the meeting to order.

The Veteran leading the Pledge of Allegiance this month was:

JOHN C. REINBIRD

Mr. Reinbird's service to his country comes while serving in the United States Navy during World War II. He was a member of "A" Company, 74th Infantry Regiment of the New York State National Guard, when he answered the call to serve. He enlisted in the United States Navy in May of 1944, at the age of 17 and completed his Basic Training at Sampson Naval Base in the Finger Lakes and then proceeded to Camp Schumaker in California for Advanced Individual Training in "Amphibious Assault Training." Mr. Reinbird shipped overseas and was assigned amphibious duties with the 77th Infantry Division at Iesma in Okinawa. There, his unit sustained attacks by the Japanese "Komma Kozzie" pilots 5 times a day for 63 straight days. On one of those days he was wounded. Mr. Reinbird also saw action with the "10th Beach Masters" of the United States Marines at Buckners Bay working in "Special Demolition" at Naha and "Sugar Loaf Hill," which was part of the major assault on "VJ Day" where he was wounded again and spent time in the 36th Field Hospital. He returned to the United States and was honorably discharged at Lido Beach, Long Island on May 19, 1946 at the rank of Shipfitter PClass.

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

THE AMERICAN
THEATER RIBBON
THE WORLD WAR II
VICTORY MEDAL
THE ASIATIC-PACIFIC
MEDAL W/2 STARS THE
PURPLE HEART

Following the war, Mr. Reinbird returned to this area and took advantage of the GI Bill by getting a degree in Structural Steel Layout from the Trott Vocational School. He then spent the next 35 years working for Dupont in Niagara Falls as a crane operator until his retirement. Mr. Reinbird then got his pilot's license and flew float planes to and from a Moose Camp in Canada that he operated for several years. Mr. Reinbird then moved to Hanes, Alaska and did "Big Boat Commercial Fishing" in the Yukon Territory for over 20 years. Mr. Reinbird relocated to this area in 2007 and purchased a home in Genesee Falls. He enjoys gardening and he and his wife, Kathryn, of over 40 years, now live in the town of Portageville.

The pledge was said by all.
Chairman Berwanger thanked Mr. Reinbird for leading in the pledge as he presented him with a certificate of appreciation.

Mr. Reinbird was offered the opportunity to address the Board of Supervisors. He stated that later he would meet with the Supervisor of his Town and thanked the Board for the invitation.

Chairman Berwanger introduced Director of Veterans' Services, Gary Cousins to conduct the Veteran POW/MIA Ceremony. Director Cousins invited all Veterans to join him in conducting the ceremony.

Director Cousins invited veterans present to join him in the presentation of the following ceremony. They included Supervisors Smith, T/Warsaw (Air Force); Rogers, T/Pike (Navy); and Bush, T/Gainesville (Army); as well as Caryl Robson (Army); Roger Stephens (Army); Asst. Director of Veterans Services, Bill Wilkinson (Air Force); County Clerk, Richard Harrison (Army).

Director Cousins presented the following ceremony with the assistance of Assistant Director of Veterans' Services, Mr. Bill Wilkinson.

POW/MIA REMEBRANCE SERVICE

"Before we begin our activities, we pause to recognize our POWs and MIAs.

We call your attention to a small table which occupies a place of dignity and honor. It is set for one, symbolizing the fact that members of our armed forces are missing from our ranks. They are referred to as: POWs and MIAs.

We call them comrades. *They are unable to be with their loved ones and families, we join together to pay humble tribute to them, and to bear witness to their continued absence.*

The table is small, *symbolizing the frailty of one prisoner, alone against his or her suppressors.*

The tablecloth is white, *symbolic of the purity of their intentions to respond to their Country's call to arms.*

The single rose in *the vase signifies the blood they may have shed in sacrifice to ensure the freedom of our beloved United States of America. This rose also reminds us of the family and friends of our missing comrades who keep faith, while awaiting their return.*

A slice of lemon *on the plate reminds us of their bitter fate.*

The salt *sprinkled on the plate reminds us of their bitter fate.*

The chair is empty. *They are NOT here.*

The candle *is reminiscent of the light of hope, which lives in our hearts to illuminate their way home, away from their captors, to open arms of a grateful nation.*

The American flag *reminds us that many of them may never return – and have paid the supreme sacrifice to insure our freedom.*

Let us pray to the Supreme Commander that all of our comrades will soon be back within our ranks.

Let us remember – and NEVER forget their sacrifice. "LET US REMEMBER"

Communications:

None

Chairman Berwanger reminded the Supervisors of the Annual Workmen's Compensation Board of Trustee meeting requiring the attendance of all Supervisors in order to make a quorum.

Open Public Hearings:

1. Local Law C (8) of the year 2008, entitled, ***"A Local Law Imposing a County Recording Tax on Obligations Secured by a Mortgage on Real Property"***

2. Local Law G (9) of the year 2008, entitled, ***"A Local Law Imposing a Surcharge on Wireless Communications Service in the County of Wyoming"***

3. Local Law H (10) of the year 2008, entitled, ***"A Local Law Providing for Enhanced Personal Privacy Protection for Documents Recorded in the Office of the County Clerk, and Authorizing an Increase in Fees Collected by the County Clerk for the Recording, Entering, Indexing, and Endorsing a Certificate on any Instrument"***

#1

RESOLUTION NO. 08-321
(September 09, 2008)

September 9, 2008

By Mr. Davis, Chairman of the Finance Committee:

FUNDS TRANSFERRED TO VARIOUS 2008 ACCOUNTS

BE IT RESOLVED, That funds are hereby transferred to the various 2008 accounts as follows:

Board of Supervisors			
From: 01.31.1010.8.89001 Health Insurance		$2,075.00	
To: 01.31.1010.4.40301 Prof. Service Contracts	$275.00		
01.31.1010.4.40402 Conferences/Conventions	1,800.00		
Reason: To cover Weighted Voting and 2008 Fall NYSAC conference.			
Board of Supervisors Total			**$2,075.00**
District Attorney			
From: 01.32.1168.4.40402 Conferences/Conv	$1,000.00		
01.32.1168.4.40301 Prof. Svc Contracts	1,500.00		
01.32.1168.4.41302 Witnesses	1,000.00		
01.32.1168.4.41010 Misc Ofc/ Oper Supp	1,300.50		
To: 01.32.1168.1.10202 Temporary		4,000.00	
01.32.1168.8.81001 Retirement		494.50	
01.32.1168.8.83001 FICA		248.00__58.00	
01.32.1168.8.85001 Medicare			
Reason: To match transfers made with DCJS as part of effort to spend out grant funds.			
District Attorney Total			**$4,800.50**
Buildings & Grounds			
From: 01.34.1620.4.40602 Equip. Rental	600.00 3,699.47		
01.34.1620.4.40808 Mowing & Gen. Maintenance	200.00		
01.34.1620.4.41010 Misc. Ofc. & Oper. Supplies	275.00		
01.34.1620.4.41101 Paper	425.53		
01.34.1620.4.41401 Maint. Agreements			
To: 01.34.1620.1.10202 Temporary Staff		$5,200.00	
Reason: to cover temporary laborer wages.			
Buildings & Grounds Total			**$5,200.00**
Capital Improvement Projects			
From: 12.61.9950.9.99004 CIP Interfund Trans.	$332,500.00		
To: 12.61.1620.2.21021 Fire Trng Center CIP		$332,500.00	
Reason: To set up Capital Improvement Project budget to cover the local cost of the proposed Fire Training Center.			
Capital Improvement Projects Total			**$332,500.00**

Carried: XXX Ayes: 1583 Noes: Absent: 35 (Wethersfield) Abstain:

#2

RESOLUTION NO. 08-322
(September 09, 2008)

By Mr. Davis, Chairman of the Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2008 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2008 accounts as follows:

Information Technology			
To: 01.34.1680.1.10202 Temporary Staff w/01.08.1680.2680 Insurance Recovery ***Reason:*** to cover GIS/intern costs. (money collect form disability payment from Medical Leave)	$1,312.00	$1,312.00	
Information Technology Total			**$1,312.00**
Sheriff			
To: 01.37.3110.4.40508 Private Auto Repair w/01.08.3110.2680 Insurance Recovery **Reason**: offset of insurance company collision payment for car 14	$897.10	$897.10	
To: 01.37.3110.1.10301 Overtime w/01.11.3110.308901 Other State Aid **Reason:** offset of money spent on overtime for STEP grant	$3,454.24	$3,454.24	
To: 01.37.3110.1.10301 Overtime w/01.03.3110.128901 STOP-DWI **Reason:** offset of money spent on overtime for the STOP-DWI grant	$627.81	$627.81	
To: 01.37.3110.1.10301 Overtime w/01.03.3110.1289 Other Dept Income **Reason:** offset of money spent on overtime for the Operation Impact Tools grant from the D.A.'s office	$1,494.83	$1,494.83	
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 **Reason:** offset of money spent on overtime, part-time, shift differential and fringes for the Buffalo Hill Concert	$ 816.30 4,751. 82 75.54 1,024.04 313.22 98.02	$7,078.94	
Sheriff Total			**$13,552.92**
County Jail			
To: 01.37.3150.4.41402 Service Agreement - Computers **From:** any funds available **Reason:** in order to pay unbudgeted agreement for EM Systems	$8,000.00	$8,000.00	
County Jail Total			**$8,000.00**
Office for the Aging			
To: 01.44.6772.4.42306 Other w/01.11.6772.377213 File of Life Member Item Grt. **Reason:** Member Line Item for the "File of Life" program	$3,000.00	$3,000.00	
Office for the Aging Total			**$3,000.00**
Youth Bureau			
To: 01.45.7310.4.42434 Stars of Tomorrow w/01.03.7310.1289 – Other Dept income **Reason:** "Improv Dads" program.	$ 500.00	$ 500.00	
To: 01.45.7310.4.42434 Stars of Tomorrow w/01.03.7310.1289 Other Dept. Income **Reason:** Expenses relating to the WANTED grant from Community Action.	$2,250.00	$2,250.00	
Youth Bureau Total			**$2,750.00**
Buildings & Grounds			
To: 01.34.1620.1.10101 Full time CSEA 01.34.1620.1.10401 Longevity of Benefits 01.34.1620.8.81001 Retirement 01.34.1620.8.82002 CSEA Disability 01.34.1620.8.83001 FICA 01.34.1620.8.85001 Medicare FICA 01.37.3620.1.10101 Full Time CSEA	9,523.81 336.00 1,047.48 129.50 609.53 135.24 4,081.63		

01.37.3620.1.10401 Longevity of Benefits 01.37.3620.8.81001 Retirement 01.37.3620.8.82002 CSEA Disability 01.37.3620.8.83001 FICA 01.37.3620.8.85001 Medicare FICA **From:** Any funds available **Reason:** money into various Buildings & Grounds (70%) and Building Codes (30%) accounts to cover the cost of wages and fringes for the principal account clerk.	144.00 448.92 55.50 261.22 57.96	$16,830.79	
To: 01.34.1620.4.40805 Cleaning Svcs-Private - Co. Bldgs. 01.38.4010.4.40805 Cleaning Svcs-Private - P.Health 01.38.4050.4.40805 Cleaning Svcs-Private - CHHA **From:** Any funds available **Reason:** to cover the cost of cleaning contracts for the balance of 2008.	$1,200.00 4,830.98 1,878.71	$7,909.69	
To: 01.34.1620.4.40810 Emerg. Maint. Repair **From:** Any funds available **Reason:** for emergency repairs to Courthouse Campus generator.	$16,000.00	$16,000.00	
Buildings & Grounds Total			**$40,740.48**
Capital Improvement Projects			
To: 12.61.1620.2.21021 Fire Trng Center CIP **w**/12.11.1620.3089 Other State Aid **Reason:** To set up appropriation and revenue pertaining to the Fire Training Center Project.	$300,000.00	$300,000.00	
Capital Improvement Projects Total			**$300,000.00**

Carried: XXX Ayes: 1583 Noes: Absent: 35 (Wethersfield) Abstain:

Mr. Bush, T/Gainesville, Chairman of the Audit Committee, presented bills totaling **$2,335,445.01** for the month of **August 2008**

Carried: XXX Ayes: 1583 Noes: Absent: 35 (Wethersfield) Abstain:

There was a motion by Mr. Rogers, T/Pike, to combine resolutions #3 through #9. A voice vote was taken and all voted aye.

#3

RESOLUTION NO. 08-323
(September 09, 2008)

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

CHAIRMAN AUTHORIZED TO SIGN A CONTRACT RENEWAL WITH WILMAC ON BEHALF OF THE SHERIFF'S DEPARTMENT

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 maintenance contract renewal with Wilmac, 73 State Street, Rochester, NY 14614 on behalf of the Sheriff's Department. Said contract is for the provision of 24 hour support coverage of the Digital Recorder in an amount not to exceed five thousand seven hundred sixty-nine dollars ($5,769.00); effective September 01, 2008 through-August 31, 2009.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1583 Noes: Absent: 35 (Wethersfield) Abstain: #4

RESOLUTION NO. 08-324
(September 09, 2008)

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

CHAIRMAN AUTHORIZED TO SIGN A MAINTENANCE AGREEMENT WITH EM SYSTEMS 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 maintenance agreement with EM Systems, Inc, 4043 Maple Rd, Ste 211, Amherst NY 14226 on behalf of the County Jail. Said contract is for the provision of a Software Maintenance Agreement for the Jail Maintenance System (JMS) in an amount not to exceed eight thousand dollars ($8,000.00); effective April 01, 2008 through March 31, 2009.
Contingent upon the availability of funds.

Carried: XXX Ayes: 1583 Noes: Absent: 35 (Wethersfield) Abstain:

#5

RESOLUTION NO. 08-325
(September 09, 2008)

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

RESOLUTION NUMBER 08-260 AMENDED

WHEREAS, Resolution Number 08-260, entitled, **MEMBERS APPOINTED / REAPPOINTED TO THE FIRE ADVISORY BOARD FOR 2008/2009,** passed by this Board of Supervisors on July 08, 2008 provides for various appointments to the Fire Advisory Board; now therefore

BE IT RESOLVED, That resolution number 08-260 be hereby amended to reflect a change in the Cowlesville Fire Department's Representative to:

- ***Joseph Pomona,*** 203 Clinton Street, Cowlesville, NY 14037 for a one (1) year term, effective through July 10, 2009 (replacing John Church).

Carried: XXX Ayes: 1583 Noes: Absent: 35 (Wethersfield) Abstain:

#6

RESOLUTION NO. 08-326
(September 09, 2008)

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

ONE (1) POSITION OF DEPUTY DIRECTOR OF FIRE AND EMERGENCY MANAGEMENT SERVICE ABOLISHED

BE IT RESOLVED, That one (1) position of Deputy Director of Fire and Emergency Management Service in the Department of Emergency Services be hereby abolished; effective September 19, 2008 due to the lack of funding.

Carried: XXX Ayes: 1583 Noes: Absent: 35 (Wethersfield) Abstain:

#7

RESOLUTION NO. 08-327
(September 09, 2008)

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

CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH ROBERT ZUIDEMA ON BEHALF OF EMERGENCY SERVICES

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney be hereby authorized and directed to sign a contract with Robert Zuidema, 5163 School Rd., Gainesville, NY 14066 on behalf of Emergency Services. Said contract is for consulting services for the creation of new Fire and Emergency Management Services plans and the revision of existing plans in an amount not to exceed twenty thousand dollars ($20,000.00) annually with funds from the New York State Homeland Security Program 2007 grant; effective September 25, 2008 through December 31, 2009. Contingent upon the availability of funds.

Carried: XXX Ayes: 1583 Noes: Absent: 35 (Wethersfield) Abstain: #8

RESOLUTION NO. 08-328
(September 09, 2008)

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

RESOLUTION NUMBER 08-277 AMENDED

WHEREAS, Resolution Number 08-277, entitled, **ONE (1) POSITION OF PROBATION ASSISTANT (TEMPORARY) (1.00 FTE) CREATED IN PROBATION,** passed by this Board of Supervisors on July 08, 2008 provides for the creation of one (1) position of Probation Assistant (Temporary) (1.00 FTE); effective July 16th not to exceed 6 weeks, through the leave of absence of the current Probation Assistant; now therefore

BE IT RESOLVED, That resolution number 08-277 be hereby amended to extend the position through the medical leave of absence, without limitations other than through the medical leave of absence of the current Probation Assistant.

Carried: XXX Ayes: 1583 Noes: Absent: 35 (Wethersfield) Abstain:

#9

RESOLUTION NO. 08-329
(September 09, 2008)

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

JOAN KIBLER PROVISIONALLY APPOINTED TO PROBATION DIRECTOR I

BE IT RESOLVED, That ***Joan Kibler***, 3 Perry Ave., Warsaw, NY 14569 be hereby provisionally appointed to the competitive class position of Probation Director I; effective October 03, 2008.

Carried: XXX Ayes: 1583 Noes: Absent: 35 (Wethersfield) Abstain:

Supervisor Fleischman, T/Java introduced the newly appointed County Planner, Arthur Buckley. Mr. Buckley thanked the Chairman for the opportunity to serve Wyoming County.

There was a motion by Mr. Fleischman, T/Java, to combine resolutions #10 and #11. A voice vote was taken and all voted aye.

#10

RESOLUTION NO. 08-330
(September 09, 2008)

By Mr. Fleischman, Chairman of the Planning Committee:

CHAIRMAN AUTHORIZED TO SIGN CDBG SMALL CITIES GRANT AGREEMENT

WHEREAS, The County of Wyoming has been approved to receive a four hundred thousand dollar ($400,000.00) Small Cities/Office of Community Renewal grant (Project #1279ME119-08); effective September 01, 2008 through September 30, 2010, that will be used by the Wyoming County IDA to provide financial assistance to qualified microenterprise businesses; and

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

BE IT RESOLVED, That the Chairman of this Board, is hereby authorized as the official representative of Wyoming County, New York to execute the grant agreement from the New York State Housing Trust Fund Corporation and Office of Community Renewal, Hampton Plaza, 38-40 State Street, Albany, NY 12207 for a four hundred thousand dollar ($400,000) NYS Community Development Block Grant, Small Cities Economic Development program, and is hereby authorized and directed, upon the approval of the County Attorney, to sign all documents and take all actions needed to receive the approved grant funds; and be it

FURTHER RESOLVED, That the Chairman of this Board of Supervisors designates Drew Shapiro to act as Certifying Officer for the purposes of carrying out an environmental review.

Carried: XXX Ayes: 1583 Noes: Absent: 35 (Wethersfield) Abstain:

#11

RESOLUTION NO. 08-331
(September 09, 2008)

By Mr. Fleischman, Chairman of the Planning Committee:

PAULINE McCLEARY APPOINTED TO THE GLOW WORKFORCE INVESTMENT BOARD

BE IT RESOLVED, That ***Pauline McCleary,*** Regional Administrator, Rural Opportunities, 140 N. Main Street, Albion, NY 14411 be hereby appointed to the Genesee, Livingston, Orleans, & Wyoming (GLOW) Workforce Investment Board as an *At Large Member*; effective September 09, 2008.

Carried: XXX Ayes: 1583 Noes: Absent: 35 (Wethersfield) Abstain:

There was a motion by Mrs. Totsline, T/Genesee Falls, to combine resolutions #12 through #19. A voice vote was taken and all voted aye.

RESOLUTION NO. 08-332
(September 09, 2008)

By Mrs. Totsline, Chairman of the Human Services Committee:

NATIONAL POW/MIA RECOGNITION DAY PROCLAIMED

WHEREAS, The Federal Government has designated Friday, September 19, 2008 as the National POW/MIA Recognition Day; and

WHEREAS, Numerous members of our Armed Forces are still listed as Prisoners of War or Missing In Action and we demand an accurate accounting of those 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 designate Friday September 19, 2008 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 copies of this resolution to President George W. Bush, U.S. Senators Charles Schumer and Hillary Clinton, Congressman Thomas M. Reynolds, and others deemed appropriate and necessary.

Carried: XXX Ayes: 1583 Noes: Absent: 35 (Wethersfield) Abstain:

RESOLUTION NO. 08-333
(September 09, 2008)

By Mrs. Totsline, Chairman of the Human Services Committee:

RESOLUTION NUMBER 08-291 AMENDED

WHEREAS, Resolution Number 08-291, entitled, **CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH BETH SMITH ON BEHALF OF THE OFFICE FOR THE AGING,** passed by this Board of Supervisors on August 12, 2008 provides for a contract with Beth Smith to provide HEAP application processing to the Senior Citizens of Wyoming County in an amount not to exceed two thousand five hundred dollars ($2,500.00); effective September 15, 2008 through November 30, 2008; now therefore

BE IT RESOLVED, That resolution number 08-291 be hereby amended to increase the contract by five hundred dollars ($500.00) not to exceed a total contract amount of three thousand dollars ($3,000.00). Contingent upon the availability of funds.

Carried: XXX Ayes: 1583 Noes: Absent: 35 (Wethersfield) Abstain:

#14

RESOLUTION NO. 08-334
(September 09, 2008)

By Mrs. Totsline, Chairman of the Human Services Committee:

CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH ROCHESTER HEARING AND SPEECH CENTER 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 a contract with Rochester Hearing and Speech Center, Attn: Beth McClellan, 1000 Elmwood Ave, Rochester, NY 14620 on behalf of the Wyoming County Youth

Bureau. Said contract is for the provision of Early Intervention Services not to exceed the 2008 – 2009 budget; effective July 01, 2008 through June 30, 2009. Contingent upon the availability of funds.

Carried: XXX Ayes: 1583 Noes: Absent: 35 (Wethersfield) Abstain:

#15

RESOLUTION NO. 08-335
(September 09, 2008)

By Mrs. Totsline, Chairman of the Human Services Committee:

CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH AMY BRUSH 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 a contract with Amy Brush, 107 East Riverside Drive, Olean, NY 14760 for the provision of Pre-School Related Services in an amount not to exceed 2008 – 2009 budget; effective July 01, 2008 through June 30, 2009.
Contingent upon the availability of funds.

Carried: XXX Ayes: 1583 Noes: Absent: 35 (Wethersfield) Abstain:

#16

RESOLUTION NO. 08-336
(September 09, 2008)

By Mrs. Totsline, Chairman of the Human Services Committee:

RESOLUTION NUMBER 07-351 AMENDED

WHEREAS, Resolution Number 07-351, entitled, **CHAIRMAN AUTHORIZED TO SIGN A GRANT APPLICATION AND ACCEPTANCE AWARD WITH NYS OFFICE OF CHILDREN AND FAMILY SERVICES ON BEHALF OF THE YOUTH BUREAU,** passed by this Board of Supervisors on November 13, 2007 and provides for 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; now therefore

BE IT RESOLVED, That resolution number 07-351 be hereby amended to reflect a decrease in the amount awarded Wyoming County by 2%, in the amount of one thousand six hundred four dollars ($1,604.00) to a minimum grant amount received of ninety-five thousand five hundred ninety-five dollars ($95,595.00).

Carried: XXX Ayes: 1583 Noes: Absent: 35 (Wethersfield) Abstain: #17

RESOLUTION NO. 08-337
(September 09, 2008)

By Mrs. Totsline, Chairman of the Human Services Committee:

NATIONAL YOUTH COURT MONTH PROCLAIMED

WHEREAS, Throughout September more than 1,200 youth court programs operate in the nation's juvenile justice systems and will celebrate "National Youth Court" month; and

WHEREAS, Youth courts are one of the fastest growing crime prevention programs in the nation. Youth courts emphasize the importance of being involved in one's community, and provide our youth with an opportunity to learn about government and take an active role in upholding our democratic principles; and

WHEREAS, Youth courts empower youth through involvement in community solutions by developing skills in leadership, decision-making, and problem solving. Youth learn the appropriate use of peer pressure, and are given opportunities to mentor and instill integrity in their peers. They gain a clearer understanding of our nation's judicial system; and

WHEREAS, We should all strive to reduce juvenile delinquency in this county. Youth court teaches our youth about accountability and the consequences of making poor choices; they also reward responsible behavior; and

WHEREAS, The Wyoming County Board of Supervisors strongly supports youth court programs because they help build healthier and safer communities. The Board commends the youth and adult volunteers who support the Wyoming County Youth Bureau's Youth Court; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors proclaims the month of **September 2008** as:

"National Youth Court Month"

In Wyoming County and calls on all citizens to find ways to give their time, energy and talents to serve the Wyoming County Youth Court.

Carried: XXX Ayes: 1583 Noes: Absent: 35 (Wethersfield) Abstain:

#18

RESOLUTION NO. 08-338
(September 09, 2008)

By Mrs. Totsline, Chairman of the Human Services Committee:

CHAIRMAN / COMMISSIONER OF SOCIAL SERVICES AUTHORIZED TO SIGN A MEMORANDUM OF AGREEMENT WITH SUZANNE WHEELER 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 Suzanne Wheeler, 91 Main Street, Attica, NY 140ll on behalf of the Department of Social Services. Said Memorandum of Agreement is to provide Long Term Care Coordinator services in an amount not to exceed three thousand dollars ($3,000.00) per month; effective October 01, 2008 through September 30, 2009. Contingent upon the availability of funds.

Carried: XXX Ayes: 1583 Noes: Absent: 35 (Wethersfield) Abstain:

#19

RESOLUTION NO. 08-339
(September 09, 2008)

Regular Session

By Mrs. Totsline, Chairman of the Human Services Committee:

CHAIRMAN / COMMISSIONER OF SOCIAL SERVICES AUTHORIZED TO SIGN A MEMORANDUM OF AGREEMENT WITH GENESEE VALLEY BOCES ON BEHALF OF THE DEPARTMENT OF SOCIAL SERVICES

BE IT RESOLVED, That the Chairman of this Board and the Commissioner of Social Services with the approval of the County Attorney are hereby authorized and directed to sign a memorandum of agreement with Genesee Valley BOCES, 27 Lackawanna Avenue, Mt. Morris, NY 14510 and 8250 State Street, Batavia, NY 14020 on behalf of the Department of Social Services. Said Agreement is for Temporary Assistance client job search activities in an amount not to exceed two thousand five hundred dollars ($2,500.00); effective October 01, 2008 through September 30, 2009. Contingent upon the availability of funds.

Carried: XXX Ayes: 1583 Noes: Absent: 35 (Wethersfield) Abstain:

Supervisor Totsline, T/Genesee Falls was invited to the podium to present two proclamations. The first proclamation was "National POW/MIA Recognition Day Proclaimed." Director Cousins was invited to join her at the podium to receive this proclamation. The second proclamation was entitled, "National Youth Court Month Proclaimed," in which Andrea Aldinger, Director of OFA and Youth was invited to join Supervisor Totsline at the podium to receive the proclamation.

Director Aldinger expressed to all in attendance to attend a youth court session, as the Wyoming County Chapter is a very successful program. She stated that she would be glad to make arrangements for interested parties.

There was a motion by Mr. Kushner, T/Eagle, to combine resolutions #20 through #22. A voice vote was taken and all voted aye.

#20

RESOLUTION NO. 08-340
(September 09, 2008)

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

September 9, 2008

CHAIRMAN / COMMISSIONER OF HEALTH AUTHORIZED TO SIGN A GRANT APPLICATION AND ACCEPTANCE AWARD WITH NEW YORK STATE DEPARTMENT OF HEALTH CENTER FOR ENVIRONMENTAL HEALTH ON BEHALF OF THE COUNTY HEALTH DEPARTMENT

BE IT RESOLVED, That the Chairman of this Board and the Commissioner of Public Health with the approval of the County Attorney are hereby authorized and directed to sign a grant application and acceptance award with the NYS Department of Health Center for Environmental Health on behalf of the County Health Department. Said grant is to provide for funding for Youth Tobacco Enforcement and Prevention program activities in a minimum amount of twenty-nine thousand eight hundred thirty-five dollars ($29,835.00); effective October 01, 2008 through September 30, 2009.

Carried: XXX Ayes: 1583 Noes: Absent: 35 (Wethersfield) Abstain:

#21

RESOLUTION NO. 08-341
(September 09, 2008)

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

CHAIRMAN / COMMISSIONER OF HEALTH AUTHORIZED TO SIGN A CONTRACT WITH RESEARCH & MARKETING STRATEGIES, INC. ON BEHALF OF THE COUNTY HEALTH DEPARTMENT

BE IT RESOLVED, That the Chairman of this Board and the Commissioner of Health with the approval of the County Attorney are hereby authorized and directed to sign an Agreement with Research & Marketing Strategies, Inc., 15 East Genesee Street, Suite 130, Baldwinsville, NY 13027 on behalf of the County Health Department. Said agreement is for development of a comprehensive Wyoming County Health & Wellness Strategic Plan in an amount not to exceed thirty-four thousand five hundred fifty-nine dollars ($34,559.00); amount fully reimbursed by grant funding from the Greater Rochester Health Foundation; effective September 1, 2008 through June 30, 2009.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1583 Noes: Absent: 35 (Wethersfield) Abstain: #22

RESOLUTION NO. 08-342
(September 09, 2008)

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

FAMILY DAY IN WYOMING COUNTY PROCLAIMED

WHEREAS, Family Day is celebrated annually, "A Day to Eat Dinner with Your Children." Good food, great conversations, and loads of laughs – that's what family dinners are made of; and

WHEREAS, Whether you're cooking a gourmet meal or ordering from your favorite take-out place, rest assured that what your kids really want at the dinner table is **YOU!;** and

WHEREAS, The conversations that go hand-in-hand with dinner help you learn more about your children's lives and help you better understand the challenges they face; and

WHEREAS, The more often children eat dinner with their families, the less likely they are to smoke, drink or use drugs. Family meals are the perfect time to talk to your kids and to listen to what's on their mind;

WHEREAS, When busy schedules are making it hard for your family to pencil in regular family meals, take a "time out" to consider all the benefits of gathering around the dinner table. Family dinners are about more than just sharing a meal; and

BE IT RESOLVED, That the Wyoming County Board of Supervisors does hereby proclaim, Monday, September 22, 2008 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: 1583 Noes: Absent: 35 (Wethersfield) Abstain:

Supervisor Kushner, T/Eagle presented the Family Day in Wyoming County to Supervisor Grant, T/Bennington and the Fiscal Officer I at Mental Health, as well as Karen Thompson, the Community Services Program Assistant. Director Snell was unavailable to attend this month's Board Meeting.

Ms. Thompson thanked the Board for their support.

There was a motion by Mr. Patti, T/Attica, to combine resolutions #23 through #28. A voice vote was taken and all voted aye.

Mr. Patti asked that resolution #26 be withdrawn and resolution #25 be rescinded and replaced with a resolution to provide for cleaning services at the Board of Elections, Office for the Aging, Social Services (Upper and Lower Buildings), Highway Administrative Office, Public Health, and the Public Defender building in an amount not to exceed one hundred thirty-one thousand three hundred ninety dollars and fifty-one cents ($131,390.51) and that resolution #25 be read in its entirety.

#23

RESOLUTION NO. 08-343
(September 09, 2008)

By Mr. Patti, Chairman of Public Works Committee:

2008 – 2009 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 ***2008 – 2009 Snow Season*** to American Rock Salt Co., LLC, PO Box 190, Mt. Morris, NY 14510 in an amount not to exceed $41.36 per ton.
Contingent upon the availability of funds.

Carried: XXX Ayes: 1583 Noes: Absent: 35 (Wethersfield) Abstain:

RESOLUTION NO. 08-344
(September 09, 2008)

By Mr. Patti, Chairman of Public Works Committee:

EQUIPMENT PURCHASE APPROVED FOR 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 for the purchase of a 2008 Airman 185 Compressor – Model PDS185S in an amount not to exceed eleven thousand three hundred dollars ($11,300.00) from George & Swede, 7155 Big Tree Road, Pavilion, NY 14525.
Contingent upon the availability of funds.

Carried: XXX Ayes: 1583 Noes: Absent: 35 (Wethersfield) Abstain:

Rescind
#25

RESOLUTION NO. 08-
(September 09, 2008)

By Mr. Patti, Chairman of Public Works Committee:

CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN CONTRACTS WITH WARREN'S CARPET CLEANING 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 Warren's Carpet Cleaning, 63 South Maple St., Warsaw, NY 14569 on behalf of Wyoming County Buildings and Grounds. Said contract is to provide for cleaning services at the Public Health building in an amount not to exceed thirty-one thousand five hundred twenty-seven dollars and forty-nine cents ($31,527.49); effective September 14, 2008 through September 13, 2009.
Contingent upon the availability of funds.

Carried: Ayes: Noes: Absent: Abstain:

Replace #25

RESOLUTION NO. 08-345
(September 09, 2008)

By Mr. Patti, Chairman of Public Works Committee:

CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN CONTRACTS WITH WARREN'S CARPET CLEANING 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 Warren's Carpet Cleaning, 63 South Maple St. Warsaw, NY 14569 on behalf of Wyoming County Buildings and Grounds. Said contract is to provide for cleaning services at the Board of Elections, Office for the Aging, Social Services (Upper and Lower Buildings), Highway Administrative Office, Public Health, and the Public Defender building in an amount not to exceed one hundred thirty-one thousand three hundred ninety dollars and fifty-one cents ($131,390.51); effective September 14, 2008 through September 13, 2009.
Contingent upon the availability of funds.

Carried: XXX Ayes: 1583 Noes: Absent: 35 (Wethersfield) Abstain:

Withdrawn #26

RESOLUTION NO. 08-
(September 09, 2008)

By Mr. Patti, Chairman of Public Works Committee:

CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN CONTRACTS WITH COVERALL SERVICE COMPANY ON BEHALF OF BUILDINGS AND GROUNDS

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Coverall Service Company, 165 Lawrence Bell Dr., Suite 122,

Williamsville, NY 14221 on behalf of Wyoming County Buildings and Grounds. Said contract is to provide for cleaning services at the Board of Elections, Office for the Aging, Department of Social Services (upper and lower buildings) and the Highway Department Administrative Office in an amount not to exceed thirty-five thousand one hundred forty eight dollars ($35,148.00); effective September 14, 2008 through September 13, 2009.
Contingent upon the availability of funds.

Carried: Ayes: Noes: Absent: Abstain:

#27

RESOLUTION NO. 08-346
(September 09, 2008)

By Mr. Patti, Chairman of Public Works Committee:

CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN A CONTRACT WITH TCCT, 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 TCCT, Inc., 2276 Silver Lake Road, Perry, NY 14530 on behalf of Wyoming County Buildings and Grounds. Said contract is to provide for cleaning services at the Wyoming County Courthouse in an amount not to exceed thirty-seven thousand five hundred sixty dollars ($37,560.00); effective September 14, 2008 through September 13, 2009.
Contingent upon the availability of funds.
Carried: XXX Ayes: 1583 Noes: Absent: 35 (Wethersfield) Abstain:

#28

RESOLUTION NO. 08-347
(September 09, 2008)

By Mr. Patti, Chairman of Public Works Committee:

RESOLUTION NUMBER 08-273 AMENDED

WHEREAS, Resolution Number 08-273, entitled, **CHAIRMAN AUTHORIZED TO SIGN A LEASE AGREEMENT WITH TOMPKINS**

TRUST ON BEHALF OF WYOMING COUNTY BUILDINGS AND GROUNDS, passed by this Board of Supervisors on July 08, 2008 provides for a lease agreement with Tompkins Trust for a 2008 F-250 Ford Pickup truck purchased through Conroy Motors of Java Center in an amount not to exceed eighteen thousand seven hundred forty-seven dollars ($18,747.00) ($362.71/monthly at 6.25% APR). Said lease to be for 60 months with a $1.00 buy-out at the end of the agreement; now therefore

BE IT RESOLVED, That resolution number 08-273 be hereby amended to reflect Ford Motor Credit Company, The American Road, PO Box 1739-MD7500, Dearborn, MI 48121-1739 as the leasing company in place of Tompkins Trust at an increased amount in financing of 7.35% from 6.25%, which amounts to nine hundred four dollars and eighty cents ($904.80) over 60 months with a $1.00 buy-out at the end of the agreement.
Contingent upon the availability of funds.

Carried: XXX Ayes: 1583 Noes: Absent: 35 (Wethersfield) Abstain:

There was a motion by Mr. Davis, T/Covington, to combine resolutions #29 through #35. A voice vote was taken and all voted aye.

Before the roll call vote was taken, Supervisor Davis, T/Covington asked to be heard regarding resolution number 33. He stated that he would like to clarify the position of the Board of Supervisors because basically they feel the present laws are adequate as long as they are enforced.

Supervisor Rogers, T/Pike asked to be heard regarding resolution number 33. He stated that he and Supervisor Gozelski, T/Castile serve on the GLOW Solid Waste Committee and they support a resolution that's been passed to the state in opposition to a proposal from the DEC for a rule change to eliminate open burning because it goes far beyond what needs to be done. It eliminates the ability to have camp fires and open burning of wood products, etc. As Chairman of the GLOW Solid Waste Advisory Committee he supports this position.

Supervisor Gozelski, T/Castile asked to be heard regarding resolution number 33. He reiterated the comment of enforcing laws already in existence being adequate. This new proposal would prohibit camp fires and open burning of wood products. The impact would not only impact year round and seasonal residents at Silver Lake but the rest of the community.

Chairman Berwanger, T/Arcade commented on conversations he has had with several Wyoming County Farmers in regard to the passage of this law and by

chance he saw an article about Cattaraugus County passing a resolution in opposition to the passage of the proposed rule change in the Buffalo Evening News. Chairman Berwanger agreed that this proposal certainly restricts the ability of farmers being able to burn brush. There are big implications to the Agricultural community.

#29

RESOLUTION NO. 08-348
(September 09, 2008)

By Mr. Davis, Chairman of Finance Committee:

ONE (1) POSITION OF SECRETARY I RECLASSIFIED TO ADMINISTRATIVE ASSISTANT (EMERGENCY SERVICES) IN THE DEPARMENT OF EMERGENCY SERVICES AND AMEND SALARY SCHEDULE "S"

BE IT RESOLVED, That one position of Secretary I be reclassified to Administrative Assistant (Emergency Services) in the Department of Emergency Services; effective August 8, 2008; and be it

FURTHER 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 "S:"

- Replace the title of Secretary I under Civil Defense with Administrative Assistant (Emergency Services) and set the salary at $33,000.00/annually; effective August 08, 2008.

Carried: XXX Ayes: 1583 Noes: Absent: 35 (Wethersfield) Abstain:

#30

RESOLUTION NO. 08-349
(September 09, 2008)

By Mr. Davis, Chairman of Finance Committee:

SALARY SCHEDULE "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 change to Salary Schedule "D" and allow for a one time stipend for the Director of Veteran's Services of one thousand seven hundred forty-five dollars ($1,745.00), an equivalent to an hourly rate commensurate with the Director's current salary x 100 hours; payable with the next available date of pay.

Carried: XXX Ayes: 1583 Noes: Absent: 35 (Wethersfield) Abstain: #31

RESOLUTION NO. 08-350
(September 09, 2008)

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 RESOLVE, That these revisions are effective immediately.

Wyoming County Real Property Tax Services
2008 Fee Schedule

PRODUCT	FEE **(GENERAL PUBLIC)**	FEE **(GOVERNMENT**
Digitized Tax Map File	see Pricing	$0.00 town/village
Tax maps (Paper	Schedule by Town	
30"x42")	$6.00	$3.00
Ortho photo w/property	$7.00	$4.00
lines (Paper 30"x42")	$1.00 11"x17	Free
Photocopies	$.50 8.5"x11"	Free
	$.03/parcel (file) $20/min	Towns & Villages-incl in
Assessment Rolls, Tax	plus 25¢ /page (print)	Annual Fee
Rolls		
ther Gov't - $.01/parcel	$.02/parcel (file) $15/min.	Towns & Villages-incl in
file)	plus 25¢ /page (print)	Annual Fee
RPS Cross Reference		
(Name, Street, SBL)		
ther Gov't - $.01/parcel	$.05/parcel	Towns & Villages-incl in
file)	plus 25¢ /page (print	Annual Fee
Custom Reports/Data		Other Gov't - $.02/parcel

Files	(file) $.05/each $1000 /county $100 /town	$.01/each
Labels RPS995T1 File	$1000/all(yearlysubscription)	$600/taxingperiod(Town/CountyorSchool)
Tax Extract	$100 /taxing period (Villages) $75 /town or school	

Tax rolls & bills (includes tax extract on disk)

Schools	$1.00/parcel
Villages	$1.00/parcel
Towns	$.35/parcel
*__File only__ to tax jurisdictions	$.40/parcel

Carried: XXX Ayes: 1583 Noes: Absent: 35 (Wethersfield) Abstain: #32

RESOLUTION NO. 08-351
(September 09, 2008)

By Mr. Davis, Chairman of Finance Committee:

CHAIRMAN AUTHORIZED TO SIGN LETTER OF UNDERSTANDING WITH HARTFORD LIFE & ACCIDENT 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 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 Disability Insurance Benefits for Schedules S & D and Hospital Management employees at a rate of twelve dollars and fifty one cents ($12.51) per employee per month; effective October 1, 2008 to October 1, 2009.

Carried: XXX Ayes: 1583 Noes: Absent: 35 (Wethersfield) Abstain:

RESOLUTION NO. 08-352
(September 09, 2008)

By Mr. Davis, Chairman of Finance Committee:

RESOLUTION OPPOSING A PROPOSAL FROM DEC FOR A RULE CHANGE TO ELIMINATE OPEN BURNING

WHEREAS, The New York State Department of Environmental Conservation (DEC) is proposing a rule change to extend a ban on open burning by making it applicable statewide; and

WHEREAS, Currently the rule on open burning of residential waste only applies in a city, village or town with a population of 20,000 or more; and

WHEREAS, The proposed rule change would apply to all Wyoming County residents; and

WHEREAS, The Wyoming County Board of Supervisors believes that there are already adequate laws and regulations in place to protect the environment and health of the residents of Wyoming County; and

WHEREAS, The rule change proposed by DEC would seriously impact the rights of Wyoming County residents to manage their property in a safe and efficient manner with little or no added benefit to the general population; and

WHEREAS, The DEC has failed to adequately consider the needs and concerns of the residents of Wyoming County in proposing this rule change; now therefore

BE IT RESOLVED, That:

1. The Wyoming County Board of Supervisors hereby opposes any rule change that would make the ban on open burning a statewide ban; and
2. The Wyoming County Board of Supervisors strongly urges DEC to schedule a public hearing with Wyoming County to solicit local input on this proposed rule change prior to taking further action to implement the change; and
3. That certified copies of this resolution shall be forwarded to Governor David A. Paterson, DEC Commissioner Pete Grannis, Senator Dale

Volker, Assemblyman Daniel J. Burling and to Joseph M. Giglio and Robert Stanton at NYSDEC, Division of Air Resources, New York State Association of Counties, and Western New York Inter-County Association.

Carried: XXX Ayes: 1583 Noes: Absent: 35 (Wethersfield) Abstain: #34

RESOLUTION NO. 08-353
(September 09, 2008)

By Mr. Davis, Chairman of Finance Committee:

APPROVES PROPERTY SALE

WHEREAS, The County of Wyoming has acquired the right to transfer the following property pursuant to a Judgment 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 property and recommends the acceptance thereof, namely:

PARCEL# 118: Christopher Preischel, 4250 Keller Rd., Eden, NY 14057 has offered two thousand five hundred dollars ($2,500.00) for property located in the Town of Java, 0 Almeter Road, 140.8-3-29; now therefore

BE IT RESOLVED, That the above is 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 and Town and County taxes are received by him on or before September 30, 2008.

Carried: XXX Ayes: 1583 Noes: Absent: 35 (Wethersfield) Abstain: #35

RESOLUTION NO. 08-354
(September 09, 2008)

By Mr. Davis, Chairman of Finance Committee:

CANCELLATION AND REJECTION OF CERTAIN DELINQUENT TAXES

WHEREAS, Pursuant to the Real Property Tax Law §557 (1), the County of Wyoming may direct the cancellation of certain unpaid taxes that has been assessed in duplicate for any year or years where it is determined that the lien of such tax cannot be enforced, and,

WHEREAS, such a parcel of real property exists within the County of Wyoming, and has been identified and so designated by the Finance Committee; now therefore,

BE IT RESOLVED, That the County of Wyoming hereby directs the cancellation and rejection of any and all such unpaid taxes in accordance with the applicable section of the Real Property Tax Law, and the Wyoming County Treasurer, shall charge back and apportion the various amounts thereof, if applicable, to the appropriate taxing authorities, to the extent to which each has been benefited thereby:

AUTHORITY: RPTL §557 (1) Cancellations and Rejections.

PARCEL: Town of Java
Tax Map#: 105.-2-29.1
ASSESSED TO: Louis Reisdorf and Nancy Reisdorf, 4797 Rt. 98, North Java, NY 14113

Carried: XXX Ayes: 1583 Noes: Absent: 35 (Wethersfield) Abstain:
Non-Consent
#36

RESOLUTION NO. 08-355
(September 09, 2008)

By Mr. Davis, Chairman of Finance Committee:

DAVID ALMETER REAPPOINTED TO THE WYOMING COUNTY COMMUNITY HOSPITAL BOARD OF MANAGERS

BE IT RESOLVED, That ***David Almeter,*** 50 Park Street, Warsaw NY 14569 be hereby reappointed to the Wyoming County Community Hospital

Board of Managers for a corrected five (5) year term; effective October 14, 2008 through December 31, 2013.

Carried: XXX Ayes: 1370 Noes: 213 (Warsaw) Absent: 35 (Wethersfield) Abstain:

Public Comment:

Wyoming County Board of Supervisors Finance Chairman, J. Davis T/Covington. *Supervisor Davis explained that the following local law is a continuance of a current fee.*

Close Public Hearing:

There being no further comments on the following Local Law, Chairman Berwanger asked for a motion to close the Public Hearing.

Supervisor Brick moved that the public hearing be closed. Supervisor Rogers seconded the motion, all voted aye and the Public Hearing was closed.

Local Law
#37

RESOLUTION NO. 08-356
(September 09, 2008)

By Mr. Davis, Chairman of Finance Committee:

LOCAL LAW 8 (INTRODUCTORY C) - YEAR 2008, A Local Law Imposing a County Recording Tax on Obligations Secured by a Mortgage on Real Property, ADOPTED

WHEREAS, There was duly presented and introduced at a meeting of this Board, held on the 12th day of August, 2008, a proposed local law of the County, designated as Local Law Introductory No. C, for the year 2008, entitled, ***A Local Law Imposing a County Recording Tax on Obligations Secured by a Mortgage on Real Property***; and

WHEREAS, In accordance with the provisions of Resolution No. 08-313, there was a public hearing held by this Board of Supervisors on this 9th day of September, 2008 at 2:30 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 2008, County of Wyoming, New York, as presented to this Board on the 9th day of September, 2008, is hereby adopted, enacted and passed by this Board in its original form as follows:

LOCAL LAW NO. 8 - YEAR 2008

A Local Law to Continue to Impose a County Mortgage Recording Tax on Obligations Secured by a Mortgage on Real Property and to Repeal Local Law Number 5 of 2005

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

STATUTORY AUTHORITY. New York State Tax Law, Section 253-n.

SECTION 1. This local law hereby repeals local law number 5 of 2005 which imposed a county recording tax on obligations secured by a mortgage on real property situated in Wyoming County. The repeal of Local Law 5 of 2005 is not retroactive. The purpose of the repeal is to make clear that this 2008 local law supersedes the repealed law and that there is non-interrupted and continuing imposition of the mortgage tax.

SECTION 2. IMPOSITION OF TAXES. For the period commencing November 1, 2008 and ending September 30, 2011, there is hereby imposed in Wyoming County a tax of twenty-five
cents ($0.25) for each 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 a mortgage on real property situated within such county and recorded on or after the date upon which such tax takes effect and a tax of twenty-five cents ($0.25) on such mortgage if the principal debt or obligation which is or by any contingency may be secured by such mortgage is less than one hundred dollars ($100.00). County of Wyoming,

SECTION 3. APPLICABILITY.
The taxes imposed under the authority of this local law shall be administered and collected in the same manner as the taxes imposed under subdivision one of Section 253 and paragraph (b) of subdivision one of Section 255 of the Tax Law. Except as otherwise provided in this local law, all the provisions of

Article 11 of the Tax Law relating to or applicable to the administration and collection of the taxes imposed by such subdivisions shall apply to the taxes imposed under the authority of this local law with such modifications as may be necessary to adapt such language to the tax so authorized. Such provisions shall apply with the same force and effect as if those provisions had been set forth in full in this local law, except to the extent that any provision is either inconsistent with a provision of this local law or not relevant to the tax authorized by this local law. For purposes of this local law, any reference in this Article 11 of the Tax Law to the tax or taxes imposed by such article shall be deemed to refer to a tax imposed pursuant to this local law, and any reference to the phrase "within this state" shall be read as "within Wyoming County," unless a different meaning is clearly required.

SECTION 4. REAL PROPERTY LOCATED IN MORE THAN ONE COUNTY.

Where the real property covered by the mortgage subject to the tax imposed pursuant to the authority of this local law is situated in this state but within and without Wyoming County, the amount of such tax due and payable to such county shall be determined in the same manner prescribed in the first paragraph of Section 260 of the Tax Law, which concerns real property situated in two or more counties. Where such property is situated both within Wyoming County and without the state, the amount due and payable to Wyoming County shall be determined in the manner prescribed in the second paragraph of such Section 260 of the Tax Law, which concerns property situated within and without the state. Where real property is situated within and without Wyoming County, the recording officer of the jurisdiction in which the mortgage is first recorded shall be required to collect the taxes imposed pursuant to this section.

SECTION 5. ADDITIONAL TAXES.

A tax imposed pursuant to the authority of this local law shall be in addition to the taxes imposed by Section 253 of the Tax Law.

SECTION 6. DISPOSITION OF TAXES.

Notwithstanding any provision of Article 11 of the Tax Law to the contrary, the balance of all moneys paid to the recording officer of the County of Wyoming during each month upon account of the tax imposed pursuant to the authority of this local law, after deducting the
necessary expenses of his or her office as provided in Section 262 of the Tax Law, except taxes paid upon mortgages which under the provisions of this section or Section 260 of the Tax Law are first to be apportioned by the New York State Commissioner of Taxation and Finance, shall be paid over by such recording officer on or before the tenth day of each succeeding month to the Treasurer of Wyoming County and, after the deduction by such Treasurer of

the necessary expenses of his or her office provided in Section 262 of the Tax Law shall be deposited in the general fund of the County of Wyoming for expenditure on any county purpose. Notwithstanding the provisions of the preceding sentence, the tax so imposed and paid upon mortgages covering real property situated in two or more counties, which under the provisions of this section of Section 260 of the Tax Law are first to be apportioned by the Commissioner of Taxation and Finance, shall be paid over by the recording officer receiving the same as provided by the determination of said Commissioner of Taxation and Finance.

SECTION 7. EFFECTIVE DATE
This local law shall become effective November 1, 2008 and ending September 30, 2011.

Carried: XXX Ayes: 1583 Noes: Absent: 35 (Wethersfield) Abstain:

Public Comment:

Wyoming County Board of Supervisors Public Safety Chairman, L. Rogers T/Pike. *Supervisor Rogers asked that the Director of Fire and Emergency Management Service, A. Santoro, offer an explanation of the following local law.*

Director Santoro explained briefly that the surcharge would solely support equipment for the 9-1-1 center / system in the county. The Director stated that currently the system is supported by a $.35 surcharge on land lines and with more and more people going to cell phone service it is becoming necessary for the need of a wireless surcharge to maintain funding of the system.

Close Public Hearing:
There being no further comments on the following Local Law, Chairman Berwanger asked for a motion to close the Public Hearing.

Supervisor Knab moved that the public hearing be closed. Supervisor Gozelski seconded the motion, all voted aye and the Public Hearing was closed.

RESOLUTION NO. 08-357
(September 09, 2008)

By Mr. Rogers, Chairman of Public Safety Committee:

LOCAL LAW 9 (INTRODUCTORY G) - YEAR 2008, *"A Local Law Imposing a Surcharge on Wireless Communications Service in the County of Wyoming,"* ADOPTED

WHEREAS, There was duly presented and introduced at a meeting of this Board, held on the 12th day of August, 2008, a proposed local law of the County, designated as Local Law Introductory No. G, for the year 2008, entitled, ***A Local Law Imposing a Surcharge on Wireless Communications Service in the County of Wyoming***; and

WHEREAS, In accordance with the provisions of Resolution No. 08-305, there was a public hearing held by this Board of Supervisors on this 9th day of September, 2008 at 2:30 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 2008, County of Wyoming, New York, as presented to this Board on the 9th day of September, 2008, is hereby adopted, enacted and passed by this Board in its original form as follows:

LOCAL LAW NO. 9 - YEAR 2008

A Local Law Imposing a Surcharge on Wireless Communications Service In the County Of Wyoming

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

Section 1. Pursuant to the authority of Section 308-v of the County Law, the County of Wyoming hereby imposes a surcharge of thirty cents per month on wireless communications service in the County of Wyoming. The surcharge shall be imposed on each wireless communications device and shall be reflected and made payable on bills rendered for wireless communications service that is provided to a customer whose place of primary use is within the County. For purposes of this local law, the term "place of primary use" shall mean the street address that is representative of where the customer's use of the wireless communications
service primarily occurs, which address must be (a) the residential street address or the primary business street address of the customer and (b) within the licensed service area of the wireless communications service supplier. A wireless communications service supplier may treat the
address used by such supplier for any wireless communications customer under a service contract or agreement in effect on the effective date of the local law as that customer's place of primary use for the remaining term of such service contract or agreement, excluding any extension or renewal of such service contract or agreement, for purposes of determining the taxing jurisdiction with respect to taxes on wireless communications service. Such surcharge shall be added by such wireless communications service suppliers to the billings of their customers as of January 1, 2009.

Section 2. The surcharge provided for herein shall not apply to wireless communications devices of the County of Wyoming, or any municipal entity within the County of Wyoming.

Section 3. Each wireless communications service supplier serving the County of Wyoming shall act as collection agent for the County and shall remit the funds collected pursuant this local law to the Chief Fiscal Officer of the County of Wyoming. Such funds shall be remitted no later than thirty (30) days after the last business day of the month. Each wireless communications service supplier shall be entitled to retain, as an administrative fee, an amount equal to two percent (2%) of its collections of the surcharge imposed by this local law. The surcharge required to be collected by such wireless communications service suppliers shall be added to and separately stated in their billings to customers.

Section 4. Each wireless communications service customer who is subject to the provisions of this local law shall be liable to the County of Wyoming for such surcharge until it has been paid to the County, except that payment to a wireless communications service supplier is sufficient to relieve such customer from further liability for such surcharge.

Section 5. No wireless communications service supplier shall have a legal obligation to enforce the collection of the surcharge imposed by this local law; provided, however, that whenever the wireless communications service supplier remits the funds collected to the County of Wyoming, it shall also provide the County with the name and address of any customer refusing or failing to pay the surcharge imposed by this local law and shall state the amount of such surcharge remaining unpaid.

Section 6. Each wireless communications service supplier shall annually provide to the County of Wyoming an accounting of the surcharge amounts billed and collected.

Section 7. All surcharge monies remitted to the County of Wyoming by a wireless communication service supplier shall be expended only as provided in Section 308-a of the County Law.

Section 8. This local law shall take effect upon filing with the office of the NYS Secretary of State.

Carried: XXX Ayes: 1583 Noes: Absent: 35 (Wethersfield) Abstain:

Public Comment:

None

Close Public Hearing:
There being no further comments on the following Local Law, Chairman Berwanger asked for a motion to close the Public Hearing.

Supervisor Patti moved that the public hearing be closed. Supervisor Bush seconded the motion, all voted aye and the Public Hearing was closed.

Local Law
#39

RESOLUTION NO. 08-358
(September 09, 2008)

By Mrs. Meeder, Chairman of Human Resource Committee:

LOCAL LAW 10 (INTRODUCTORY H) - YEAR 2008, *"A Local Law Providing for Enhanced Personal Privacy Protection for Documents Recorded in the Office of the County Clerk, and Authorizing an Increase in*

Fees Collected by the County Clerk for the Recording, Entering, Indexing, and Endorsing a Certificate on any Instrument," **ADOPTED**

WHEREAS, There was duly presented and introduced at a meeting of this Board, held on the 12th day of August, 2008, a proposed local law of the County, designated as Local Law Introductory No. H, for the year 2008, entitled, ***A Local Law Providing for Enhanced Personal Privacy Protection for Documents Recorded in the Office of the County Clerk, and Authorizing an Increase in Fees Collected by the County Clerk for the Recording, Entering, Indexing, and Endorsing a Certificate on any Instrument***; and

WHEREAS, In accordance with the provisions of Resolution No. 08-299, there was a public hearing held by this Board of Supervisors on this 9th day of September, 2008 at 2:30 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. H, Year 2008, County of Wyoming, New York, as presented to this Board on the 9th day of September, 2008, is hereby adopted, enacted and passed by this Board in its original form as follows:

LOCAL LAW NO. 10 - YEAR 2008

A Local Law Providing For Enhanced Personal Privacy Protection For Documents Recorded In The Office Of The County Clerk, And Authorizing An Increase In Fees Collected By The County Clerk For The Recording, Entering, Indexing And Endorsing A Certificate On Any Instrument.

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

Section 1. Title.

This law shall be known as the "Enhanced Personal Privacy Protection for Recorded Documents Law."

Section 2. Declaration of intent.

In accordance with subparagraph (2) of paragraph 4 of subdivision (a) of section 8021 of the Civil Practice Law and Rules, as amended by Chapter 78 of the Laws of 1989, the County of Wyoming Board of Supervisors authorizes the Wyoming County Clerk to increase the fees charged for certain documents recorded with the county clerk's office.

Section 3. Fees for recording documents.

For recording, entering, indexing and endorsing a certificate on any instrument, the fee is increased from five dollars to twenty dollars and, in addition thereto, is increased from three dollars to five dollars for each page or portion of a page. For the purpose of determining the appropriate recording fee, the fee for any cover page shall be deemed an additional page of the instrument. A cover page shall not include any social security account number or date of birth. To the extent that the Wyoming County Clerk has placed an image of such cover page on line, the county clerk shall make a good faith effort to redact such information.

Section 4. Severability.

If any section, subsection, sentence, clause, phrase or other portion of this local law is for any reason declared unconstitutional, or invalid or in whole or in part by any court of competent jurisdiction, such portion shall be deemed severable and such unconstitutionality or invalidation
shall not affect the validity of the remaining portions of this law which remaining portions shall remain in full force and effect.

Section 5. Effective date.

This local law shall take effect thirty days after filing in the office of the secretary of state pursuant to section 27 of the municipal home rule law.

Carried: XXX Ayes: 1583 Noes: Absent: 35 (Wethersfield) Abstain:

Chairman Berwanger asked if there were any Supervisor who objected to the presentation of the following resolution. There being none the Chairman asked the clerk to read Unanimous Consent resolution number 40.

Unanimous Consent
#40

RESOLUTION NO. 08-359
(September 09, 2008)

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

RESOLUTION OF SUPPORT FOR THE WYOMING COUNTY RAIL INITIATIVE

WHEREAS, The Wyoming County Industrial Development Agency (the Agency) has determined that improved rail road service has become an increasingly important component for manufacturing and economic development in Wyoming County, and

WHEREAS, The Agency has developed the Wyoming County Rail Initiative to meet the immediate needs of two manufacturers in the county, namely Koike Aronson in Arcade and Hillcrest Industries in Attica. In recent years these two companies have collectively invested more than $5 million into their individual facilities and currently employ more than 200 people in living wage jobs, and

WHEREAS, The successful completion of this initiative is a necessary step in order to accommodate existing plans for significant expansions of each company. Additionally, this initiative will facilitate the reuse of a 25-acre industrial site in Attica by providing rail service that is not currently available, and

WHEREAS, The project described in the Wyoming County Rail Initiative s ready to commence as soon as funding is obtained, now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors concurs with the Agency's desire to enhance rail service in Wyoming County and wholeheartedly supports it application to the New York State Department of Transportation for funding of the Wyoming County Rail Initiative through the Renew & Rebuild New York Bond Program and the Passenger & Rail Freight Program, and be it

FURTHER RESOLVED, That this Board of Supervisors supports the expansion of manufacturing and improved rail service in Wyoming County because of the anticipated creation of new good paying jobs and increases in the county's commercial tax base.

Carried: XXX Ayes: 1583 Noes: Absent: 35 (Wethersfield) Abstain:

There being no further business to come before this Board, Senior Supervisor, Mr. Harold Bush, T/Gainesville adjourned the meeting at 3:40 PM with a rap on his desk.

****

Respectfully submitted,

Cheryl J. Ketchum
Clerk to the Board of Supervisors

REGULAR SESSION
(October 14, 2008)

Tuesday **2:30 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, Janis Cook; Clerk to the Board of Supervisors, Cheryl Ketchum and Deputy Clerk to the Board, Brenda Ferrell.

At 2:35 PM Chairman Berwanger, T/Arcade, called the meeting to order.

The Veteran leading the Pledge of Allegiance this month was:

Roy H. Schneggenburger

Mr. Scheggenburger's service to his country was during the Korean War. Mr. Schneggenburger enlisted in the United States Army in January of 1955. His patriotism is shown by the fact that he had been drafted twice, refused entry twice, but then was accepted when he enlisted. Mr. Schneggenburger completed Infantry Basic Training at Ft. Knox, Kentucky and Advanced Individual Training at Ft Lee, Virginia where he became qualified as Quartermaster and Medical. Mr. Schneggenburger was then assigned Permanent Station at Ft. Bragg, North Carolina with assigned duties with the 20th Engineer Brigade of the 82nd Airborne Division. During his tour at Ft. Bragg, Mr. Schneggenburger helped his unit in the Disaster Relief following Hurricane Hazel in the restoration of the Virginia coast. Mr. Schneggenburger was Honorably Discharged at Ft. Dix, New Jersey in January of 1957.

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

The Good Conduct Medal

Following his service after the War, Mr. Schneggenburger settled in Miami, Florida and worked for about a year with a lumber and insurance company, before returning to this area. Mr. Schneggenburger returned to the Buffalo Area and went to work for "Rigidized Metals" in Buffalo, first as a "shipper" and then working his way up to Assistant Plant Superintendant. He then spent the next 5 years working as a Staff Assistant for "Amercoat Rustproofing". Mr. Schneggenburger then went to work for Graphic Controls as a "Regulation Coordinator" and stayed until his retirement in 1992.

Mr. Schneggenburger enjoys his 11 grandchildren, walking, sports and reading. He has been married to his wife Catherine for 46 years and they live at Silver Lake.

The pledge was said by all.

Chairman Berwanger thanked Mr. Schneggenburger for leading in the pledge as he presented him with a certificate of appreciation.

Chairman Berwanger offered Mr. Schneggenburger the opportunity to address the Board of Supervisors. In doing so Mr. Schneggenburger displayed a framed picture of what he depicted as the most decorated soldier in American History and shared the following reading with the Board:

"Nearing this auspicious day, it is only fitting that Western New Yorkers honor Matt Urban the most decorated soldier in American History.

Audie Murphy, the Hollywood actor, received all the accolades and publicity for his heroic feats in World Ward II. However, serving bravely and heroically in that same war, Lt. Col. Matt Urban was the most decorated combat soldier in the 232-year history of our great country.

He was there at the beaches of Normandy, France when the allies attacked "Fortress Europe."

The enemy called Lt. Col. Urban the "Ghost" because he was wounded in seven separate combat battles. The enemy thought him mortally wounded each time, but he returned to action after recuperating to fight again.

Lt. Col. Urban received a Purple Hear with 6 oak leaf clusters among a total of 29 combat medals. After a 35 year wait he received the Congressional Medal of Honor for gallantry in action. He was also rewarded the Silver Star with 1 oak leaf cluster, the Bronze Star, the American Campaign Medal, the European-African-Middle Eastern Campaign Medal with one Silver and one Bronze service star, World War II Victory Medal, Combat Infantry Badge, the French Croix de Guerre with Silver Gilt Star, the Fourragere from Belgium and a civilian award of the New York State Conspicuous Cross with 4 Silver and one Gold Clusters.

On June 14th, Flag Day, a statute of our locally born hero will be erected at County Hall, 95 Franklin Street; a long overdue tribute! We citizens salute you. May you rest in peace!

Lt. Co. Urban was instrumental in preserving our Constitution and ensuring our freedoms; freedom of speech; freedom of the press; freedom to pursue information through the Freedom of Information Law (FOIL) and through the National Freedom of Information Act (FOIA)…"

A copy of the reading was given to Chairman Berwanger with instructions to copy and share with the other Town Supervisors. Chairman Berwanger graciously accepted the task.

Communications:

None

#1

RESOLUTION NO. 08-360
(October 14, 2008)

By Mr. Davis, Chairman of the Finance Committee:

FUNDS TRANSFERRED TO VARIOUS 2008 ACCOUNTS

BE IT RESOLVED, That funds are hereby transferred to the various 2008 accounts as follows:

Board of Supervisors			
From: 01.31.1010.8.89001 Health Insurance	$45.39		
To: 01.31.1010.4.40503 Gas		$14.14	
01.31.1010.4.42301 Books, Publications & Sub.		31.25	
Reason: to cover unexpected gas expense and McKinney's Consolidated Laws of New York updates.			
Board of Supervisors Total			**$45.39**
County Clerk			
From: 01.34.1410.8.89001 Medical Ins.	$1,000.00		
To: 01.34.1410.4.40402 Conf/Conv		$350.00	
01.34.1410.4.40405 Employee Expenses		150.00	
01.34.1410.4.40406 Employee Mileage		500.00	
Reason: transfer to cover remaining expenses for year concerning travel.			
County Clerk Total			**$1,000.00**
County Attorney			
From: 01.34.1420.8.81001 Retirement	$4,911.44		
To: 01.34.1420.4.40007 Telephone (basic)		$60.00	
01.34.1420.4.40008 Telephone (long distance)		70.00	
01.34.1420.4.40902 Legal Services (DSS Resource Unit)		1,600.00	
01.34.1420.4.41204 Advertising		181.44	
01.34.1420.4.42301 Books and Subscriptions		3,000.00	
Reason: to pay 2008 bills and balance accounts.			
From: 01.34.1420.1.10001Salaries	$7,500.00		
To: 01.34.1420.4.40902 Legal Services		$7,500.00	
Reason: to pay Bradley Janson's contract per resolution 08-300.			
County Attorney Total			**$12,411.44**
County Treasurer			
From: 01.52.9950.9.99008 WCCH Transfer	$212,580.00		
To: 01.40.6102.4.42250 IGT/DSH Pmt		$212,580.00	

Reason: to Reduce WCCH subsidy.			
County Treasurer Total			**$212,580.00**
District Attorney			
From: 01.32.1165.8.81001 Retirement	$9,559.00		
01.32.1165.8.89001 Health Insurance	5,058.00		
To: 01.32.1165.4.41303 Stenographer		$14,617.00	
Reason: to use overages in payroll lines to cover expenses.			
District Attorney Total			**$14,617.00**
Real Property Tax Service			
From: 01.33.1355.8.89001 Med/Hosp Ins	$1,361.00		
To: 01.33.1355.4.40401 Training/Education		$ 555.00	
01.33.1355.4.41004 Computer Equip		806.00	
Reason: to cover computer monitors & equipment			
Real Property Tax Service Total			**$1,361.00**
Probation			
From: 01.37.3141.4.40406 Mileage	$330.73		
01.37.3141.4.40009 Cell Phone	108.00		
01.37.3141.4.41010 Office Supplies	20.93		
TOTAL	$459.66		
To: 01.37.3140.4.40101 Property Insurance		22.00	
01.37.3140.4.40701 Electronic Monitoring		127.92	
01.37.3140.4.41701 Physicals		100.00	
01.37.3140.4.41705 Drug Testing		55.00	
01.37.3140.4.42101 Law Enf. Supplies		154.74	
TOTAL		459.66	
Reason: Electronic Monitoring use is at higher rate, new employees need physicals and drug testing, county owned guns expenses not budgeted for.			
Probation Total			**$459.66**

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

#2

RESOLUTION NO. 08-361
(October 14, 2008)

By Mr. Davis, Chairman of the Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2008 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2008 accounts as follows:

Office for the Aging			
To: 01.44.6772.4.42466 CHF Expenses	$10,000.00		
w/01.04.6772.1601 CHF increased by same		$10,000.00	
Reason: Projected expense for the remainder of the 2008 year for the Sharing Your Wishes/Community Health Foundation grant.			
To: 01.44.6772.4.41204 Advertising	$250.00		
01.44.6772.4.42306 Other	3,000.00		
w/01.11.6772.377213 Grants in Aid		$3,250.00	
Reason: Projected expenses for the remainder of 2008.			
Office for the Aging Total			**$13,250.00**

District Attorney			
To: 01.32.1166.4.40305 Drug Task Force	$23,470.00		
01.32.1166.4.40401 Training	2,000.00		
01.32.1166.4.41010 Supplies	3,000.00		
01.32.1166.4.42306 Confidential Buy Money	6,000.00		
w/01.11.1166.308907 State Block Grant		$34,470.00	
Reason: Operation Impact Tools Grant			
District Attorney Total			**$34,470.00**
Sheriff			
To: 01.37.3110.2.23001 Cars	$80,000.00		
w/01.11.3110.3089 Other State Aid		$80,000.00	
Reason: to appropriate for Cars – Member Item – Senator Volker Grant			
Sheriff Total			**$80,000.00**
County Jail			
To: 01.37.3150.4.40108 Insurance Police	$608.89		
01.37.3150.4.40806 Cleaning Supplies	163.26		
01.37.3150.4.41010 Office Supplies	302.94		
01.37.3150.4.41209 Operating Expenses	1,283.28		
01.37.3150.4.41305 Jail Operations	383.86		
01.37.3150.4.41711 Inmate Medical	2,829.68		
01.37.3150.4.41803 Inmate Boarding	5,320.00		
w/01.11.3150.308902 State Aid - Section 606		$10,891.91	
Reason: using funds in Section 606 to cover shortages			
County Jail Total			**$10,891.91**
Probation			
To: 01.37.3140.4.40701 Electronic Monitoring	$8,000.00		
From any funds available		$8,000.00	
Reason: Electronic monitoring is being ordered by the Judge at a higher rate than anticipated. Collection of fees from eligible defendants are down			
To: 01.37.3140.4.43001 Probation Grant	$25,000.00		
w/01.11.3140.331006 (State Aid)		$25,000.00	
Reason: Allocate Shared Services grant funds for period of 7/1/08-6/30/09 to be spent by 6/30/09.			
Probation Total			**$33,000.00**
Emergency Services			
To: 01.37.3645.4.40301 Professional Services	$4,659.20		
w/01.12.3645.438901 Federal Aid – Homeland Security		$4,659.20	
Reason: Professional Services – contractor – grant funded approved Resolution No. 08-327 for remainder of 2008.			
Emergency Services Total			**$4,659.20**

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

Mr. Bush, T/Gainesville, Chairman of the Audit Committee, presented bills totaling **$2,218,506.98** for the month of **September 2008**

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

There was a motion by Mr. Kushner, T/Eagle, to combine resolutions #3 through #5. A voice vote was taken and all voted aye.

#3

RESOLUTION NO. 08-362
(October 14, 2008)

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

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 2008*** as:

"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: 1618** **Noes:** **Absent:** **Abstain:**

#4

RESOLUTION NO. 08-363
(October 14, 2008)

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

CHAIRMAN / COMMISSIONER OF PUBLIC HEALTH AUTHORIZED TO SIGN A LEASE AGREEMENT WITH VISION FORD ON BEHALF OF THE COUNTY HEALTH DEPARTMENT

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a lease agreement with Vision Ford, 4545 Ridge Road West, Rochester, NY 14626 on behalf of the County Health Department. Said lease agreement is for two (2) 2009 Ford Focuses from Ford Motor Credit Company, The American Road, POB 1739, Dearborn, MI, 48121 in an total amount financed not to exceed twenty-three thousand eight hundred thirty dollars ($23,830.00) to be paid in eight (8) quarterly payments of three thousand one hundred three dollars and twenty-six cents ($3,103.26) which includes $996.08 underwriting and interest charges = $24,826.08.

Contingent upon availability of funds.

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

#5

RESOLUTION NO. 08-364
(October 14, 2008)

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

CHAIRMAN AUTHORIZED TO SIGN 2008 AMENDED CONTRACTS ON BEHALF OF MENTAL HEALTH

BE IT RESOLVED, that the Chairman of this Board, with the approval of the County Attorney and on behalf of the Department of Mental Health, is hereby authorized and directed to sign the following contracts for FY 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 is amended with a $1,015.00 COLA minus a State Aid reduction of $5,278.00 totaling $50,069.00.

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 is amended with a COLA of $3,350.00 totaling $133,965.00.

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 in an amount not to exceed $685,515.00

A. Mental Health Clinic and Crisis - $24,866.00 amended with a $42.00 COLA minus a State Aid reduction of $1,270.00 totaling $23,638.00.
B. WNY-SCP - Clinic - $10,000.00 minus a $8,000.00 state aid reduction totaling $2,000.00
C. Adult Case Management/SPOA - $59,807.00 is amended with a $664.00 COLA totaling $60,471.00
D. Child & Youth ICM/SCM & Wrap around Funds (2 ICMS; 1 SCM) - $66,132.00 is amended with a $1,603.00 COLA totaling $67,725.00
E. RIV-POEMS - CSP
F. Co-Occurring Disorder Program & Case Management - $24,479.00 is amended with a $1,143.00 COLA minus $6,547.00 state aid reduction totaling $19,075.00
G. Child & Family Clinic Plus - $51,408.00 is amended with a $921.00 COLA and an additional $1,335.00 for start-up funds totaling $53,664.00
H. CSS Programs Continuing Day Tx., CSS Case Management, CSS Transportation for $25,432.00 is amended with a $744.00 COLA minus a $13,189.00 state aid reduction totaling $12,987
I. Chemical Abuse Treatment and Prevention Staffing & Men's Group for $367,462.00 is amended by $57,807.00 totaling $425,269.00

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 in an amount not to exceed $169,244.00.

A. PAO screenings - $21,665.00 (Same)
B. Forensic case management for $31,772.00 is amended with a $765.00 COLA minus a state aid reduction of $295.00 totaling $32,242.00
C. Jail based Chemical Dependency services in the jail for $3,000.00 (Same)
D. MICA/Homeless - Case Management - $10,941.00 (Same)
E. Crisis Outreach Program - $65,323.00 (Same)
F. Mobile Treatment Team - $15,784.00 (Same)
G. Case Management AOT - $20,289.00 (Same)

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) is amended with a $4,249.00 COLA minus a state aid reduction of $2,003.00 totaling $222,879.00.

A. Consumer Run Thrift Store - $33,202.00 amended with a $727.00 COLA minus a state aid reduction of $700.00 totaling $33,229.00
B. Drop-in Center - $21,975.00 amended with a $380.00 COLA minus a state aid reduction of $500.00 totaling $21,855.00.
C. Transportation Program - $43,962.00 amended with a $1,062.00 COLA totaling $45,024.00.
D. CCP Transportation - $11,257.00 is amended with a $503.00 state aid reduction totaling $10,754.00.
E. Social Club - $94,869.00 amended with a $1,814.00 COLA minus a state aid reduction of $200.00 totaling $96,483.00.
F. Peer Advocacy - $9,890.00 is amended with a $171.00 COLA minus a state aid reduction of $100.00 totaling $9,961.00.
G. PREP - $5,478.00 is amended with a $95.00 COLA totaling $5,573.00.

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 is amended with a $840.00 COLA minus a state aid reduction of $356.00 totaling $49,111.00.

A. Crisis respite for children - $17,585.00 is amended with a $304.00 COLA minus a state aid reduction of $181.00 totaling $17,708.00
B. GLOW Family Support - $16,950.00 is amended with a $293.00 COLA minus a $175.00 state aid reduction totaling $17,068.00.
C. Home Based Crisis Intervention - $14,092.00 is amended with a $243.00 COLA totaling $243.00.

6b) Hillside Children's Center renewal MOU for the period of January 1, 2008 through December 31, 2008 for Customized Services: $1,500.00 (Same)

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 is amended with a $4,218.00 COLA minus a $156.00 state aid reduction totaling $$182,970.00.

A. Temporary Supportive Housing - $ 10,510.00 is amended with a $181.00 COLA minus a state aid reduction of $150.00 totaling $10,518.00.
B. Four-bed treatment apartments - $ 4,631.00 is amended with a $80.00 COLA minus a state aid reduction of $6.00 totaling $4,705.00.
C. Supported Housing (20 SLOTS) - $163,790.00 is amended with a $3,957.00 COLA totaling $167,747.00.

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 (SAME)

A. Service Coordination - $ 120,620.00
B. Dual Diagnosis Coordination - $72,077.00
C. Coordinated Children's Services Initiative - $68,763.00
D. Performance Measurements - $30,209.00
E. Substance Abuse Prevention - $188,134.00

9) Contract with the Children's Mental Health Coalition of WNY, Inc., 814 Kenmore Ave., Buffalo, NY 14216, for Parent Advocate Services for CCSI Program - $15,000.00 (SAME)

10) Contract with the STOP DWI Coordinator, whereas the Wyoming County Mental Health Department receives $10,000.00 in STOP DWI Funds for 2008. (SAME)

11) Contract with an individual to work with Partners for Prevention on the Media Campaign for the Drug Free Communities Grant - $1,500.00 (SAME)

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. (SAME)

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. (SAME)

Contingent upon the availability of funds.

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

Supervisor Kushner, T/Eagle was invited to the podium to present the Breast Cancer Awareness Month Proclamation. He also invited Supervisor Meeder, T/Middlebury to read the Proclamation and assist in presentation of proclamations to Hospital CEO, Ron Krawiec, and Director of Outpatient Services, Peggy Morgan-Hise to explain state of the art technology at the Wyoming County Community Health System. As well as, Laura Paolucci, Public Health Administrator and Sarah Matthews, Public Health Fiscal Administrator to share Public Health programs.

There was a motion by Mr. Patti, T/Attica, to combine resolutions #6 and #7. A voice vote was taken and all voted aye.

#6

RESOLUTION NO. 08-365
(October 14, 2008)

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

CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH CLARK PATTERSON LEE ASSOCIATES ON BEHALF OF WYOMING COUNTY 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 Lee Associates, 186 N. Water St., Rochester NY 14604 on behalf of Wyoming County Buildings and Grounds. Said contract is for engineering services at 408 N. Main St., Warsaw for the reconstruction project including air/heating, handicap access, roof, etc. in an amount not to exceed thirty thousand dollars ($30,000.00); effective October 01, 2008 through completion of project.
Contingent upon the availability of funds.

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

#7

RESOLUTION NO. 08-366
(October 14, 2008)

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

EQUIPMENT PURCHASE APPROVED IN HIGHWAY

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to award bid and sign a contract for the purchase of:

- Tandem Drum Asphalt roller to: **Tracey Road Equipment**, 300 Middle Road, Henrietta, NY 14467 in an amount not to exceed thirty-five thousand dollars ($35,000.00); and

- A small utility trailer (2009 Cam Superline 20' equipment split-tilt trailer) from **Bramer's Trailer Sales**, 6195 Route 20A East, Warsaw, NY 14569 in an amount not to exceed six thousand three hundred forty-five dollars ($6,345.00)

Contingent upon the availability of funds.

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

There was a motion by Mrs. Totsline, T/Genesee Falls, to combine resolutions #8 through #15. A voice vote was taken and all voted aye.

#8

RESOLUTION NO. 08-367
(October 14, 2008)

By Mrs. Totsline, Chairman of the Human Services Committee:

CHAIRMAN / COMMISSIONER OF SOCIAL SERVICES AUTHORIZED TO SIGN A NEW YORK CONNECTS (LONG TERM CARE) GRANT APPLICATION AND ACCEPTANCE AWARD 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 grant application and acceptance award for the New York Connects (Long Term Care) grant in a minimum amount of sixty-two thousand dollars ($62,000.00); effective October 01, 2008 through September 30, 2009.

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

#9

RESOLUTION NO. 08-368
(October 14, 2008)

By Mrs. Totsline, Chairman of the Human Services Committee:

DOMESTIC VIOLENCE AWARENESS MONTH PROCLAIMED

WHEREAS, Domestic violence affects all residents of Wyoming County, and its damage is inflicted not only upon victims, but their children, families and communities; sadly, one in six individuals suffers abuse at the hands of their partner and these victims can be of any age, race, religion or economic status, and can endure extreme suffering and possible long-term harm; and

WHEREAS, Wyoming County through its domestic violence programs takes decisive steps to strengthen the polices of New York State that hold domestic violence offenders accountable and ensure the safety of victims and their children by focusing upon the improved working relationship with legal, law enforcement, human services, education and healthcare systems; and

WHEREAS, Wyoming County has dedicated individuals and organizations who work daily to counter the problem of domestic violence and to help families obtain assistance they need to be free from domestic violence; and

WHEREAS, Wyoming County is stronger when all citizens become aware of domestic violence prevention; and

WHEREAS, Wyoming County residents will support victims of domestic violence and will support the public and private entities that continuously strive to provide the best coordinated response to domestic violence within the county, therefore sending a strong and unwavering message to abusers that domestic violence will not be tolerated in this county; now therefore

BE IT RESOLVED, That this Board of Supervisors do hereby proclaim the Month of October 2008 as

DOMESTIC VIOLENCE AWARENESS MONTH

in Wyoming County, and commend this observance to the citizens of this county.

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

#10

RESOLUTION NO. 08-369
(October 14, 2008)

By Mrs. Totsline, Chairman of the Human Services Committee:

CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH PAULINE DUFRANE 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 a contract with Pauline DuFrane, 11024 Blanchard Road, Holland, NY 14080 on behalf of the Wyoming County Youth Bureau. Said contract is for the provision of Early Intervention Services in an amount not to exceed the 2008/2009 budget; effective September 01, 2008 through June 30, 2009.

Contingent upon the availability of funds.

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

#11

RESOLUTION NO. 08-370
(October 14, 2008)

By Mrs. Totsline, Chairman of the Human Services Committee:

CHAIRMAN AUTHORIZED TO SIGN A GRANT ACCEPTANCE AWARD WITH THE COMMUNITY HEALTH FOUNDATION 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 Community Health Foundation, 726 Exchange Street Buffalo, NY 14210 on behalf of the Wyoming County Office for the Aging. Said grant is for the provision of funding for Advanced Care Planning (Sharing Your Wishes grant) in a minimum amount of twenty thousand dollars ($20,000.00); effective September 01, 2008 through August 30, 2009.

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

#12

RESOLUTION NO. 08-371
(October 14, 2008)

By Mrs. Totsline, Chairman of the Human Services Committee:

CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH SUZANNE WHEELER 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 Suzanne Wheeler, 91 West Main Street Attica, NY 14011 on behalf of the Wyoming County Office for the Aging. Said contract is for the provision of a Sharing Your Wishes grant coordinator in an amount not to exceed four thousand dollars ($4,000.00); effective October 01, 2008 through September 30, 2009.

Contingent upon the availability of funds.

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

#13

RESOLUTION NO. 08-372
(October 14, 2008)

By Mrs. Totsline, Chairman of the Human Services Committee:

RESOLUTION NUMBER 08-111 AMENDED

WHEREAS, Resolution Number 08-111, entitled, **"CHAIRMAN AUTHORIZED TO SIGN A MEMORANDUM OF UNDERSTANDING WITH THE CLOISTERS ON BEHALF OF THE OFFICE FOR THE AGING,"** passed by this Board of Supervisors on March 11, 2008 provides for a Memorandum of Understanding for the provision of respite services to caregivers in Wyoming County as part of the Title III-E grant, to be provided on an as needed basis; effective January 01, 2008 through December 31, 2008; now therefore

BE IT RESOLVED, That resolution number 08-111 be hereby amended to reflect an increase in the daily rate (any where from $80.00 to $120.00 daily, depending on the room style and availability) from ($75.00 to $90.00 daily, depending on the room style and availability) of overnight respite; effective October 14, 2008 through December 31, 2008.

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

#14

RESOLUTION NO. 08-373
(October 14, 2008)

By Mrs. Totsline, Chairman of the Human Services Committee:

JIM SWATT APPOINTED TO THE WYOMING COUNTY YOUTH BOARD

BE IT RESOLVED, That ***Jim Swatt,*** CCSS Coordinator, 89 North Main Street, Castile, NY 14427 is hereby appointed to the Wyoming County Youth Board effective October 01, 2008 through December 31, 2009 to replace Lyman Granger.

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

#15

RESOLUTION NO. 08-374
(October 14, 2008)

By Mrs. Totsline, Chairman of the Human Services Committee:

CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH BUILDING BLOCKS 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 Building Blocks, 275 Parrish Street, Canandaigua, NY 14424 on behalf of Wyoming County Youth Bureau. Said contract is to provide Early Intervention Services in an amount not to exceed the 2008/2009 budget; effective September 01, 2008 through June 30, 2009.

Contingent upon the availability of funds.

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

Supervisor Totsline, T/Genesee Falls was invited to the podium to present the Domestic Violence Awareness Month Proclamation. Mrs. Totsline introduced

Brenda Stowell as the Domestic Violence Coordinator for the Wyoming County Department of Social Services and explained that she was unable to be here today to accept the proclamation. In her absence, Dave Rumsey, Director of Children and Family Services read and accepted the proclamation on behalf of the department.

#16

RESOLUTION NO. 08-375
(October 14, 2008)

By Mr. Fleischman, Chairman of the Planning Committee:

SET PUBLIC HEARING – INTRODUCTORY LOCAL LAW NO. I YEAR 2008

WHEREAS, There has been duly presented and introduced at a meeting of this Board of Supervisors of Wyoming County on this 14th day of October, 2008**,** a proposed local law entitled, "Local Law Introductory No. I Year 2008, "**A LOCAL LAW AMENDING LOCAL LAW NO. 2 OF THE YEAR 2006 TO REVISE AN EMPIRE ZONE (FORMERLY KNOWN AS AN ECONOMIC DEVELOPMENT ZONE)**," and

WHEREAS, Subdivision 5, Section 20 of the Municipal Home Rule Law requires a public hearing to be held on such local law; now therefore

BE IT RESOLVED, That a Public Hearing will be held on the said proposed Local Law by this Wyoming County Board of Supervisors on the 12th day of November, 2008 at 2:30 PM at the Wyoming County Government Center, 143 North Main Street, Warsaw, New York.

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

There was a motion by Mrs. Meeder, T/Middlebury, to combine resolutions #17 and #18. A voice vote was taken and all voted aye.

#17

RESOLUTION NO. 08-376
(October 14, 2008)

By Mrs. Meeder, Chairman of the Human Resources Committee:

FEE SCHEDULE ADOPTED IN COUNTY CLERK'S OFFICE

BE IT RESOLVED, That the current Wyoming County Clerk's Office Fee Schedule is hereby amended to in include updated fees:

RECORDING FEES
WYOMING COUNTY CLERK'S OFFICE

****A COVER PAGE IS REQUIRED FOR ALL DOCUMENTS & IS CONSIDERED A PAGE OF THE DOCUMENT****

RECORDING DOCUMENTS:

Document $40.00
Per Page $ 5.00 (FRONT & BACK =2pages)

DEEDS:

RP5217 form $ 75/5165
TP-584 $ 5.00
Transfer Tax - $ 4.00 per 1000

MORTGAGE *TAX:* 1 1/4 % _____ *Total*

.50% Basic
.25% Additional Tax
.25% Special Additional
.25% County Tax
Minus $25.00 if one or two family dwelling

*** NOTE: Special Additional Tax was started August 1, 1993*

Checks payable to: *Wyoming County Clerk*

Address: *143 North Main Street — Suite 104*
Warsaw, NY *14569*

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

RESOLUTION NO. 08-377
(October 14, 2008)

By Mrs. Meeder, Chairman of the Human Resources Committee:

CHAIRMAN AUTHORIZED TO SIGN CONTRACT EXTENSION WITH BRAD JANSEN ON BEHALF OF THE COUNTY 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 extend the existing contract with Bradley A. Janson, 52 North Main Street, Warsaw, NY 14569 for legal coverage in DSS child support cases; in an amount not to exceed two thousand five hundred dollars ($2,500.00) per month with no other changes; effective October 1, 2008 through October 31, 2008,

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

There was a motion by Mr. Rogers, T/Pike, to combine resolutions #19 through #25. A voice vote was taken and all voted aye.

#19

RESOLUTION NO. 08-378
(October 14, 2008)

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

RESOLUTION NUMBER 08-302 AMENDED

WHEREAS, Resolution Number 08-302, entitled, **"CHAIRMAN AUTHORIZED TO SIGN A GRANT ACCEPTANCE AWARD WITH THE DEPARTMENT OF CRIMINAL JUSTICE SERVICES ON BEHALF OF THE DISTRICT ATTORNEY,"** passed by this Board of Supervisors on August 12, 2008 provides for the Operation Impact Tools program grant for training, reduction of criminal activity within Wyoming County through collaboration between the District Attorney's office and the Wyoming County Drug Task Force in a minimum amount of forty-seven thousand nine hundred dollars ($47,900.00) and requires 10% match as this would be the second year of funding; effective October 01, 2008 through September 30, 2009; now therefore

BE IT RESOLVED, That resolution number 08-302 be hereby amended to reflect a decrease in funding from forty-seven thousand nine hundred dollars ($47,900.00) to a minimum amount of thirty-four thousand four hundred seventy dollars ($34,470.00) all else remaining the same.

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

#20

RESOLUTION NO. 08-379
(October 14, 2008)

By Mr. Rogers, Chairman of the 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; 8th Judicial District, 92 Franklin Street, 3rd Floor, Buffalo NY 14202 for the provision of funding for Court Security in a minimum amount of two hundred fifty-five thousand five hundred thirty-five dollars ($255,535.00); effective April 01, 2008 through March 31, 2009.

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

#21

RESOLUTION NO. 08-380
(October 14, 2008)

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

RESOLUTION NUMBER 08-309 AMENDED

WHEREAS, Resolution Number 08-309, entitled, **"CHAIRMAN AUTHORIZED TO SIGN CONTRACTS WITH THE DIVISION OF PROBATION AND CORRECTIONAL ALTERNATIVES ON BEHALF**

OF WYOMING COUNTY PROBATION," passed by this Board of Supervisors on August 12, 2008 provides the ***Probation Eligible Diversion Contract*** in a minimum amount of thirteen thousand one hundred dollars ($13,100.00) and ***State Aid to Probation*** in a minimum amount of sixty-five thousand dollars ($65,000.00) with the State Division of Probation and Correctional Alternatives, 80 Wolf Rd, Albany, NY 12205; now therefore

BE IT RESOLVED, That resolution number 08-309 be hereby amended to reflect a decrease in ***State Aid to Probation*** funding of seven hundred dollars ($700.00) to a minimum of twelve thousand four hundred dollars ($12,400.00) all else remaining the same.

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

#22

RESOLUTION NO. 08-381
(October 14, 2008)

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

RESOLUTION NUMBER 08-264 AMENDED

WHEREAS, Resolution Number 08-264, entitled, **"2008 INTENSIVE SUPERVISION CONTRACT APPROVED ON BEHALF OF PROBATION,"** passed by this Board of Supervisors on July 08, 2008 provides the Intensive Supervision Contract with the Division of Probation and Correctional Alternatives, 80 Wolf Rd, Albany, NY 12205, on behalf of Wyoming County Probation. Said contract provides extra monies to closely supervise court ordered probationers sentenced to Intense Supervision Program instead of jail and is in a minimum amount of six thousand seven hundred dollars ($6,700.00); effective January 01, 2008 through December 31, 2008; now therefore

BE IT RESOLVED, That resolution number 08-264 be hereby amended to reflect a decrease in funding of four hundred dollars ($400.00) to a minimum of six thousand three hundred dollars ($6,300.00) all else remaining the same.

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

#23

RESOLUTION NO. 08-382
(October 14, 2008)

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

RESOLUTION NUMBER 06-285 AMENDED

WHEREAS, Resolution Number 08-285, entitled, **"RESOLUTION NUMBER 06-61 AMENDED,"** passed by this Board of Supervisors on September 12, 2006 provides for an amended 5-year Alternatives to Incarceration programs grant contract with the Division of Probation and Correctional Alternatives, 80 Wolf Rd., Albany, NY 12205 to provide community service, pre-trial release and data-day services; effective January 01, 2006 through December 31, 2010 and a new contract amount of one hundred twenty-four thousand five hundred dollars ($124,500.00), which is a twenty-four thousand nine hundred dollar ($24,900.00) annual contract; now therefore

BE IT RESOLVED, That resolution number 06-61 as amended by 06-285 be hereby amended to reflect a decrease in funding of six thousand dollars ($6,000.00) to a minimum of one hundred eighteen thousand dollars ($118,500.00) all else remaining the same.

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

#24

RESOLUTION NO. 08-383
(October 14, 2008)

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

CHAIRMAN AUTHORIZED TO SIGN VARIOUS AGREEMENTS AND CONTRACTS ON BEHALF OF THE 2009 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, Room 414, Albany, NY 12228 for the provision of the 2009 STOP-DWI Plan Agreement in a minimum amount of one hundred forty thousand six hundred dollars ($140,600.00).

- **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:**

#25

RESOLUTION NO. 08-384
(October 14, 2008)

By Mr. Rogers, Chairman of the 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 Legal Aid in the minimum amount of one hundred sixty-nine thousand two hundred dollars ($169,200.00) ten thousand eight hundred dollars ($10,800.00) less than last year's amount; effective April 01, 2008 through December 31, 2009.

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

Supervisor Rogers, T/Pike was invited by Chairman Berwanger to introduce the newly appointed Probation Director I, Joan Kibler. Joan has worked for the county for sometime in the department and has worked her way up. Congratulations and best wishes were extended by the Board.

There was a motion by Mr. Davis, T/Covington, to combine resolutions #26 through #28. A voice vote was taken and all voted aye.

RESOLUTION NO. 08-385
(October 14, 2008)

By Mr. Davis, Chairman of the Finance Committee:

DATE OF NOVEMBER 2008 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 ***Wednesday, November 12th, 2008 at 2:30 PM*** at the ***Wyoming County Government Center, 143North Main Street, Warsaw, New York***.

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

#27

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RESOLUTION NO. 08-386
(October 14, 2008)

By Mr. Davis, Chairman of the Finance Committee:

REFUND APPLICATION IN THE TOWN OF PERRY DENIED

WHEREAS, Pursuant to the Real Property Tax Law, application has been made for refund and of 2006, 2007, and 2008 Real Property Town and County Taxes 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 refund application is hereby denied in accordance with the applicable section of the Real Property Tax Law.

PARCEL: Town of Perry, Tax Map # 564201 88.20-2-28

OWNER: Timothy Gertis
Edith Gertis
112 N.Main St.
Perry, NY 14530

ERROR: NONE

AUTHORITY: RPTL §550.2(a)

ACTION: DENY Refund Application. 2008 BAR decision reduced Assessment & changed Property Classification for 2008 only. No Grievance filed in 2005, 2006 or 2007. 2008 decision not to retroactive to prior years.

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

#28

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RESOLUTION NO. 08-387
(October 14, 2008)

By Mr. Davis, Chairman of the Finance Committee:

SALARY SCHEDULE "S" 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 "S":

Office for the Aging:

- set salary for Nutrition Coordinator (1.00 FTE) at $32,000.00 annually; effective July 07, 2008; and
- set salary for Nutrition Coordinator (1.00 FTE) at $36,000.00 annually; effective September 15, 2008.

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

Chairman Berwanger asked if there was any Supervisor who objected to the presentation of the following resolution. There being none the Chairman asked the clerk to read Unanimous Consent resolution number 29.

After the reading of Unanimous Consent Resolution 29 and prior to the roll call vote, Chairman Berwanger expressed the Board's support of Unanimous

Consent Resolution 29. He stated that after a recent New York State Association of Counties Conference attended by many of the Board members, the Supervisors agree that there may be a tendency to shift costs back to the counties.

Wyoming County Board members agreed that if the state wants to reduce costs they should cut the programs and not just reduce the funding.

Wyoming County has prepared for the worst with the 2009 county budget, but with potential for more state cost shifting no one really knows what the worst is.

Supervisor Rogers explained that the Pre-School program that was a 50/50 match is now a 49/51 match which, Chairman Berwanger pointed out, by it self is not much but when you have multiple programs affected it starts to add up and resolutions presented for consideration by Public Safety Committee amending previous resolutions are due to some of the reductions by the state in funding.

UC#29

RESOLUTION NO. 08-388
(October 14, 2008)

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

RESOLUTION URGING THE GOVERNOR AND THE STATE LEGISLATURE TO REDUCE STATE SPENDING WITHOUT SHIFTING COSTS FOR STATE PROGRAMS TO COUNTY GOVERNMENT

WHEREAS, Counties in New York have long served as the principal partner in administering the State's most critical programs in areas such as health, human services and public protection; and

WHEREAS, As part of administering these programs, the State mandates that counties fund a significant portion of these programs through the county budget; and

WHEREAS, These State mandates are the root cause of high property taxes at the county level; and

WHEREAS, The enacted budget for State Fiscal Year 2008-09, included an across the board 2 percent reduction that affected over 100 county programs; and

WHEREAS, The majority of the programs affected by this across the board reduction are State mandated, thus, significantly limiting a county's ability to mitigate the fiscal burden of this State action; and

WHEREAS, As State policy makers continue to address looming State budget deficits it is critical that they draw a clear distinction between "cuts" in State funding and simple cost shifting that requires counties to fund a larger share of State mandated services; and

WHEREAS, As experienced managers who must balance their own budgets, county officials understand and support the need for spending restraint, especially in difficult times; and

WHEREAS, Counties believe that it is preferable to restructure and eliminate unnecessary and wasteful spending than to implement across the board reductions without examining the merits of each program and service; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors calls on the Governor and State Legislature to reduce State spending without shifting the costs for State programs to county government; and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors believes that by working together, the State and its counties can fashion program efficiencies and changes that provide real, timely, and mutual fiscal benefit, while minimizing the impact on taxpayers; and be it

FURTHER RESOLVED, That the Clerk to this Board be hereby directed to forward certified copies of this resolution to Governor Paterson, Senator Dale Volker, Assemblyman Daniel Burling, and all others deemed necessary and proper.

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

Chairman Berwanger asked if there was any further business to come before the Board today and Veterans' Services Director, Gary Cousins replied by informing the Board of activities taking place for Veterans' Day (the day before the next board meeting):

Honoring Veterans with ceremonies at:

- *Warsaw Elementary School – November 7th at 8:15 AM*
- *Letchworth Central School – November 7th at 9:45 AM*
- *WCCH / Skilled Nursing Facility – November 7th at10:00 AM*

- *Firing Squad will be at the Warsaw Monument – November 11th at 11:00AM.*

Supervisor Gozelski, T/Castile requested that he be heard regarding a conversation had by the Supervisors in Committee of the Whole earlier. Many of the Supervisors expressed their intent to vote no on the passage of a resolution entitled, "Resolution Calling On the Governor Of The State of New York to Sign Legislation Into Law That Would Enforce The Collection Of Sales Taxes On Tobacco Sold On Indian Lands," He acknowledged Tribal Treaties signed by our forefathers two hundred or so years ago and the relationship between the cost shifting resolution and the collection of sales taxes on tribal lands. Supervisor Gozelski went on to say that this was a topic of conversation for NYSAC's Sub-Committee, Native American Affairs at the recent NYSAC Conference in Niagara County and how that Sub-Committee was encouraging counties to support passage of legislation to collect sales taxes from non-native Americans on tribal lands. He continued by stating that the collection of these taxes would mean more dollars for the state's budget.

There being no further business to come before this Board, Senior Supervisor, Mr. Harold Bush, T/Gainesville adjourned the meeting at 3:15 PM with a rap on his desk.

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Respectfully submitted,

Cheryl J. Ketchum
Clerk to the Board of Supervisors

REGULAR SESSION
(November 12, 2008)

Wednesday **2:30 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, Janis Cook; Clerk to the Board of Supervisors, Cheryl Ketchum and Deputy Clerk to the Board, Brenda Ferrell.

At 2:35 PM Chairman Berwanger, T/Arcade, called the meeting to order.

The Veteran leading the Pledge of Allegiance this month was:

JACOB R. STEFANON

Mr. Stefanon's service to his country comes while serving during World War II. He enlisted in the United States Army on October 7, 1942 and completed his Basic and Advanced Individual Training at Ft. Marmouth, New Jersey where he became qualified as a radio repairman. Mr. Stefanon was then assigned to Ft. McDill, Florida for Overseas Training. He was then shipped to Camp Sarasota in Australia for Island Training and his first combat assignment was with the 596th Signal Warning Battalion at Port Morsby in New Guinea, which was attached to the 1st Marine Division. Mr. Stefanon worked with the Combat Radar unit as a radio repairman. Mr. Stefanon's unit then moved to Ora Bay, New Guinea where they participated with the landing at New Britton in the South West Pacific. He and his unit also took part in the Invasion of the Admiralty Islands while assigned to the 1st Cavalry Division. Mr. Stefanon returned to the United States and was honorably discharged at Ft. Knox, Kentucky on the 3rd of December 1945 at the rank of Tec 5.

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

WORLD WAR II VICTORY MEDAL
PHILLIPINE LIBERATION RIBBON
ASIATIC-PACIFIC THEATER RIBBON WITH 3 BRONZE SERVICE STARS

After the War, he returned to the area, settling in Buffalo and went to work for the Blatt Brothers Theater Corporation of Pittsburg, Pennsylvania as their General Manager of the New York Operations stationed in Buffalo. He held this position for 15 years, when he then went out on his own and purchased the

Silver Lake Drive-In in 1966. He has owned and operation the Drive-In since then, turning the Drive-In over to his son, but staying active with the Charcoal Corral. Mr. Stefanon also was a public servant during this time by starting as a "Seta Coordinator" in Perry and then 3 years as Civil Service Administrator and 7 years in Wyoming County Employment Training until his retirement in 1980. Mr. Stefanon enjoys gardening and golf and resides in the Village of Perry.

The pledge was said by all.

Chairman Berwanger, T/Arcade thanked Mr. Stefanon for leading in the pledge as he presented him with a certificate of appreciation. The Chairman offered Mr. Stefanon an opportunity to address the Board. Mr. Stefanon thanked the Veteran's Services office and the Board of Supervisors for inviting him to lead in the pledge. The Supervisors shared just a few memories of Mr. Stefanon's employment with the county.

Communications:

C1: Genesee County is hosting Inter-County of Western New York on Friday, November 21, 2008. Registration starts at 9:30 AM at Milton Cat in Batavia. Reservations are requested no later than Friday, November 14, 2008. Please let D. Clerk Ferrell or Clerk Ketchum know if you plan to attend.

#1

RESOLUTION NO. 08-389
(November 12, 2008)

By Mrs. Totsline, Chairman of the Human Services Committee:

VETERANS AWARENESS AND APPRECIATION MONTH 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.

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.

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.

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 2008 as:

VETERANS AWARENESS AND APPRECIATION MONTH

FURTHER RESOLVED, That the Clerk of this Board is hereby directed to forward certified copies of this resolution to President Bush, U.S. Senators Charles Schumer and Hillary Clinton, Congressman Thomas M. Reynolds, and all other deemed appropriate and necessary.

Carried: XXX Ayes: 1569 Noes: Absent: 49 (Eagle) Abstain:

Chairman Berwanger, T/Arcade invited Mrs. Totsline, T/Genesee Falls to present the above proclamation. She stated that Supervisor Bush, T/Gainesville agreed to make this presentation. Supervisor Bush invited Veterans' Services Director, Gary Cousins and Assistant Director, William Wilkinson to join him. Supervisor Bush also recognized the hard work the Department does by pointing out that Veteran's Services assists in getting $10 million dollars in benefits to Wyoming County veterans. Chairman Berwanger, T/Arcade, T/Arcade then introduced a Veterans' Day presentation by Director Cousins. Director Cousins started by asking all veterans to stand and be recognized. The spouses of veterans were also asked to stand and be recognized. Director Cousins presented a 20 minute Power Point presentation prepared locally by Letchworth Central School Administration and students. Representing the District at today's Board meeting were Elementary School Principal, Mr. William Bean, Teachers Nancy Fitch and Ann Drisell. Mr. Bean added that Mr. Phillips, who was unable to attend the meeting today, also played a huge part in the Veterans' Day presentation.

Chairman Berwanger, T/Arcade asked for a copy of the presentation for all Supervisors to be able to share with their Towns.

#2

RESOLUTION NO. 08-390

November 12, 2008

By Mr. Davis, Chairman of the Finance Committee:

FUNDS TRANSFERRED TO VARIOUS 2008 ACCOUNTS

BE IT RESOLVED, That funds are hereby transferred to the various 2008 accounts as follows:

Public Defender			
From: 01.34.1620.4.40805 Cleaning Services Private	$5,184.18		
To: 01.32.1170.4.40001 Natural Gas		$88.24	
01.32.1170.4.40002 Electric		$ 781.64	
01.32.1170.4.40005 Water/Sewer		$ 170.40	
01.32.1170.4.40805 Cleaning Services Private		$ 4,143.90	
Reason: To cover the cost of utilities and maintenance due to the relocation of the PD Office.			
Public Defender Total			**$5,184.18**
Board of Supervisors			
From: 01.31.1010.8.89001 Health Insurance	$140.00		
To: 01.31.1010.4.40201 dues		140.00	
Reason: To cover 2008 Membership to the NYS Agricultural Society for 7 Supervisor Members.			
Board of Supervisors Total			**$140.00**
Fire & Building Code Enforcement			
From: 01.37.3620.8.81001 Retirement	$ 4,410.00		
01.37.3620.8.89001 Health Insurance	527.65		
To: 01.37.3620.4.42306 Other		$ 4,937.65	
Reason: Transfer funds to cover the cost of Aurora Static Shelving for needed storage space.			
Fire & Building Code Enforcement Total			**$4,937.65**

Carried: XXX Ayes: 1569 Noes: Absent: 49 (Eagle)
Abstain:

#3

RESOLUTION NO. 08-391
(November 12, 2008)

By Mr. Davis, Chairman of the Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2008 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2008 accounts as follows:

County Clerk			
To: 01.34.1411.8.89001 Medical Insurance	$2,335.00		
w/01.03.1411.1255 Clerk Fees increased by same.		$2,335.00	
Reason: To cover the cost of Health Insurance not budgeted.			
County Clerk Total			**$2,335.00**

Department of Social Services			
To: 01.39.6010.4.43016 - WRAP w/01.12.6010.4610 Social Svc. Admin. increased by same **Reason:** For 2007/2008 WRAP Funding	$15,000.00	$15,000.00	
Department of Social Services Total			**$15,000.00**

Carried: XXX Ayes: 1569 Noes: Absent: 49 (Eagle) Abstain:

Mr. Bush, T/Gainesville, Chairman of the Audit Committee, presented bills totaling **$1,879,849.31** for the month of **October 2008**

Carried: XXX Ayes: 1569 Noes: Absent: 49 (Eagle) Abstain:

There was a motion by Mrs. Totsline, T/Genesee Falls, to combine resolutions #4 through #9. A voice vote was taken and all voted aye.

#4

RESOLUTION NO. 08-392
(November 12, 2008)

By Mrs. Totsline, Chairman of the Human Services Committee:

CHAIRMAN AUTHORIZED TO SIGN CONTRACT WITH STEPHEN TARBELL 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 a contract with Stephen Tarbell, 4270 Fairview Road, Castile, NY 14427 on behalf of the Wyoming County Youth Bureau. Said contract is for the provision of Youth Court Coordination in an amount not to exceed four thousand eight hundred dollars ($4,800.00); effective January 01, 2009 through December 31, 2009.
Contingent upon the availability of funds.

Carried: XXX Ayes: 1569 Noes: Absent: 49 (Eagle) Abstain:

#5

RESOLUTION NO. 08-393
(November 12, 2008)

By Mrs. Totsline, Chairman of the Human Services Committee:

CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH THE CENTER FOR AUTISM AND RELATED DISORDERS, INC. 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 a contract with The Center for Autism and Related Disorders, Inc., 6 North Main Street, Suite 110, Fairport, NY 14450 on behalf of the Wyoming County Youth Bureau. Said contract is to perform Early Intervention Services in an amount not to exceed 2008-2009 program budgets; effective September 01, 2008 through June 30, 2009.
Contingent upon the availability of funds.

Carried: XXX Ayes: 1569 Noes: Absent: 49 (Eagle) Abstain:

#6

RESOLUTION NO. 08-394
(November 12, 2008)

By Mrs. Totsline, Chairman of the Human Services Committee:

CHAIRMAN / COMMISSIONER OF SOCIAL SERVICES AUTHORIZED TO SIGN A GRANT ACCEPTANCE AWARD WITH NEW YORK STATE OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE 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 grant acceptance award with New York State Office of Temporary and Disability Assistance, 40 N. Pearl St., Albany,

NY 12243 on behalf of the Department of Social Services. Said grant is for New York State Food Stamp Nutrition Education Plan for funding the Cornell Cooperative Extension of Wyoming County Food Stamp Nutrition Education Program in a minimum amount of one hundred eighty thousand seven hundred thirty-two dollars ($180,732.00); effective October 01, 2008 through September 30, 2009. 50% Federal / 50% CCE

Carried: XXX Ayes: 1569 Noes: Absent: 49 (Eagle) Abstain: #7

RESOLUTION NO. 08-395
(November 12, 2008)

By Mrs. Totsline, Chairman of the Human Services Committee:

CHAIRMAN / COMMISSIONER OF SOCIAL SERVICES AUTHORIZED TO SIGN A GRANT ACCEPTANCE AWARD WITH NEW YORK STATE OFFICE OF CHILD AND FAMILY SERVICES DIVISION OF INFORMATION TECHNOLOGY 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 grant acceptance award with New York State Office Child and Family Service Division of Information Technology, Ten Eyck Bldg., 52 Washington St., Rensselaer, NY 12144 on behalf of the Department of Social Services. Said grant is for funding (6) laptop computers to allow CPS workers to have "Portable Information Technology" to enhance worker productivity in the delivery of child protective services. 100% State Funded.

Carried: XXX Ayes: 1569 Noes: Absent: 49 (Eagle) Abstain: #8

RESOLUTION NO. 08-396
(November 12, 2008)

By Mrs. Totsline, Chairman of the Human Services Committee:

NATIONAL ADOPTION MONTH PROCLAIMED

November 15, 2008 Proclaimed National Adoption Day

WHEREAS, November 2008 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 2008 one of Wyoming County's foster families adopted a child that was in foster care. Wyoming County still has up to nine pending adoptions remaining for this year; and

WHEREAS, There are approximately 28 children in Wyoming County currently in foster care; and there are 13 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;

BE IT RESOLVED, That November 2008 is hereby proclaimed

NATIONAL ADOPTION 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: 1569 Noes: Absent: 49 (Eagle) Abstain:

RESOLUTION NO. 08-397
(November 12, 2008)

By Mrs. Totsline, Chairman of the Human Services Committee and Mr. Kushner of the Public Health Committee:

NATIONAL CAREGIVERS MONTH PROCLAIMED

WHEREAS, During this season of thanksgiving, as we pause to reflect on the many blessings that have been bestowed on 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 this 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, people over 85 are the fastest growing segment of our population. Family caregivers can be found in every County and Town in America. It is likely 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; and

WHEREAS, The Wyoming County Office for the Aging and the Wyoming County Public Health Department provide free family caregiver support services and resources to help keep family caregivers healthy in body, mind, and spirit so they can continue to provide care for their loved ones and remain healthy while doing so; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors do hereby proclaim November 2008 as:

NATIONAL FAMILY CAREGIVERS MONTH

in Wyoming County, New York.

Carried: XXX Ayes: 1569 Noes: Absent: 49 (Eagle) Abstain:

Supervisor Totsline, T/Genesee Falls was invited to the podium to present proclamations for National Adoption Month and National Family Caregivers Month. Supervisor Totsline, T/Genesee Falls enlisted the assistance of Supervisor Fleischman, T/Java to make the presentation for National Adoption Month. There was no one from Social Services present at today's meeting to accept the proclamation. Supervisor Totsline informed the Board that Foster Parents are desperately needed…

Supervisor Totsline presented the National Family Caregivers Month Proclamation to Director of Aging and Youth, Andrea Aldinger as well as to Public Health Commissioner, Dr. Gregory Collins.

Director Aldinger pointed Supervisor Totsline out as a Family Caregiver, she thanked the Board for their support of Family Caregivers and reminded everyone present to take the time to thank a Family Caregiver for their hard work and dedication in caring for their family member.

There was a motion by Mrs. Totsline, T/Genesee Falls, to combine resolutions #10 through #13. A voice vote was taken and all voted aye.

#10

RESOLUTION NO. 08-398
(November 12, 2008)

By Mrs. Totsline, Vice-Chairman of the Public Health Committee:

CHAIRMAN / COMMISSIONER OF HEALTH AUTHORIZED TO SIGN A LEASE AGREEMENT WITH HASLER FINANCIAL SERVICES, LLC ON BEHALF OF THE HEALTH DEPARTMENT AND CERTIFIED HOME HEALTH AGENCY

BE IT RESOLVED, That the Chairman of this Board and the Commissioner of Health with the approval of the County Attorney are hereby authorized and directed to sign a lease agreement with Hasler Financial Services LLC, 3400 Bridge Parkway, Suite 201, Redwood City, CA 94065 on behalf of the Wyoming County Health Department & Certified Home Health Agency. Said lease is for a digital mailing system and maintenance agreement in an amount not to exceed seventy-eight dollars ($78.00) per month (to be paid quarterly) for sixty-three months in a total contract amount not to exceed four thousand nine hundred fourteen dollars ($4,914.00); effective upon installation of the machine.
Contingent upon the availability of funds.

Carried: XXX Ayes: 1569 Noes: Absent: 49 (Eagle) Abstain: #11

RESOLUTION NO. 08-399
(November 12, 2008)

By Mrs. Totsline, Vice-Chairman of the Public Health Committee:

CHAIRMAN / COMMISSIONER OF PUBLIC HEALTH AUTHORIZED TO SIGN A GRANT ACCEPTANCE AWARD WITH THE NEW YORK STATE DEPARTMENT OF HEALTH OFFICE OF SCIENCE ON BEHALF OF THE HEALTH DEPARTMENT

BE IT RESOLVED, That the Chairman of this Board and the Commissioner of Public Health with the approval of the County Attorney are hereby authorized and directed to sign a grant acceptance award with the New York State Department of Health Office of Science, DAI 120 New Scotland Avenue, Albany, NY 12208 on behalf of the County Health Department. Said grant is for the provision of funding for Public Health Emergency Preparedness activities in a minimum amount of seventy-five thousand dollars ($75,000.00); effective August 10, 2008 through August 09, 2009.

Carried: XXX Ayes: 1569 Noes: Absent: 49 (Eagle) Abstain:

RESOLUTION NO. 08-400
(November 12, 2008)

By Mrs. Totsline, Vice-Chairman of the Public Health Committee:

RESOLUTION IN OPPOSITION TO NEW YORK STATE DEPARTMENT OF HEALTH PROPOSED NEW RULE SUBPART 72-1, TITLE 10, NYCRR FOR TANNING FACILITIES

WHEREAS, The New York State Department of Health is proposing a new rule for Tanning Facilities for the purpose of establishing standards for the licensure and inspection of such facilities; and

WHEREAS, The proposed rule would apply to Wyoming County small businesses, making them subject to licensure and inspection fees and imposing other business expenses upon them; and

WHEREAS, The current rules established in July 1990 giving the Department of Health the authority and responsibility to license and inspect tanning facilities have not been enforced by the New York State Department of Health; and

WHEREAS, The Wyoming County Board of Supervisors believes the adoption of the proposed new rule would be an unnecessary hardship to small businesses in Wyoming County, with little or no added benefit to the general population and without improving the public's health; and

WHEREAS, The new rule proposed by the NYSDOH is an unfunded mandate, placing the responsibility for licensure and inspection upon the Wyoming County Department of Health, thereby adding additional burden upon the taxpayers of Wyoming County in already financially trying times; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors hereby opposes the proposed new rule on licensure and inspection of tanning facilities; and be it

FURTHER RESOLVED, That certified copies of this resolution shall be forwarded to Governor David A. Paterson; NYSDOH Commissioner Richard Daines, MD; Katherine Ceraolo, DOH; Senator Dale Volker; Assemblyman Daniel J. Burling; New York State Association of Counties, and Western New York Inter-County Association.

Carried: XXX Ayes: 1569 Noes: Absent: 49 (Eagle) Abstain: #13

RESOLUTION NO. 08-401
(November 12, 2008)

By Mrs. Totsline, Vice-Chairman of the Public Health Committee:

CHAIRMAN AUTHORIZED TO SIGN A GRANT ACCEPTANCE AWARD WITH THE NEW YORK STATE OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES 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 grant acceptance award with the NYS Office of Alcoholism and Substance Abuse Services, 150 Western Avenue, Albany, NY 12203-3526 on behalf of Mental Health. Said grant is for the provision of funding for gambling prevention services in a minimum amount of sixty thousand dollars ($60,000.00); effective October 01, 2008 and will continue as long as state aid is available. There is no county match.

Carried: XXX Ayes: 1569 Noes: Absent: 49 (Eagle) Abstain:

Chairman Berwanger commented on resolution office number 12 by saying that during the Public Health Committee the members agreed that the additional regulations would serve no other purpose than to burden small businesses in New York State with additional regulations.

There was a motion by Mr. Fleischman, T/Java, to combine resolutions #14 through #22. A voice vote was taken and all voted aye.

RESOLUTION NO. 08-402
(November 12, 2008)

By Mr. Fleischman, Chairman of the Planning Committee:

MEMBERS APPOINTED / REAPPOINTED TO THE WYOMING COUNTY PLANNING BOARD

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

To complete a three (3) year term; effective through December 31, 2009
- ***Ronald Latham***, 543 Pavilion-Warsaw Rd., Wyoming, NY 14591 to replace Robert Taylor.

Three (3) year term effective January 1, 2009, through December 31, 2011
- ***Dana Grover (Town of Perry)*** 65 South Main Street, Perry, NY 14530
- ***Thomas Ayers (Town of Pike)*** 88 West Main Street, P. O. Box 84, Pike, NY 14130
- ***Michael Armbrust (Town of Sheldon)*** 601 Brookledge Court, Strykersville, NY 14145
- ***W. Jerome Smith (Town of Warsaw)*** 4673 Buffalo Road, Warsaw, NY 14569

One (1) year term effective January 1, 2009 through December 31, 2009
- Alternate #1, ***Paul Bijhouwer,*** 217 Park Street, Arcade, NY 14009
- Alternate #2, ***Gerald Pfeifer,*** 39 Mount View Avenue, Warsaw, NY 14569

Carried: XXX Ayes: 1569 Noes: Absent: 49 (Eagle) Abstain:
#15

RESOLUTION NO. 08-403
(November 12, 2008)

By Mr. Fleischman, Chairman of the Planning Committee:

MEMBERS REAPPOINTED TO THE AGRICULTURE AND FARMLAND PROTECTION BOARD

BE IT RESOLVED, That the following members be hereby reappointed to the **Agricultural Farmland Protection Board:**

One (1) year term; effective January 1, 2009, through December 31, 2009:

- ***Daryl Heiby, Chairman, Wyoming County Soil & Water Board of Directors,*** 12 Orchard Street, Perry, NY 14530

Four (4) year term; effective January 1, 2009 through December 31, 2012:

- ***Mark Merrill, Agri-Business,*** 5442 Sheppard Road, Bliss, NY 14024

Carried: XXX Ayes: 1569 Noes: Absent: 49 (Eagle) Abstain: #16

RESOLUTION NO. 08-404
(November 12, 2008)

By Mr. Fleischman, Chairman of the Planning Committee:

DREW SHAPIRO REAPPOINTED TO THE GLOW SOLID WASTE PLANNING COMMITTEE

BE IT RESOLVED, That ***Drew Shapiro***, ***Director of Planning & Development***, 6470 Route 20A, Suite 4, Perry, NY 14530 be hereby reappointed to the **GLOW Solid Waste Planning Committee** for a **o*ne (1) year term; effective January 1, 2009 through December 31, 2009.***

Carried: XXX Ayes: 1569 Noes: Absent: 49 (Eagle) Abstain:

RESOLUTION NO. 08-405
(November 12, 2008)

By Mr. Fleischman, Chairman of the Planning Committee:

MEMBERS REAPPOINTED TO THE GLOW SOLID WASTE ADVISORY COMMITTEE

BE IT RESOLVED, That the following members are hereby reappointed to the **GLOW Solid Waste Advisory Committee:**

One (1) year term effective January 1, 2009, through December 31, 2009:

- ***William Maddison, Cornell Cooperative Extension of Wyoming County,*** 401 North Main Street, Warsaw, NY 14569
- ***Drew Shapiro, Director of Planning & Development,*** 6470 Route 20A, Suite 4, Perry, NY 14530

Carried: XXX Ayes: 1569 Noes: Absent: 49 (Eagle) Abstain:

#18

RESOLUTION NO. 08-406
(November 12, 2008)

By Mr. Fleischman, Chairman of the Planning Committee:

DREW SHAPIRO REAPPOINTED TO THE GLOW REGIONAL SOLID WASTE COMMITTEE

BE IT RESOLVED, That ***Drew Shapiro***, ***Director of Planning & Development,*** 6470 Route 20A, Suite 4, Perry, NY 14530 be hereby reappointed to the **GLOW Regional Solid Waste Committee** for a **one (1) year term; effective January 1, 2009 through December 31, 2009.**

Carried: XXX Ayes: 1569 Noes: Absent: 49 (Eagle) Abstain:

#19

RESOLUTION NO. 08-407
(November 12, 2008)

By Mr. Fleischman, Chairman of the Planning Committee:

CHAIRMAN AUTHORIZED TO SIGN AGREEMENT WITH ENVIRONMENTAL ENTERPRISES FOR GLOW REGION 2009 HOUSEHOLD HAZARDOUS WASTE COLLECTION PROGRAM

WHEREAS, The GLOW Region Solid Waste Management Committee has received funding from the NYS Department of Environmental Conservation (NYSDEC) for the 2009 Household Hazardous Waste Collection Program; and

WHEREAS, The GLOW Committee has recommended that a contract with Environmental Enterprises Inc., 4650 Spring Grove Ave., Cincinnati, OH 45232 be extended to provide collection services for the May 09, 2009 Household Hazardous Waste Collection Program; now therefore

BE IT RESOLVED, That upon the approval of the County Attorney, the Chairman of the Wyoming County Board of Supervisors is authorized and directed to sign a contract extension with the other GLOW Counties and Environmental Enterprises Inc. for the 2009 GLOW Household Hazardous Waste Collection Program in an amount not to exceed twenty-six thousand dollars ($26,000.00).

Contingent upon the availability of funds.

Carried: XXX Ayes: 1569 Noes: Absent: 49 (Eagle) Abstain:

#20

RESOLUTION NO. 08-408
(November 12, 2008)

By Mr. Fleischman, Chairman of the Planning Committee:

CHAIRMAN AUTHORIZED TO SIGN CONTRACT FOR SOLID WASTE COLLECTION AND INTER-MUNICIPAL AGREEMENTS

WHEREAS, Wyoming County wants to continue providing a curbside collection program for the collection of solid waste and recyclable materials; and

WHEREAS, The Wyoming County Board of Supervisors has requested, received and evaluated two bids from solid waste collection providers; and

WHEREAS, The Wyoming County Department of Planning and Development held a Public Hearing at its office at 6470 Route 20A in Perry, New York on Thursday, September 18, 2008 at 4:00 p.m. to discuss the qualifications of Nu Way Sanitation, the lowest responsible bidder, with no negative comments being communicated; now therefore

BE IT RESOLVED, That this Board of Supervisors does hereby determine that the bid submitted by Nu Way Sanitation, Arcade, NY best meets the solid waste collection needs of county residents; and be it

FURTHER RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign a contract with Nu Way Sanitation, for the period of January 1, 2009, through December 31, 2010; and be it

FURTHER RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign Inter-Municipal Agreements with those Municipalities that are participating in the County solid waste curbside collection program.

Carried: XXX Ayes: 1569 Noes: Absent: 49 (Eagle) Abstain: #21

RESOLUTION NO. 08-409
(November 12, 2008)

By Mr. Fleischman, Chairman of the Planning Committee:

AUTHORIZING THE USE OF FEDERAL COMMUNITY DEVELOPMENT BLOCK GRANT AND MICROENTERPRISE LOAN REPAYMENT FUNDS

Regular Session

WHEREAS, Wyoming County successfully implemented and closed out a Small Cities Community Block Grant received by 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, existing OFSC grant funding for the County's Microenterprise and Downtown Revitalization Program will be fully expended by October 31, 2008; and

WHEREAS, the County is desirous of continuing the Microenterprise and Downtown Revitalization Program; now therefore

BE IT RESOLVED, that the Board of Supervisors of Wyoming County hereby authorizes the IDA to use $20,000 in loan repayment funds from the HUD Grant to provide additional funding for the Microenterprise and Downtown Revitalization Program Project Number 1279ME119-08.

Carried: XXX Ayes: 1569 Noes: Absent: 49 (Eagle) Abstain: #22

RESOLUTION NO. 08-410
(November 12, 2008)

By Mr. Fleischman, Chairman of the Planning Committee:

AUTHORIZING A GRANT AGREEMENT WITH THE WYOMING COUNTY BUSINESS CENTER, INC. FOR THE IMPLEMENTATION OF AN OFFICE OF COMMUNITY RENEWAL GRANT RECEIVED FROM THE NEW YORK STATE HOUSING TRUST FUND CORPORATION

WHEREAS, Wyoming County has received Federal grant assistance from the New York State Housing Trust Fund Corporation represented by the

New York State Office of Community Renewal (hereinafter the "OCR") through the Community Development Block Grant (hereinafter "CDBG") Program for the purpose of providing funding for the continuation of the Wyoming County Microenterprise and Downtown Revitalization Program and for implementation of the Wyoming County Farm Diversification Program; and

WHEREAS, such OCR grant includes funding in the amount of $200,000 to capitalize a Microenterprise Loan Program (hereinafter the "Program") and funding in the amount of $20,000 for delivery costs related to the Program; and

WHEREAS, the Wyoming County Business Center, Inc. has the capacity to implement the Program in the best interests of the County; and

WHEREAS, the Wyoming County Business Center, Inc. is a not-for-profit corporation eligible to receive grants of CDBG funds pursuant to Section 105(a)(15) of the Housing and Community Development of 1974, as amended (42 USC 5305); now therefore

BE IT RESOLVED, that the County will enter into a grant agreement with the Wyoming County Business Center, Inc. for implementation of the Program under terms and conditions fully reviewed and agreed to by the County Attorney; and

BE IT FURTHER RESOLVED, that such agreement shall grant $200,000 for the purpose of funding Microenterprise loans and $20,000 for the purpose of funding loan delivery costs.

Carried: XXX Ayes: 1569 Noes: Absent: 49 (Eagle) Abstain:

*Chairman Berwanger, T/Arcade pointed out that he did not open the Public Hearing regarding Local Law I of the year 2008, entitled, "**A Local Law Amending Local Law No. 2 of the Year 2006 to revise an Empire Zone (Formerly Known as an Economic Development Zone)"** and asked Planning and Development Director Drew Shapiro to comment on the reason. Director Shapiro simply stated that the County is still waiting on approval from New York State Economic Development.*

There was a motion by Mr. Gozelski, T/Castile, to combine resolutions #23 and #24. A voice vote was taken and all voted aye.

RESOLUTION NO. 08-411
(November 12, 2008)

By Mr. Gozelski, Chairman of the Agriculture Committee:

ORDER OF PROTECTION FOR DEER APPROVED

WHEREAS, The Wyoming County Department of Animal Control has indicated that there is a potential for unnecessary loss to the white tailed deer population within the County of Wyoming due to anticipated weather conditions; now therefore

BE IT RESOLVED, That this Board hereby orders and requires that all dogs in the County of Wyoming shall be securely confined for the period of November 1, 2008 through April 1, 2009, under Article 7, Section 122 of the New York State Agriculture and Markets Law; and be it

FURTHER RESOLVED, That notice of this Order has been given publication in the following newspapers of general circulation within the County of Wyoming:

Perry Herald, Perry NY
Daily News, Batavia NY

and be it

FURTHER RESOLVED, That the Clerk of this Board shall file a certified copy of this Order in the Office of each Town Clerk and Village Clerk in the County and with the Commissioner of the Department of Agriculture and Markets of the State of New York.

Carried: XXX Ayes: 1569 Noes: Absent: 49 (Eagle) Abstain:

RESOLUTION NO. 08-412
(November 12, 2008)

By Mr. Gozelski, Chairman of the Agriculture Committee:

CONFINEMENT OF DOGS IN WYOMING COUNTY AUTHORIZED

BE IT RESOLVED, That this Board hereby orders and requires that all dogs in the County of Wyoming shall be securely confined between sunset and one hour after sunrise for the period January 1, 2009 through Midnight, December 31, 2009, under Article 7, Section 122 of the New York State Agriculture and Markets Law; and be it

FURTHER RESOLVED, that notice of this Order shall be given publication in the following newspapers of general circulation within the County of Wyoming:

Perry Herald, Perry NY
Daily News, Batavia NY

and be it

FURTHER RESOLVED, That the Clerk of this Board shall file a certified copy of this Order in the office of each Town Clerk and Village Clerk in the County and with the Commissioner of the Department of Agriculture and Markets of the State of New York.

Carried: XXX Ayes: 1569 Noes: Absent: 49 (Eagle) Abstain:

There was a motion by Mr. Rogers, T/Pike, to combine resolutions #25 through #28. A voice vote was taken and all voted aye

Prior to the roll call vote Supervisor Rogers, T/Pike stated that the amended resolutions are due to state funding cuts…

#25

RESOLUTION NO. 08-413
(November 12, 2008)

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

CHAIRMAN AUTHORIZED TO SIGN A CONTRACT

WITH FRANK L. FRASER 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 with Mr. Frank L. Fraser; 5550 Babbitt Road, Portageville, NY 14536 on behalf of the County Jail. Said contract is to provide for jail chaplain services to be paid at the rate of seventeen dollars and forty-seven cents ($17.47) per hour not to exceed twenty (20) hrs per week. Total contract will not exceed three thousand five hundred dollars ($3,500.00); effective October 20, 2008 through December 31, 2008. (This contract is to provide services while the regular part-time chaplain is off on medical leave.)
Contingent upon the availability of funds.

Carried: XXX Ayes: 1569 Noes: Absent: 49 (Eagle) Abstain: #26

RESOLUTION NO. 08-414
(November 12, 2008)

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

RESOLUTION NUMBER 08-266 AMENDED

WHEREAS, Resolution Number 08-266, entitled, **"CHAIRMAN AUTHORIZED TO SIGN A GRANT ACCEPTANCE AWARD FOR THE ENHANCED SUPERVISION OF SEX OFFENDERS GRANT ON BEHALF OF PROBATION,"** passed by this Board of Supervisors on July 08, 2008 provides for the Enhanced Supervision of Sex Offenders Grant with the Division of Probation and Correctional Alternatives, 80 Wolf Rd., Albany, NY 12205 on behalf of Wyoming County Probation in a minimum amount of eleven thousand three hundred dollars ($11,300.00), effective April 01, 2008 through March 31, 2009; now therefore

BE IT RESOLVED, That resolution number 08-266 be hereby amended to reflect a decrease of three hundred ninety dollars ($390.00) to a minimum amount of ten thousand nine hundred ten dollars ($10,910.00), all else remaining the same.

Carried: XXX Ayes: 1569 Noes: Absent: 49 (Eagle) Abstain:

RESOLUTION NO. 08-415
(November 12, 2008)

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

RESOLUTION NUMBER 08-265 AMENDED

WHEREAS, Resolution Number 08-265, entitled, **"CHAIRMAN AUTHORIZED TO SIGN A GRANT ACCEPTANCE AWARD FOR THE ALTERNATIVES TO INCARCERATION / SHARED SERVICES GRANT ON BEHALF OF PROBATION,"** passed by this Board of Supervisors on July 08, 2008 provides funding for Wyoming County Probation to contract with Wyoming County Mental Health at Wyoming County Community Hospital to help case management and supervision of probationers with a mental illness diagnosis in a minimum amount of fifty thousand dollars ($50,000.00); effective July 01, 2008 through June 30, 2009; now therefore

BE IT RESOLVED, That resolution number 08-265 be hereby amended to reflect a decrease of three thousand dollars ($3,000.00) to a minimum amount of forty-seven thousand dollars ($47,000.00), all else remaining the same.

Carried: XXX Ayes: 1569 Noes: Absent: 49 (Eagle) Abstain:

#28

RESOLUTION NO. 08-416
(November 12, 2008)

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

CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH WYOMING COUNTY – ATTICA LEGAL AID BUREAU 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 Wyoming County –Attica Legal Aid Bureau, Inc., 18 Linwood

Ave., Warsaw, NY 14569 on behalf of the Public Defender's Office. Said contract to provide for partial funding for a part-time Secretary with primary duties to prepare vouchers for "606" claims in an amount not to exceed fifteen thousand dollars ($15,000.00); effective October 01, 2008 through September 30, 2009.
Contingent upon the availability of funds.

Carried: XXX Ayes: 1569 Noes: Absent: 49 (Eagle) Abstain:

There was a motion by Mr. Patti, T/Attica, to combine resolutions #29 through #32. A voice vote was taken and all voted aye.

#29

RESOLUTION NO. 08-417
(November 12, 2008)

By Mr. Patti, Chairman of the 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 contract with the New York State Unified Court System, 92 Franklin Street, 3rd Floor, Buffalo, NY 14202 on behalf of Buildings and Grounds. Said contract is to provide for reimbursement of Cleaning and Minor Repairs (Contract # 300242) in a maximum amount of seventy-seven thousand nine hundred fifteen dollars ($77,915.00); effective April 01 2008 through March 31, 2009.

Carried: XXX Ayes: 1569 Noes: Absent: 49 (Eagle) Abstain:

#30

RESOLUTION NO. 08-418
(November 12, 2008)

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

RESOLUTION NUMBER 07-333 AMENDED

WHEREAS, Resolution Number 07-333, entitled, **"CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN A CONTRACT WITH SPRING SHEET METAL AND ROOFING ON BEHALF OF BUILDINGS AND GROUNDS,"** passed by this Board of Supervisors on October 09, 2007 provides for a contract with Spring Sheet Metal and Roofing, Inc. (SSM & RC) 678 Clinton Ave. S., Rochester, NY 14620 for 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; now therefore

BE IT RESOLVED, That resolution number 07-333 be hereby amended to reflect an increase of forty-six thousand twenty-five dollars ($46,025.00) for unforeseen additional expenses for Government Center roof underlayment, fees and disposals to complete the project to a total contract amount not to exceed three hundred seventy-five thousand seven hundred fifteen dollars ($375,715.00), all else remaining the same.

Carried: XXX Ayes: 1569 Noes: Absent: 49 (Eagle) Abstain: #31

RESOLUTION NO. 08-419
(November 12, 2008)

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

RESOLUTION NUMBER 08-182 AMENDED

WHEREAS, Resolution Number 08-182, entitled, **"CHAIRMAN AUTHORIZED TO SIGN GRANT APPLICATION AND ACCEPTANCE AWARD WITH THE GOVERNOR'S TRAFFIC SAFETY COMMITTEE ON BEHALF OF THE WYOMING COUNTY TRAFFIC SAFETY BOARD,"** passed by this Board of Supervisors on May 13, 2008 provides for State of New York Governor's Traffic Safety Committee Grant Applications and Acceptance Awards with various Wyoming County Municipalities on behalf of the Wyoming County Traffic Safety Board; now therefore

BE IT RESOLVED, That resolution number 08-182 be hereby amended to reflect a two thousand two hundred seventy-eight ($2,278.00) decrease in the Sheriff's Governor's Traffic Safety Committee Buckle Up New York program. Total Buckle Up New York award for the Sheriff's Office is

one thousand nine hundred seventy-two dollars ($1,972.00) all else remaining the same.

Carried: XXX Ayes: 1569 Noes: Absent: 49 (Eagle) Abstain: #32

RESOLUTION NO. 08-420
(November 12, 2008)

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

MEMBERS APPOINTED / REAPPOINTED TO THE TRAFFIC SAFETY BOARD

BE IT RESOLVED, That the following members are hereby appointed / reappointed to the Traffic Safety Board for a term of three (3) years; effective November 06, 2008 through November 7, 2011:

- ***William Hicks (Town of Arcade)*** 158 North Street, Arcade NY 14009
- ***Douglas Patti (Town of Attica)*** 333 E. Main St., Attica NY 14011
- ***Joseph Heller, (Town of Bennington)*** 1290 Maxon Road, Attica, NY 14011
- ***Burdett Randall (Town of Castile)*** 4632 West Lake Road, Silver Springs, NY 14550
- ***Douglas Richardson (Town of Covington)*** 1594 Perry Road, Pavilion, NY 14525
- ***Eileen Stroud (Town of Pike)*** P.O. Box 244, Pike NY 14130

Carried: XXX Ayes: 1569 Noes: Absent: 49 (Eagle) Abstain:

Finance Chairman Davis withdrew resolution number 41. This resolution will be presented at next month's Board meeting.

There was a motion by Mr. Patti, T/Attica, to combine resolutions #33 through #45, minus resolution #41. A voice vote was taken and all voted aye.

#33

RESOLUTION NO. 08-421
(November 12, 2008)

By Mr. Davis, Chairman of the Finance Committee:

MEMBERS APPOINTED / REAPPOINTED TO THE WYOMING COUNTY COMMUNITY HOSPITAL BOARD OF MANAGERS

BE IT RESOLVED, That the following members are hereby appointed / reappointed to the ***Wyoming County Community Hospital Board of Managers*** for a term of five (5) years; effective January 01, 2009 through December 31, 2013:

- ***Thomas E. Jacobs,*** 6865 Centerville Rd., Bliss, NY 14009
- ***Nathan Rudgers,*** 7414 Morrow Road, P.O. Box 194, Pavilion, NY 14525
- ***James R. Morey,*** 1061 Tower Road, Wyoming, NY 14591
- ***President of the Wyoming Community Hospital Foundation or their designee***

Carried: XXX Ayes: 1569 Noes: Absent: 49 (Eagle) Abstain:

#34

RESOLUTION NO. 08-422
(November 12, 2008)

By Mr. Davis, Chairman of the Finance Committee:

2009 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 2009 budget of $ 1,840,817.00 (total budget of $1,886,672.00 minus a $45,855.00 interfund transfer) are as follows:

TOWNS

Arcade	20,860
Attica	22,948
Bennington	26,725
Castile	21,475
Covington	14,230
Eagle	15,689
Gainesville	16,841
Genesee Falls	12,213
Java	19,144
Middlebury	20,001
Orangeville	14,961
Perry	17,997
Pike	14,262
Sheldon	22,209
Warsaw	22,716
Wethersfield	13,199
Total	295,470

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	180,371
County Highway Department	99,214
Wyom. Co Community Hospital	499,794
Community Action	19,063
Wyom. Co. Volunteer Fire Depts	204,498
Soil & Water Conservation	2,046
Total	1,004,986

VILLAGES

Arcade	50,136
Attica-pays in June	36,474
Castile	4,209
Gainesville	16
Perry	44,085
Pike	436
Silver Springs	5,636
Warsaw-pays in June	62,369
Wyoming	3,964
Total	207,325

SCHOOL DISTRICTS

Attica Central School	95,265
Perry Central School	66,708
Pioneer Central School	140,055
Warsaw Central School	10,379
Wyoming Central School	20,629
Total	333,036

Carried: XXX Ayes: 1569 Noes: Absent: 49 (Eagle) Abstain: #35

RESOLUTION NO. 08-423
(November 12, 2008)

By Mr. Davis, Chairman of the Finance Committee:

RELEVY OF UNPAID SCHOOL AND VILLAGE TAXES

WHEREAS, The Real Property Tax Lax requires that, by November 15, 2008, all rural Wyoming County School Districts return their respective unpaid 2008-2009 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: 1569 Noes: Absent: 49 (Eagle) Abstain: #36

RESOLUTION NO. 08-424
(November 12, 2008)

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 Judgment 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.

3	Cornerstone Homes, Inc. 11801 Harrington Dr., Corning, NY 14830 has offered **$22,500.00** for property located at 6451 Rt 98, Arcade. Tax Map #163.-1-5.2.
18	Hillcrest Industries, 40 Favor St., Attica, NY 14011 has offered **$65,000.00** for property located at 0 Favor Street, Arcade, NY. Tax Map #6.14-3-46.2.
20	John Thom, 258 Kohler St. Tonawanda, NY 14011 has offered **$7,500.00** for property located at 0 Nesbitt Rd, Attica. Tax Map #46.-2.29.
26	Della Bryant, 3040 Dunbar Rd, Attica, NY 14011 has offered **$700.00** for property located at 0 Chaddock Rd., Attica. Tax Map# 8.-1-2.13.

50	Jonathon P Couch, 27 Washington St, Castile, NY 14427 has offered **$900.00** for property located at 31 Washington St., Castile. Tax Map #135.19-2-27.
58	Dennis W Colarusso, 2800 Davis Rd., West Falls, NY 14170 has offered **$19,000.00** for property located at 6810 Lake Shore Dr., Castile. Tax Map #111.20-4-65.
63	John J Trzaska and Sandra H Trzaska, 128 Currier Ave., Sloan, NY 14212 has offered **$13,500.00** for property located at 0 Midvale Dr., Castile. Tax Map #111.20-4-83.1.
74	Marilyn & Bryan Ross, 12149 Creekridge Dr., East Aurora, NY 14052 has offered $5,700.00 for property located at 6610 Pearl street, Eagle. Tax Map #166.1-1-27.
76	Whites Dirct, 3266 Wing St, Bliss, NY 14024 has offered **$7,500.00** for property located at 0 NYS Rt 39, Eagle. Tax Map #176.-2-25.131.
86	Eric Hajdufi, 9 Graceway, Lancaster, NY 14086 has offered **$7,000.00** for property located at 6 N. Cummings Ave., Silver Springs. Tax map #122.20-2-27.
87	Andrew B Kreutter, 35 Maple St., Wyoming, NY 14591 has offered **$1,400.00** for property located at 45 Church St., Silver Springs. Tax Map #122.20-2-28.
99	Bonnie O'Brien, 63 Prospect St., Warsaw, NY 14569 has offered **$24,700.00** for property located at 4271 Rt 19, Gainesville. Tax map #110.3-1-43.
124	Rick Slusser, 31 Perry Ave., Box 32, Silver Lake, NY 14549 has offered **$600.00** for property located at 0 Woodcrest Dr., Java. Tax map #140.8-5-42.
125	William Yurtch, 65 Wood Ave., Buffalo, NY 14211 has offered **$1,100.00** for property located at 0 Spruce Ave., Java. Tax Map #140.8-7-22.
	Paula M & Bruce R Catlin, 5834 Route 98, Arcade, NY 14009 has offered **$20,000.00** for property located at 15 S. Parkway, Java. Tax Map #140.8-1-30.
129	George O & Cheryl A Wagner, 11604 Route 16, Delevan ,NY 14042 has offered **$2,500.00** for property located at 460 E Bethany Rd., Middlebury. Tax Map #10.-1-29.11
131	James & Judith Sheehan, 1892 Comet Rd., Warsaw,

	NY 14569 has offered **$31,000.00** for property located at 0 Blackhouse Rd., Middlebury. Tax Map # 47.-2-12.112.
133	Monica Bassford, 2324 Route 238, Warsaw, NY 14569 has offered **$16,000.00** for property located at 1936 Dale Rd., Middlebury. Tax Map # 48.-1.31.
152	Paul Pachuta, 6831A Club Rd, Perry, NY 14530 has offered **$10,000.00** for property located at 24 Needham St., Perry, NY 14530. Tax Map # 100.11-1-17.
158	Cornerstone Homes, Inc. 11801 Harrington Dr., Corning, NY 14830 has offered **$11,000.00** for property located at 26 Olin Ave, Perry, NY. Tax Map # 88.20-1-8.
164	KRT Realty, 12 Fruit St., Perry, NY 14530 has offered **$19,500.00** for property located at 184 Water St., Perry. Tax Map # 88.20-3-9
182	Christopher Kirisits, 1235 Lakepoint Dr., Webster, NY 14580 has offered **$1,600.00** for property located at 0 Lamont Rd, Pike. Tax Map # 158.-1-74.
194	Barabara A Westermeier, 10971 Alleghany Rd., Darien Center, NY 14040 has offered **$26,500.00** for property located at 53 Butternut St., Warsaw. Tax Map # 85.12-1-7

Now, therefore,

BE IT RESOLVED, That the above are hereby approved and accepted and the County Treasurer, in the name of the County, is hereby authorized to execute and deliver a referee deed to the purchaser, providing payment of said purchase price is received by him on or before December 5, 2008.

Carried: XXX Ayes: 1569 Noes: Absent: 49 (Eagle) Abstain: #37

RESOLUTION NO. 08-425
(November 12, 2008)

By Mr. Davis, Chairman of the Finance Committee:

2008 TOWN BALANCES APPROVED

November 12, 2008

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 2009 Tax Rolls of the respective towns:

Town	Debit	Credit
Arcade	$ 767.16	$ -
Attica	$ 0	$ -
Bennington	$ 0	$ -
Castile	$ 0	$ -
Covington	$ 0	$ -
Eagle	$ 0	$ -
Gainesville	$ 0	$ -
Genesee Falls	$ 0	$ -
Java	$ 0	$ -
Middlebury	$ 0	$ -
Orangeville	$ 0	$ -
Perry	$ 14.03	$ -
Pike	$ 0	$ -
Sheldon	$ 0	$ -
Warsaw	$ 1,510.43	$ -
Wethersfield	$ 0	$ -
Total	**$ $2,291.62**	**$ -**

Dated: November 5, 2008 Cheryl D. Mayer

Treasurer

Carried: XXX Ayes: 1569 Noes: Absent: 49 (Eagle) Abstain: #38

RESOLUTION NO. 08-426
(November 12, 2008)

By Mr. Davis, Chairman of the Finance Committee:

Regular Session

CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN CONTRACT WITH PRINTER COMPONENTS, INC. ON BEHALF OF WYOMING COUNTY INFORMATION TECHNOLOGY

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to award bid and sign a contract for the purchase of toner cartridges with Printer Components, Inc. 780 Canning Parkway, Ontario, NY 14564 for all Wyoming County Departments, as per bid opening November 03, 2008. Bid shall be for a term not to exceed twelve (12) months from the date of award. The county reserves the right to renew any contract resulting from this bid for up to two (2) additional twelve (12) month periods by mutual agreement in accordance with the terms of the contract and by annual resolution by the Wyoming County Board of Supervisors.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1569 Noes: Absent: 49 (Eagle) Abstain: #39

RESOLUTION NO. 08-427
(November 12, 2008)

By Mr. Davis, Chairman of the Finance Committee:

2009 EQUALIZATION TABLE PRESENTED

BE IT RESOLVED, That the 2009 Equalization Table is hereby presented; and be it

FURTHER RESOLVED, That its adoption be tabled for at least one day.

2008 EQUALIZATION TABLE					
Advisory Equaliz Rates	**TOWN**	**Taxable Assessed Value with Partial Exemptions Added**	**Full Value At State Rates**	**% of Co. Tax to be paid by Each Town**	**Taxable Assessed Value**
78.00%	ARCADE	169,178,591	216,895,629	0.114047028	169,156,541
96.00%	ATTICA	155,275,723	161,745,545	0.085048273	155,261,023
51.00%	BENNINGTON	109,548,757	214,801,484	0.112945895	109,511,728
100.00%	CASTILE	200,316,051	200,316,051	0.105329233	200,292,551
100.00%	COVINGTON	60,732,846	60,732,846	0.031934256	60,717,146
100.00%	EAGLE	49,459,683	49,459,683	0.026006655	49,452,383
100.00%	GAINESVILLE	84,501,532	84,501,532	0.044432194	84,488,582
100.00%	GENESEE FALLS	24,097,092	24,097,092	0.012670618	24,086,592
93.00%	JAVA	110,548,109	118,868,934	0.062503098	110,540,609
100.00%	MIDDLEBURY	78,144,271	78,144,271	0.041089449	78,140,771
100.00%	ORANGEVILLE	69,300,199	69,300,199	0.036439101	69,298,299
100.00%	PERRY	174,982,712	174,982,712	0.092008577	174,966,762
100.00%	PIKE	46,575,079	46,575,079	0.024489886	46,570,079
93.00%	SHELDON	125,707,007	135,168,825	0.071073828	125,676,907
100.00%	WARSAW	224,185,110	224,185,110	0.117879948	224,182,110
100.00%	WETHERSFIELD	42,033,699	42,033,699	0.022101960	42,018,499
	TOTALS	**1,724,586,461**	**1,901,808,692**	**1.000000000**	**1,724,360,582**

Carried: XXX Ayes: 1569 Noes: Absent: 49 (Eagle) Abstain: #40

RESOLUTION NO. 08-428
(November 12, 2008)

By Mr. Davis, Chairman of the Finance Committee:

Proceedings of the Board of Supervisors

DATE OF PUBLIC HEARING FOR 2009 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 2009 will be held in the Supervisors' Chambers at the County Government Center in the Village of Warsaw, NY, on ***Wednesday, November 26th, 2008 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, 2008, 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, 2008.

Carried: XXX Ayes: 1569 Noes: Absent: 49 (Eagle) Abstain:

Withdrawn by Mr. Davis, Finance Chairman
#41

RESOLUTION NO. 08-
(November 12, 2008)

Mr. Davis, Chairman of the Finance Committee, presented the **SEMI-ANNUAL MORTGAGE TAX REPORT** for the period of April 1, 2008 through September 30, 2008 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 **$213,556.20** 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	$29,554.35	$6,942.29	$22,612.06
Attica	$17,014.81	$3,444.19	$13,570.62
Bennington	$23,836.07		$23,836.07
Castile	$22,727.47	$1,773.67	$19,537.83
Perry Village		$1,415.97	
Covington	$4,796.95		$4,796.95
Eagle	$7,026.95		$7,026.95
Gainesville	$7,560.26	$241.62	$6,360.45
Silver Springs Village		$958.19	
Genesee Falls	$2,388.90		$2,388.90
Java	$18,352.19		$18,352.19
Middlebury	$8,004.61	$741.80	$7,262.81
Orangeville	$6,198.98		$6,198.98
Perry	$21,664.77	$5,847.83	$15,816.94
Pike	$4,167.90	$370.10	$3,797.80
Sheldon	$16,049.08		$16,049.08
Warsaw	$18,346.69	$5,950.06	$12,396.63
Wethersfield	$5,866.22		$5,866.22
Total:		**$27,685.72**	**$185,870.48**
Grand Totals:	**$213,556.20**		

Let This Be Your Warrant for Such Payment: **$213,556.20** IN WITNESS WHEREOF, I have hereunto set my hand and seal of the Board of Supervisors this 12th day of November 2008.

s/Cheryl J. Ketchum, Clerk

Board of Supervisors

Carried: Ayes: Noes: Absent: Abstain:

#42

RESOLUTION NO. 08-429
(November 12, 2008)

By Mr. Davis, Chairman of the Finance Committee:

SET PUBLIC HEARING – INTRODUCTORY LOCAL LAW NO. J YEAR 2008

WHEREAS, There has been duly presented and introduced at a meeting of this Board of Supervisors of Wyoming County on this 12th day of November, 2008**,** a proposed local law entitled, "Local Law Introductory No. J Year 2008, "**A LOCAL LAW AMENDING LOCAL LAW NO. 7 FOR THE YEAR 1976, COUNTY OF WYOMING, NEW YORK, MODIFYING THE WYOMING COUNTY PLAN OF APPORTIONMENT"** 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 9th day of December, 2008 at 2:30 PM at the Wyoming County Government Center, 143 North Main Street, Warsaw, New York.

Carried: XXX Ayes: 1569 Noes: Absent: 49 (Eagle) Abstain:

#43

RESOLUTION NO. 08-430
(November 12, 2008)

By Mr. Davis, Chairman of the Finance Committee:

SALARY SCHEDULE "S" 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 "**S**":

District Attorney:

One time stipend payable after January 01, 2009 with Stop DWI funds.

- Secretary to the District Attorney $2,000.00

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

Carried: XXX Ayes: 1569 Noes: Absent: 49 (Eagle) Abstain: #44

RESOLUTION NO. 08-431
(November 12, 2008)

By Mr. Davis, Chairman of the Finance Committee:

ONE (1) POSITION OF DISPATCHER, PT, CREATED IN THE SHERIFF'S DEPARTMENT

BE IT RESOLVED, That one (1) position of Dispatcher, PT, be hereby created in the Sheriff's Department and placed on the appropriate step and grade of the Wyoming County Sheriff's Employee Association agreement; effective immediately.

Carried: XXX Ayes: 1569 Noes: Absent: 49 (Eagle) Abstain: #45

RESOLUTION NO. 08-432
(November 12, 2008)

By Mr. Davis, Chairman of the Finance Committee:

ONE (1) POSITION OF 9-1-1 COORDINATOR (1.00 FTE) CREATED IN THE SHERIFF'S DEPARTMENT AND AMEND SALARY SCHEDULE "S"

BE IT RESOLVED, That one (1) position of 9-1-1 Coordinator (1.00 FTE) be hereby created in the Sheriff's Department and placed on Salary Schedule "S;" effective January 01, 2009; and be it

FURTHER RESOLVED, That the annual salary of the 9-1-1 Coordinator be set at an amount not to exceed $45,000.00 annually.

Carried: XXX Ayes: 1569 Noes: Absent: 49 (Eagle) Abstain:

Chairman Berwanger, T/Arcade motioned to amend resolution number 45 to reflect an annual salary not to exceed $45,000.00 annually. Motion seconded by Supervisor Rogers, T/Pike. Carried

Postponed awaiting approval from the State
Local Law
#46

RESOLUTION NO. 08-
(November 12, 2008)

By Mr. Fleischman, Chairman of the Planning Committee:

LOCAL LAW 11 (INTRODUCTORY I) - YEAR 2008, A Local Law Amending
Local Law No. 2 of the Year 2006 to Revise an Empire Zone (Formerly Known as an Economic Development Zone), ADOPTED

WHEREAS, There was duly presented and introduced at a meeting of this Board, held on the 14th day of October, 2008, a proposed local law of the County, designated as Local Law Introductory No. I, for the year 2008, entitled, **A Local Law Amending Local Law No. 2 of the Year 2006 to Revise an Empire Zone (Formerly Known as an Economic Development Zone)**; and

WHEREAS, In accordance with the provisions of Resolution No. 08-375, there was a public hearing held by this Board of Supervisors on this 12th day of November, 2008 at 2:30 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. I, Year 2008, County of Wyoming, New York, as presented to this Board on the 12th day of November, 2008, is hereby adopted, enacted and passed by this Board in its original form as follows:

LOCAL LAW NO. 11 - YEAR 2008

A Local Law Amending Local Law No. 2 of the Year 2006 to Revise an Empire Zone (Formerly Known as an Economic Development Zone)

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

1. Amendments to Local Law No. 2 of 2006 of the County of Wyoming

Section 2. The boundaries of said areas to be included in said Empire Zone are hereby amended and shall be as set forth in Schedule A, which is attached hereto and made a part hereof.

2. This local law shall take effect upon filing in the Office of the Secretary of State as provided by Section 27 of the Municipal Home Rule Law.

SCHEDULE A

The following areas shall be designated as Empire Zones in connection with the Empire Zone established for Wyoming County.

Arcade Village & Arcade Town, Dev. Zone #1

	Liber		Page
Portion of 182.16-1-1.12, portion of deed,	586		39
182.16-1-1.11, as shown in deed,	644		362
182.16-1-5, as shown in deed,	644		362
182.16-1-6.1 & 6.2, as shown in deed,	603		119
182.16-1-7, as shown in deed,	703		677
Portion of 182.16-1-22.1, portion of deed,	648		284
Portion of 182.16-1-23.1, portion of deed,	648		284
Portion of 182.16-1-14.1			
193-3-1.112			
Portion of 193-2-20			
193-2-9.121, as shown in deed,	646		277

Portion of 193-2-17.111, portion of deed	636		871
southwest of Clear Creek,			
Portion of 193-2-1.2, portion of deed southwest of Clear Creek,	699		871
182.19-1-5.2, as shown in deed,	641		793
182.19-1-5.1, as shown in deed,	641		790
182.19-1-16, as shown in deed,	688		846
182.19-1-8.112, as shown in deed,	686		634
182.19-1-4.12, as shown in deed,	532		228
182.19-1-4.112			
182.19-1-2, as shown in deed,	607		900
182.19-1-7, as shown in deed,	607		900
182.19-1-6.3, as shown in deed,	607		900
182.19-1-1, as shown in deed,	607		900
182.19-1-6.2, as shown in deed,	607		900
182.19-1-12.13, as shown in deed,	664		163
Portion of 183.14-1-18			
183.14-1-21, as shown in deed,	704		488
183.14-1-93, as shown in deed,	353		870
183.14-1-94, as shown in deed,	634		202
183.14-1-95, as shown in deed,	217		270
183.14-1-96, as shown in deed,	346		257
183.14-1-82.2, portion of deed, parcel A,	691		507
183.14-1-82.1, as shown in deed,	683		902
Portion of 183.18-1-57.1, portion of deed,	617		738
183.14-1-61.2, as shown in deed,	652		256
183.14-1-61.1, as shown in deed,	692		157
183.10-1-47.11, portion of deed, parcel 4	705		534
183.10-1-44.12, as shown in deed,	692		803
183.10-1-44.11, as shown in deed,	692		803
183.10-1-37, portion of deed,	617		738
183.10-1-27, as shown in deed,	600		413
183.14-1-24 *	656		485
183.14-1-23 *	637		293
183.14-1-22 *	515		25

183.14-1-20 *	696		644
183.14-1-19 *	374		258
183.14-1-17 *	715		588
183.14-1-16.1 *	659		960
183.14-1-14 *	651		858
183.14-1-15.1 *	699		910
183.14-1-13 *	623		304
183.14-1-18.1 *			
183.14-1-12 *	701		603
183.14-1-11 *	678		925
183.14-1-10 *	691		276
183.14-1-10 *	691		276
183.18-1-38, as shown in deed,	629		593
183.18-1-37, as shown in deed,	690		863
183.18-1-36, as shown in deed,	628		779
183.18-1-35, as shown in deed,	686		605
183.18-1-34, as shown in deed,	687		70
183.18-1-33, as shown in deed,	661		838
183.18-1-56.1, portion of deed,	662		649
Portion of 183.13-2-2.1			
Portion of 183.13-2-5 the southerly 230 ft.portion of deed,	680		136
183.13-2-12, portion of deed,	614		627
183.13-2-14.1, portion of deed,	699		234
183.13-2-40, as shown in deed,	632		375
183.13-2-63, as shown in deed,	383		716
182.15-1-8, as shown in deed,	646		553
182.15-1-7, as shown in deed,	367		478
182.15-1-6, as shown in deed,	586		39
182.15-1-5, as shown in deed,	501		226
182.15-1-26.2, as shown in deed,	691		703
182.15-1-28, as shown in deed,	685		60
182.15-1-26.1, as shown in deed,	691		700
Portion of 183.06-1-2.1, as shown in deed,	607		933
192.07-1-1, as shown in deed,	641		793

192.07-1-2, as shown in deed,	615		875
173-1-40, as shown in deed,	706		450
Portion of 173-1-14.2, portion of deed south of A&A Railroad	679		375
Portion of 173-1-54, as shown in deed, parcel B	634		936
183-1-21, as shown in deed,	644		691
183-1-18, as shown in deed,	704		110
183-1-17, as shown in deed,	673		410
183-1-16, portion of deed,	617		738
Portion of 183-1-32, as shown in deed,	370		512
183-1-15, portion of deed,	617		738
Portion of A&A Railroad rail line, running through parcel 182.16-1-1.11			
Portion of NYS Route 39, adjacent to parcels 182.15-1-6 & 182.15-1-26.2			
Portion of NYS Route 98, adjacent to parcels 193-2-9.121 & 193-2-20			
Portion of William Street, adjacent to parcels 182.19-1-12.13 & 182.19-1-4.112			
Portion of Cattaraugus Creek, adjacent to parcels 183.14-1-18.1 & 183.10-1-27			
Portion of Main Street, adjacent to A&A Railroad rail crossing			
Portion of Mill Street, adjacent to A&A Railroad rail crossing			
Portion of A&A Railroad rail line, adjacent to parcels 183.10-1-27 & 183.10-1-26			
Portion of Curriers Road, adjacent to A&A Railroad road crossing			
Portion of North Street, adjacent to A&A Railroad road crossing			
Portion of Park Street, adjacent to A&A Railroad road crossing			
Portion of A&A Railroad rail line between North St. and Curriers Road			
Portion of Deacon Drive, adjacent to parcels 183.18-1-33 & 183.18-1-56.1			
Portion of Bixby Hill Road, adjacent to parcels 183.13-2-2.1 & 183.13-2-12			
Portion of A&A Railroad rail line, between west parcel line of 183.13-2-14.7 & Park St.			
Portion of Conrail rail line, between Cattaraugus Creek and NYS Route 39			
Portion of NYS Route 39, adjacent to parcels 182.16-1-5 & 182.16-1-22.1			
Village of Attica, Dev. Zone #2			
	Liber		**Page**
6.10-1-33.1, portion of deed,	702		95
6.10-1-44, as shown in deed,	642		933

6.10-1-43, as shown in deed,	487		272
6.10-1-42, as shown in deed,	680		574
6.10-1-41, as shown in deed,	686		484
6.10-1-40, as shown in deed,	686		484
6.10-1-50.1, as shown in deed,	589		174
6.10-1-50.2, as shown in deed,	629		306
6.10-1-53, as shown in deed,	686		484
6.10-1-51			
6.10-1-52.1, portion of deed,	370		141
6.10-1-59.2, as shown in deed,	672		363
6.10-1-59.1, portion of deed,	596		293
6.10-1-60.2, as shown in deed,	672		363
6.10-1-60.1, portion of deed,	596		293
6.10-1-61, as shown in deed,	642		155
6.10-1-62, as shown in deed,	587		152
6.14-1-15, as shown in deed,	360		180
6.14-1-16, as shown in deed,	687		229
6.14-1-17, as shown in deed,	670		191
6.14-1-18, as shown in deed,	700		436
6.14-1-19, as shown in deed,	599		864
6.14-1-20.11	491		140
6.14-2-47, as shown in deed,	593		36
6.14-2-46, as shown in deed,	706		847
6.14-2-45, as shown in deed,	643		349
6.14-2-44, portion of deed,	693		937
6.14-2-43	601		749
6.14-2-42	601		749
6.14-2-41	670		13
6.14-2-40	674		980
6.14-2-36.1	674		976
6.14-2-36.2	670		13
6.14-2-35	601		90
6.14-2-34	650		383
6.14-2-33	695		482

6.14-2-32	601		88
6.14-2-31	624		287
6.14-2-30	679		961
6.14-3-45	461		55
6.14-3-46.1			
6.14-3-46.2	652		523
6.15-1-36.1	704		20
6.15-1-50	625		864
6.15-1-47.2	678		938
6.15-1-47.1	706		882
6.15-1-27	706		799
6.15-2-25	363		458
6.15-2-52	363		458
6.15-2-23	692		893
6.15-2-24	616		654
Portion of West Ave. adjacent to parcels 6.10-1-44 & 6.10-1-50.1			
Portion of NYS Rt. 98 adjacent to parcels 6.14-1-20 & 6.14-2-47			
Portion of Tonawanda Creek adjacent to parcels 6.14-2-44 & 6.14-2-43			
Portion of Exchange Street adjacent to parcels 6.14-2-34 & 6.14-3-45			
Portion of Conrail rail line adjacent to parcels 6.15-1-36.1 & 6.15-1-50			
Linear Portion of Conrail rail line from northwest of Favor St. to southeast of Jackson St.			
Perry Village in Perry Town, Dev. Zone #3			
	Liber		**Page**
88.15-1-8.1, as shown in deed,	690		643
88.15-1-8.2, as shown in deed,	637		921
88.15-1-14, as shown in deed Parcel A,	637		907
88.15-1-9, as shown in deed Parcel I,	665		358
88.15-1-5, as shown in deed,	650		102
88.15-1-4, as shown in deed, Parcel I,	665		358
88.15-1-3.1	611		922
88.15-1-1.1	699		881
88.15-1-16	699		881
88.15-1-15, as shown in deed, Parcel F,	637		907

88.15-1-13	637		905
Portion of 088.14-1-1.2, easterly 1,025ft of deed,	594		771
88.15-1-6.11	629		397
88.15-1-21.1	594		767
88.15-1-20	648		557
88.15-1-17	660		76
88.15-1-19	648		557
88.15-1-6.121	624		315
88.15-1-18	652		348
88.15-1-22	684		367
88.16-1-2	655		317
Portion of 88.20-1-1, as shown in deed,	370		595
Portion of 88.16-1-22, as shown in deed,	396		246
88.16-1-17	530		199
88.16-1-16	683		149
88.16-1-23	683		149
88.16-1-11.2	683		149
88.20-3-16.1	657		1
88.20-3-14.1	608		904
88.20-3-13	619		873
88.20-3-12.1	638		643
Portion of North Center Street adjacent to parcels 88.15-1-8.1 & 88.15-1-6.11			
Portion of North Main Street adjacent to parcels 88.16-1-17 & 88.16-1-22			

Perry Village in Perry Town, Dev. Zone #4

	Liber		Page
100.10-2-1	582		224
100.10-2-14, portion of deed,	249		271
100.10-2-12, as shown in deed,	364		568
100.10-2-11	650		97
100.10-2-13			
100.10-2-10, as shown in deed,	598		705
100.10-2-9			

100.10-2-8, as shown in deed,	388		115
100.10-2-6.1, as shown in deed,	656		872
100.10-2-5, as shown in deed,	501		84

Perry Village in Castile Town, Dev. Zone #4

	Liber		Page
Portion of 100.10-3-25, portion of deed including lots 116-122,	257		217
100.10-3-26			
100.10-3-27, as shown in deed,	664		573
100.10-3-30.1, as shown in deed,	667		107
100.10-3-31, as shown in deed,	667		107
Portion of 100.10-3-34.1, portion of deed including lot 42	619		886
100.10-3-32, as shown in deed,	632		15
100.10-3-33, as shown in deed,	669		628
100.11-5-39.1, as shown in deed,	687		445
100.11-5-38, as shown in deed,	627		286
100.11-5-37.1, as shown in deed,	612		679
100.11-5-27.21, as shown in deed,	700		771
100.11-5-58, as shown in deed,	700		771
100.11-5-27.1, as shown in deed,	616		128
Portion of 100.11-5-26, as shown in two deeds excepting	648		126
195 ft. west of St. Helena St. west line			
Portion of 100.11-5-25, as shown in two deeds excepting	530		3
195 ft. west of Helena St. west line			
100.15-1-6.1, as shown in deed,	603		423
100.15-1-5, as shown in deed,	704		465
Portion of 100.15-1-1.111, westerly 1,100 ft. of parcel,	665		741
100.15-1-7, as shown in deed,	633		754
Portion of 100.15-1-8,westerly 1,100 ft of parcel	642		18
100.6-2-27.1 ***	707		178
Portion of South Federal Street adjacent to parcels 100.10-3-33 & 100.11-5-39.1			
Portion of South Main Street adjacent to parcels 100.11-5-39.1 & 100.11-5-38			

Village & Town of Castile, Dev. Zone #5

	Liber		Page
147.10-3-10	630		728
147.10-2-12, as shown in deed,	661		561
147.10-2-16.1, as shown in deed,	351		289
147-2-24, as shown in deed,	647		918
147-2-25, portion of deed,	249		524
147-2-26	683		654
A small portion of Conrail rail line adjacent to parcel 147.10-3-11			
A small portion of Railroad Street adjacent to parcel 147.10-3-16.1			

Village of Silver Springs & Town of Gainesville, Dev. Zone #6

	Liber		Page
134.08-1-42, as shown in deed,	614		384
134.08-1-1, as shown in deed,	649		122
135.05-1-1.11, as shown in deed,	567		272
135.05-1-1.2	615		256
135.05-1-1.121, as shown in deed,	614		589
122.20-3-48.1, as shown in deed,	649		122
Portion of 134.06-1-42			
Portion of 122.19-1-6.11	575		9
134-1-24.69, as shown in deed,	614		589
134-1-24.131, as shown in deed,	567		272
134-1-24.122, as shown in deed,	615		256
Portion of 134-1-24.11, as shown in deed,	567		272
Portion of NYS Route 19A adjacent to parcels 134.08-1-42 & 134.08-1-1			
Portion of Rochester Southern rail line adjacent to parcels 134-1-24.11 & 134-1-1.21			

Warsaw Village, Dev. Zone #7

	Liber		Page
85.12-1-24.1 **	633		115
85.12-1-25.11 **	671		408
85.12-1-1 **	710		484
85.12-1-30.1 **	670		173
85.12-1-37 **	393		63
85.12-1-33 **	396		63
85.16-1-2 **	396		63
85.12-1-40 **	338		379
85.12-1-39.1 **	652		187
85.12-3-19.1 **	598		267
85.12-3-38 **	640		373
85.12-3-18 **	688		109
85.16-1-5.1 **	603		131

* Revised Parcels in Town/ Village of Arcade
** Revised Parcels in Town/ Village of Warsaw

*** Revised Parcels in Town/ Village of Perry

Revised 11/05/2008

Carried: Ayes: Noes: Absent: Abstain:

Chairman Berwanger asked if there was any Supervisor who objected to the presentation of the unanimous consent resolution #46. There being none, the Chairman asked the clerk to read Unanimous Consent resolution number 46.

UC#46

RESOLUTION NO. 08-433
(November 12, 2008)

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

RESOLUTION REGARDING STATE ENVIRONMENTAL QUALITY REVIEW (SEQR) FOR 408 NORTH MAIN STREET RENOVATIONS

November 12, 2008

WHEREAS, The Wyoming County Board of Supervisors (the "Board") has considered the impacts to the environment of the following Scope of Work to be completed:

408 North Main Medical Building Renovations

1. Interior renovations;
2. Roof replacement; and

WHEREAS, The Board has reviewed the Scope of Work presented for the collective Scope of Work as one Proposed Action, and has further consulted with its Architects and Engineers with respect to the potential for environmental impacts resulting from the proposed action; and

WHEREAS, The Board has reviewed the proposed action with respect to the Type II criteria set forth in 6 NYCRR Part 617 of the State Environmental Quality Review Act, (SEQRA) and concluded that the project involves:

- Maintenance or repair involving no substantial changes in an existing facility or structure (617.5.c.1)
- Replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building or fire codes (617.5.c.2); now therefore

BE IT RESOLVED, By the Wyoming County Board of Supervisor's as follows:

1. The Proposed Action, individually and cumulatively, does not constitute substantial changes to the existing facilities, and therefore, does not exceed thresholds established under 6 NYCRR Part 617 of the State Environmental Quality Review Act for a Type II Action.
2. The Board hereby determines the Proposed Action is a Type II action in accordance with the SEQRA regulations.
3. No further review of the Proposed Action is required under SEQRA.
4. This resolution shall be effective immediately.

Carried: XXX Ayes: 1569 Noes: Absent: 49 (Eagle) Abstain:

Before the meeting was adjourned, Chairman Berwanger commented on a phone call he received from a constituent from the west side of the county pertaining to the availability of Committee Meeting and Board Meeting minutes. The constituent stated that he did not have access to the internet and suggested publishing them in the local paper. Due to the cost of publishing the minutes this was not to be an option. However, Chairman Berwanger offered the following suggestion to the other Supervisors; make the hard copies of the

minutes received from the Board Clerk's office of Committee and Board Meeting minutes available in their Town Halls. He hands County meeting minutes to his Town Clerk during regular Town Board meetings.

There being no further business to come before this Board, Senior Supervisor, Mr. Harold Bush, T/Gainesville adjourned the meeting at 3:42 PM with a rap on his desk.

****

Respectfully submitted,

Cheryl J. Ketchum
Clerk to the Board of Supervisors

SPECIAL SESSION
(November 26, 2008)

Tuesday **3:00 PM**

The Special Session of the Wyoming County Board of Supervisors was held at the Wyoming County Government Center in the Board of Supervisors' Chambers located at 143 North Main Street, Warsaw, New York with all Supervisors present, except Supervisor Fleischman, T/Java; Supervisor May, T/Orangeville, Supervisor Smith, T/Warsaw (entered at 3:10 PM) and Supervisor Copeland, T/Wethersfield. Also present were D. Budget Officer, Beth Pond and Clerk to the Board of Supervisors, Cheryl Ketchum.

At 3:00 PM Chairman Berwanger, T/Arcade, called the meeting to order.

The Veteran leading the Pledge of Allegiance this meeting was:

Supervisor L. Rogers, T/Pike

The pledge was said by all.

Open Public Hearing:
Adoption of Wyoming County Tentative Budget for the Year 2008

Communications:
C1: The December 16, 2008 Audit Committee meeting has been rescheduled to December 30, 2008 at 9:00 AM.

#1

RESOLUTION NO. 08-434
(November 26, 2008)

By Mrs. Meeder, Chairman of the Human Resource Committee:

2008 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 2008 are accepted and the Clerk of this Board is hereby directed to apportion the same to the Townships with Wyoming County as follows:

TOWN	NO. ENROLLED VOTERS	AMOUNT OF LEVY	SPECIAL ELECTION
Arcade	2559	2214.00	
Attica	2544	2201.00	
Bennington	2335	2020.00	
Castile	2019	1746.00	
Covington	801	693.00	
Eagle	845	731.00	
Gainesville	1575	1362.00	
Genesee Falls	324	280.00	
Java	1466	1268.00	
Middlebury	1025	887.00	
Orangeville	857	741.00	
Perry	2970	2569.00	
Pike	668	578.00	
Sheldon	1757	1520.00	
Warsaw	3449	2983.00	
Wethersfield	602	521.00	
Total	25,796	22,314.00	0

Very truly yours,

Board of Elections

Carried: XXX Ayes: 1229 Noes: Absent: 93 (Java) Abstain:
48 (Orangeville)
213 (Warsaw)
35 (Wethersfield)
389 Total

#2

RESOLUTION NO. 08-435
(November 26, 2008)

By Mr. Davis, Chairman of the Finance Committee:

LIFT THE 2009 EQUALIZATION TABLE, AMEND AND ADOPT

BE IT RESOLVED, That the 2009 Equalization Table, which was tabled on November 12, 2008, be lifted from the table, and be it

FURTHER RESOLVED, That the 2009 Equalization Table is hereby amended to reflect revised assessments in the Town of Castile; 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 2009 is hereby adopted as amended.

Advisory Equaliz Rates	TOWN	Taxable Assessed Value with Partial Exemptions Added	Full Value At State Rates	% of Co. Tax to be paid by Each Town	Taxable Assessed Value
78.00%	ARCADE	169,178,591	216,895,629	0.114464674	169,156,541
96.00%	ATTICA	155,275,723	161,745,545	0.085359724	155,261,023
51.00%	BENNINGTON	109,548,757	214,801,484	0.113359508	109,511,728
100.00%	**CASTILE**	**199,988,051**	**199,988,051**	**0.105541855**	**199,964,551**
100.00%	COVINGTON	60,732,846	60,732,846	0.032051201	60,717,146
100.00%	EAGLE	49,459,683	49,459,683	0.026101893	49,452,383
100.00%	GAINESVILLE	77,890,432	77,890,432	0.041105959	77,877,482
100.00%	GENESEE FALLS	24,097,092	24,097,092	0.012717019	24,086,592
93.00%	JAVA	110,548,109	118,868,934	0.062731987	110,540,609
100.00%	MIDDLEBURY	78,144,271	78,144,271	0.041239920	78,140,771
100.00%	ORANGEVILLE	69,300,199	69,300,199	0.036572543	69,298,299
100.00%	PERRY	174,982,712	174,982,712	0.092345517	174,966,762
100.00%	PIKE	46,575,079	46,575,079	0.024579570	46,570,079
93.00%	SHELDON	125,707,007	135,168,825	0.071334104	125,676,907
100.00%	WARSAW	224,185,110	224,185,110	0.118311630	224,182,110
100.00%	WETHERSFIELD	42,033,699	42,033,699	0.022182898	42,018,499
	TOTALS	**1,717,647,361**	**1,894,869,592**	**1.00**	**1,717,421,482**

T= Town Taxable Assessed Value

Average Rate of Equalization for county 7.95

FINANCE COMMITTEE

Jerry Davis John Knab Douglas Patti

Carried: XXX Ayes: 1229 Noes: Absent: 93 (Java) Abstain:
48 (Orangeville)
213 (Warsaw)
35 (Wethersfield)
389 Total

Finance Chair Davis began by thanking the Deputy Budget Officer, B. Pond and Budget Officer, Janis Cook for all of their hard work and dedication in the preparation of the 2009 County Budget. He stated that Wyoming County has attempted to position themselves to be able to ride out the state's financial storm for the next few years.

Chairman Berwanger stated that this budget has been discussed at great lengths in all of the Board's standing Committees. There have been no reductions in staffing or in the contract agency appropriations.

Chairman Berwanger stated that the constituency has expressed the importance of driving on good roads so the Board of Supervisors remains committed to the Better Pavement project established in 2007.

There being no further comment Chairman Berwanger stated that he would entertain a motion to close the Public Hearing.

Supervisor Bush motioned to close the Public Hearing. Supervisor Rogers seconded the motion. All voted aye. The Public Hearing was closed.

At 3:10 PM Supervisor Smith, T/Warsaw entered the meeting during the budget message.

Chairman Berwanger invited Budget Officer Cook to deliver the 2009 Budget Message as follows:

BOARD OF SUPERVISORS 2009 BUDGET MESSAGE

On behalf of A. Douglas Berwanger, Chairman and the Wyoming County Board of Supervisors, it is my honor to present the TENTATIVE 2009 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. Due to the economic turmoil in Albany as well as the record losses realized on Wall Street, the proposed budget was more difficult to prepare than in years past. New York State is facing budget deficits totaling billions of dollars. With Wyoming County receiving just over $9 million dollars in State Aid a year, additional cost shifting from New York State to the County for State mandated programs would put an enormous amount of additional economic pressure on local governments and their taxpayers. Cost increases outside the County's control coupled with the volatile expenses associated with fuel, utility, supply and health care have made the preparation of the 2009 budget extremely challenging.

The 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 2009 Tentative Budget that maintains services for the residents of Wyoming County.

Taxable Valuation Table:

	2009	**2008**	**Increase/(Decrease)**
Taxable Valuation	*1,717,421,482*	*1,667,567,135*	*49,854,347*
Taxable Full Valuation	*1,894,869,592*	*1,811,854,222*	*83,015,370*
Co. Ave. Tax Rate Full Value /1,000	*7.21*	*6.79*	*$ 0.42*

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 2009, the estimated tax rate per thousand for each town with a 100% equalization rate is $7.21. For those towns at a 100% equalization rate for both the previous fiscal year (2008) and the upcoming year (2009) this represents an increase of $.42 (forty-two cents) per thousand or 6.19%.

The proposed 2009 budget appropriations total $113,065,400 reflecting an increase of 5.72% or $6,114,319. Estimated revenues in the amount of $ 97,055,240 have been proposed increasing by $5,706,403 or 6.25%. In an effort to reduce the tax rate, surplus funds have been applied from the General Fund of $2,350,000.

The proposed 2009 County property tax levy in this budget is reflected at $13,660,159.68 for an increase of $1,357,916.07 (11.04%) as compared to the 2008 tax levy. While the actual tax dollars being raised by the County are increasing at just over 11%; the actual increase in the County tax rate per one

thousand dollars of assessment is increasing at a rate of 6.19%. For most towns, the 2009 proposed rate per 1,000 is increasing $.42 (forty-two cents) from a rate of $6.79 per 1,000 in 2008 to $7.21 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 $543.20 in 2008 would pay $576.80 in 2009 for an increase of $33.60. It is important to note that these numbers reflect the levy based on the basic County operations budgets only. They do not reflect the additional amounts that will be added for the Board of Elections, the Workers Compensation budgets, or any other re-levies or corrections.

Estimated sales tax of $ 14,400,000 is budgeted for 2009 up by $1,300,000 from the budgeted 2008 amount. Although the increase appears large the Sales Tax revenue has been under budgeted for the past few years. For the first time in five years Wyoming County Community Health System will not require a subsidy from the County. However, due to the one-time reimbursement from the Federal government adjusting Medicaid reimbursement, the County is responsible for 50% of the cost. In 2009 that amount is roughly $1,286,000.

The County continues to work cooperatively with the Insurance Task Force. Although one single health insurance plan has been adopted for all County employees as a means to achieve an economy of scale and improve operational efficiency, after several attempts to negotiate lower premiums, the County health insurance cost still saw an 17% increase for the 2009 budget.

The following chart illustrates the breakdown of the 2009 tentative budget by fund:

FUND	***EXPENDITURE***	***%***
General Fund	*52,374,332.16*	*46.32%*
Hospital Fund	*46,552,557.00*	*41.17%*
Machinery Fund	*1,403,923.60*	*1.24%*
Highway Fund	*10,332,373.00*	*9.14%*
Workers Compensation Fund	*1,886,672.00*	*1.67%*
Job Training Fund	*215,542.00*	*0.19%*
Building Equipment Capital Reserve	*300,000.00*	*0.27%*
Total Budgeted Expenditures	*113,065,399.76*	*100.00%*

The following chart illustrates the breakdown of the major components of the General Fund 2009 tentative budget:

GENERAL FUND	**EXPENDITURE**	**%**
Social Services	*10,713,385.53*	*20.46%*
*Medicaid**	*6,416,137.00*	*12.25%*

Public / Mental Health	*6,341,717.38*	*12.11%*
Public Safety	*8,461,883.81*	*16.16%*
Education	*3,096,762.24*	*5.91%*
County Roads & Bridges	*6,209,298.05*	*11.86%*
*Wyo. Co. Comm. Hospital**	*.00*	*0.00%*
All Other	*11,135,148.15*	*21.25%*
Total Budgeted Expenditures	*52,374,332.16*	*100.00%*

The proposed 2009 tentative budget has been balanced by projecting 2% increases for all employees. The tentative budget also reflects the creation of three new positions. They include, one Correction Officer in the Jail (State Mandated), a 911 Coordinator under the direction of the Sheriff and a Real Property Tax Coordinator.

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 2009 Medicaid expense has been budgeted at $6,316,137, an increase of roughly $1.3 million over the 2008 budgeted amount. This is due to the County's share of a one-time reimbursement from the federal government to the County Nursing Home. Medicaid represents approximately 46% of the County's proposed 2009 tax levy.

The total indebtedness for Wyoming County as of November 12th, 2008 is in the amount of $8,754,179.00. This increased by just over $780,000 from last year. 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 2009 Tentative County Budget together and it has been my privilege to present it to you for your consideration.

Respectfully submitted,

Janis A. Cook, Budget Officer
Wyoming County

RESOLUTION NO. 08-436
(November 26, 2008)

By Mr. Davis, Chairman of the Finance Committee:

TENTATIVE 2009 BUDGET FOR WYOMING COUNTY ADOPTED

BE IT RESOLVED, That the tentative budget for the year 2009, as filed with the Clerk of this Board, is hereby adopted as the county budget for the year 2009, which requires the raising by tax levy in the amount of thirteen million six hundred sixty thousand one hundred fifty-nine dollars and sixty-eight cents ($13,660,159.68); and be it

FURTHER RESOLVED, That the said sum of thirteen million six hundred sixty thousand one hundred fifty-nine dollars and sixty-eight cents ($13,660,159.68) 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, 2009.

Carried: XXX Ayes: 1442 Noes: Absent: 93 (Java) Abstain:
48 (Orangeville)
35 (Wethersfield)
176 Total

There being no further business to come before this Board, Senior Supervisor Bush, T/Gainesville, adjourned the meeting at 3:25 PM with a rap on his desk.

****

Respectfully submitted,

Cheryl J. Ketchum
Cheryl J. Ketchum, Board Clerk

REGULAR SESSION
(December 09, 2008)

Wednesday **2:30 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, Janis Cook; Clerk to the Board of Supervisors, Cheryl Ketchum and Deputy Clerk to the Board, Brenda Ferrell.

At 2:35 PM Chairman Berwanger, T/Arcade, called the meeting to order.

The Veteran leading the Pledge of Allegiance this month was:

JOHN C. COPELAND

Mr. Copeland's service to his country comes while serving during the Vietnam War. He enlisted in the United States Army on April 28, 1964. Completing Basic and Advanced Individual Training at Ft. Dix, New Jersey and qualified as a Radio Teletype operator. Mr. Copeland was then assigned to Ft. Meyer, Virginia and became a member of the ***"OLD GUARD".*** As a member of this unique unit, he served on the Honor Guard to the President of the United States, to include President Lyndon Johnson. For the next 2 ½ years he participated in the Honor Guard at Funeral Details both at Arlington National Cemeteries and others, special Presidential Ceremonies, including those at the "Tomb of the Unknown Soldier". Mr. Copeland also was a member of the Honor Guard that participated at the half-time show of the 1966 Army/Navy Football game. He was Honorably Discharged on 30 January 1967 at the rank of Sgt.

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

The National Defense Service Medal
The Good Conduct Medal

Following his service, Mr. Copeland returned to this area and went to work at Mallory Timers for the next 10 years until its closing and worked his way up to the position of Manager of the Sub-Assembly Division. He then went on the road as a truck driver for the next 8 years, four of which were with Morton Salt. Mr. Copeland spent the next four years with American Floral in Perry before making a change in vocation by becoming the night custodial supervisor at the Churchville-Chili School district, a position he held until his retirement in June of this year.

Mr. Copeland has stayed active in the community over the years, being a longtime member of the American Legion Hunt-Stout Post 1670 of Pike and being its commander for 9 years. He's also held the position of Wyoming County Commander for 3 years, 8th District Aide, and Department Aide under Past State Commander Robert Nevel. Mr. Copeland also has been active over the years as a member of two Country Western Bands; the "Gamblers" and "The Country Gentlemen". He has been married to his wife, Valorie, of 43 years and they live in Hermitage.

The pledge was said by all.

Chairman Berwanger, T/Arcade thanked Mr. Copeland for leading in the pledge as he presented him with a certificate of appreciation. The Chairman offered Mr. Copeland an opportunity to address the Board. Mr. Copeland thanked the Veteran's Services office and the Board of Supervisors for inviting him to lead in the pledge.

Communications:
None

Open Public Hearing:
Local Law J (11) of the year 2008, entitled, ***"A Local Law Amending Local Law No. 7 for the Year 1976, County of Wyoming, New York, Modifying the Wyoming County Plan of Apportionment""***

#1

RESOLUTION NO. 08-437
(December 09, 2008)

By Mr. Davis, Chairman of the Finance Committee:

FUNDS TRANSFERRED TO VARIOUS 2008 ACCOUNTS

BE IT RESOLVED, That funds are hereby transferred to the various 2008 accounts as follows:

Workers Compensation & Health Insurance			
From: 05.58.1710.4.41606 Prov. for Reserve **To:** 05.58.1720.4.41601 Medical Payments **Reason:** To cover additional Workers Compensation Benefits	$150,000.00	150,000.00	
Workers Compensation & Health Insurance Total			**$150,000.00**

Wyoming County Community Hospital			
From: 01.52.9950.9.99008 WCCH Transfer **To:** 01.40.6102.4.42250 MMIS IGT/DSH Pmt **Reason:** to Reduce WCCH subsidy.	$1,473,000.00	1,473,000.00	
Wyoming County Community Hospital Total			**$1,473,000.00**
Department of Social Services			
From: 01.40.6109.4.42252 – TANF **To:** 01.39.6010.1.10202 – Temporary 01.39.6010.1.10301 – Overtime 01.39.6010.8.84001 – Unemployment Insurance **Reason:** Transfer necessary to cover 2008 costs of Temporary Clerk created 8/12/08 Res. #08-314 and Temporary Caseworker Trainee Salaries created 7/8/08 Res. #08-275, as well as, Unemployment for Temporary Caseworker created 12/12/06 Res. #06-417 position that ended 1/08.	$37,388.92	29,921.92 2,800.00 4,667.00	
Department of Social Services Total			**$37,388.92**
Mental Health Department			
From: 01.38.4310.4.41801 – Misc Charge **To:** 01.38.4310.8.89001 – Medical Insurance **Reason:** Account shortage due to employee not repudiating and taking insurance in 2008.	$6,228.00	6,228.00	
From: 01.38.4220.4.42476 – CCSI **To:** 01.38.4250.4.41216 – Board Expense 01.38.4250.8.89001 – Medical Insurance **Reason:** Account shortage due to employee not repudiating and taking insurance in 2008 and funding needed to compensate CSB members for mileage/meeting stipends.	$3,419.40	234.40 3,185.00	
Mental Health Total			**$9,647.40**
Sheriff			
From: 01.37.3110.2.20201 Computer Equipment **To**: 01.37.3110.4.42101 Law Enf. Supplies **Reason:** purchase of GPS units using funds from the Homeland Security Grant.	$2,849.70	2,849.70	
From: 01.37.3110.4.40305 Other **To:** 01.37.3110.1.10301 Overtime **Reason:** transfer our share of the Drug Task Force Grant.	$1,239.56	1,239.56	
Sheriff Total			**$4,089.26**
Office For the Aging			
From: 01.44.6772.1.10001 Fixed Salaries 01.44.6772.1.10101Full Time 01.44.6772.8.81001Retirement 01.44.6772.8.83001 FICA 01.44.6772.8.89001 Hospital Insurance **To:** 01.44.6772.4.40916 Food Service **Reason:** To reflect projected expenses for 2008 year end.	$4,890.00 11,600.00 8,000.00 1,000.00 21,000.00	$46,490.00	
Office For the Aging Total			**$46,490.00**
Public Health			
From: 01.38.4010.1.10101 FT CSEA Contract **To:** 01.38.4010.8.89001 Medical/Hospital Ins **Reason:** Transfer funds to cover shortage	$3,600.00	$3,600.00	
Public Health Total			**$3,600.00**

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

RESOLUTION NO. 08-438
(December 09, 2008)

By Mr. Davis, Chairman of the Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2008 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2008 accounts as follows:

Workers Compensation & Health Insurance			
To: 05.58.1720.4.41601 Medical Payments 05.58.1720.4.41602 Indemnity Payments w/05.08.1720.2680 Benefits & Awards 05.05.1710.2401 Self Insurance **Reason:** To cover additional Workers Compensation Benefits	$ 39,211.69 325,000.00	 $275,095.68 89,116.01	
Workers Compensation & Health Insurance Total			**$364,211.69**
Mental Health			
To: 01.38.4250.4.40926 ARA Inc. **w/**01.11.4250.3490 State Aid Mental Health **Reason:** NYS OASAS Grant Funding for Youth Program and State Aid COLA.	$56,501.00	 $56,501.00	
To: 01.38.4220.4.40302 Consult Services 01.38.4220.4.42306 Misc. Other 01.38.4220.4.42301 Books, Publications, Subscriptions 01.38.4220.2.20401 Misc. Equipment w/01.11.4220.3486 Subst. Abuse Cntrl. **Reason:** Gambling Prevention Grant start-up funds. 100% State Aid. No County Levy.	$ 3,700.00 2,215.00 300.00 6,300.00	 $12,515.00	
Mental Health Total			**$69,016.00**
Sheriff			
To: 01.37.3110.4.40301 Prof Svc Contract w/ 01.12.3110.4389 Federal Block Grant JBI **Reason:** to cover the bill for a percentage of money recovered.	$2,903.34	 $2,903.34	
To: 01.37.3110.1.10301 Overtime 01.37.3110.4.40405 Employee Expenses 01.37.3110.4.40401 Training/Education 01.37.3110.4.40503 Gasoline Offset of 01.11.3110.308901 State Aid **Reason:** offset of money spent for the STEP Grant	$4,192.38 60.44 360.00 104.99	 $4,717.81	
To: 01.37.3110.4.41306 Uniform Allowance w/ 01.11.3110.308902 Other State Aid - Section 606 **Reason:** line item clean up for anticipated shortage	$2,695.00	 $2,695.00	
Sheriff Total			**$10,316.15**

Jail			
To: 01.37.3150.4.41010 Misc. Office Supplies ***From any funds available*** **Reason:** to cover the purchase of chairs for the Jail.	$2,374.55	$2,374.55	
To: 01.37.3150.4.40401 Training 01.37.3150.4.40405 Employee Expenses 01.37.3150.4.40806 Cleaning Supplies 01.37.3150.4.41010 Misc. Office Supplies 01.37.3150.4.41209 Operating Expenses 01.37.3150.4.41305 Jail Operations 01.37.3150.4.41701 Physicals 01.37.3150.4.41711 Inmate Medical 01.37.3150.4.41803 Pay't to Other Co w/01.11.3150.308902 Other State Aid Section 606 **Reason**: line item clean up for shortages	$1,600.00 8.31 4,100.00 1,200.00 1,800.00 1,000.00 125.00 44,796.76 8,000.00	$62,630.07	
Jail Total			**$65,004.62**
Building Code Enforcement			
To: 01.37.3620.4.40508 Private Auto Repairs w/01.06.3620.2590 Permit Revenue **Reason:** to repair the transmission on a 2007 Jeep Liberty.	$2,500.00	$2,500.00	
Building Code Enforcement Total			**$2,500.00**
Department of Social Services			
To: 01.39.6010.2.20201 Computer Equipment w/01.12.6010.4610 Social Service Admin. **Reason:** This is for a S.O.S. Server purchased through the State in 2007. The State has just intercepted the money on Settlement 8452392.	$6,271.00	$6,271.00	
Department of Social Services Total			**$6,271.00**
Office For the Aging			
To: 01.44.6772.4.40924 Homemaker Services ***From any funds available*** **Reason:** To appropriate for projected 2008 year end expenses for EISEP services.	$25,000.00	$25,000.00	
Office For the Aging Total			**$25,000.00**

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

Mr. Bush, T/Gainesville, Chairman of the Audit Committee, presented bills totaling **$2,108,880.38** for the month of **November 2008.**

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

There was a motion by Mr. Rogers, T/Pike, to combine resolutions #3 through #7. A voice vote was taken and all voted aye.

#3

RESOLUTION NO. 08-439
(December 09, 2008)

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

CHAIRMAN AUTHORIZED TO SIGN AGREEMENT WITH 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, 5th Floor, Rochester NY 14614 on behalf of the Sheriff's Department. Said contract is for the provision of forensic laboratory services in an amount not to exceed twenty-two thousand dollars ($22,000.00) (increase of $1,000 from 2008); effective January 0, 2009 through December 31, 2009. Contingent upon the availability of funds.

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

#4

RESOLUTION NO. 08-440
(December 09, 2008)

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

CHAIRMAN AUTHORIZED TO SIGN A GRANT ACCEPTANCE AWARD WITH NEW YORK STATE OFFICE OF HOMELAND SECURITY 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 (LE08-1021-E00) with NYS Office of Homeland Security, State Office Campus, 1220 Washington Ave., Building 7A, 6th Floor, Albany, NY 12242-1800on behalf of the Sheriff's Department. Said grant is for the provision of funds to support terrorism prevention and preparedness efforts in a minimum amount of twenty-six thousand five hundred dollars ($26,500.00) which will be used for the back up 911 Center.

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

#5

RESOLUTION NO. 08-441
(December 09, 2008)

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

CHAIRMAN AUTHORIZED TO SIGN A MAINTENANCE CONTRACT WITH SIMPLEX GRINNELL 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 maintenance contract with Simplex Grinnell, 90 Goodway Dr, Rochester, NY 14623 on behalf of the County Jail. Said contract is for the provision of smoke and fire alarm maintenance for the building in an amount not to exceed five thousand five hundred sixty-three dollars ($5,563.00); effective January 01, 2009 through December 31, 2009.

Contingent upon the availability of funds.

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

#6

RESOLUTION NO. 08-442
(December 09, 2008)

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

CHAIRMAN AUTHORIZED TO SIGN GRANT ACCEPTANCE AWARD 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 grant acceptance award with the NYS Office of Homeland Security, State Office Campus, 1220 Washington Ave., Building 7A, 6th Floor, Albany, NY 12242-1800 on behalf of Emergency Services. Said grant is for the provision of funding to support planning, equipment, training and exercise needs in a

minimum amount of seventy-nine thousand five hundred dollars ($79,500.00); effective July 01., 2008 through June 30, 2011.

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

#7

RESOLUTION NO. 08-443
(December 09, 2008)

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

DR. GREGORY COLLINS, D.O. REAPPOINTED AS MEDICAL DIRECTOR OF PRE-HOSPITAL CARE AGENCIES

BE IT RESOLVED, That ***Dr. Gregory Collins, DO,*** of 4820 Darby Rd., Avon, NY 14414 is hereby reappointed as the ***Medical Director of Pre-Hospital Care Agencies;*** effective ***January 01, 2009 through December 31, 2009.***

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

There was a motion by Mrs. Totsline, T/Genesee Falls, to combine resolutions #8 through #14. A voice vote was taken and all voted aye.

#8

RESOLUTION NO. 08-444
(December 09, 2008)

By Mrs. Totsline, Chairman of the Human Services Committee:

MEMBERS REAPPOINTED TO THE 2-1-1 ADVISORY BOARD

BE IT RESOLVED, That the following members are hereby reappointed to the ***2-1-1 Advisory Board as follows:***

For a term of one (1) year; effective January 01, 2009 through December 31, 2009:

- **Marty Mucher**, 208 State Street, Batavia, NY 14020
- **Deborah Schmitt**, 3062 Suckerbrook Rd., Perry, NY 14530
- **James Fleischman**, 5824 Java Lake Rd., Arcade, NY 14009

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

#9

RESOLUTION NO. 08-445
(December 09, 2008)

By Mrs. Totsline, Chairman of the Human Services Committee:

CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH COMMUNITY CARE OF WESTERN NEW YORK 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 Community Care of Western New York, Inc. dba Home Care & Hospice, with offices at 1225 West State Street, Olean, NY 14760 on behalf of the Office for the Aging. Said contract is for the provision of homecare to residents 60 and over in Wyoming County in an amount not to exceed the 2009 budget; effective January 01, 2009 through December 31, 2009.

Contingent upon the availability of funds.

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

#10

RESOLUTION NO. 08-446
(December 09, 2008)

By Mrs. Totsline, Chairman of the Human Services Committee:

CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH DANIEL J. PERKINS ON BEHALF OF THE OFFICE FOR THE AGING

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Daniel J. Perkins, 101 West Court Street Warsaw, NY 14569 on behalf of the Office for the Aging. Said contract is for the provision of WRAP Coordinator and Weatherization services to residents 60 and over in Wyoming County in an amount not to exceed thirty thousand dollars ($30,000.00); effective January 01, 2009 through December 31, 2009.

Contingent upon the availability of funds.

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

#11

RESOLUTION NO. 08-447
(December 09, 2008)

By Mrs. Totsline, Chairman of the Human Services Committee:

2009 ANNUAL IMPLEMENTATION PLAN APPROVED FOR 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 2009 Annual Implementation Plan with the NYS Office for the Aging 2 Empire State Plaza, Albany, NY 12223 on behalf of the Office for the Aging. Said annual implementation plan is for funding of services to be provided in a minimum amount of six hundred ninety-three nine hundred twenty-two dollars ($693,922.00); effective January 01, 2009 through December 31, 2009 for the Federal Grant funds and April 01, 2008 through March 31, 2010 for the State Grant funds.

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

RESOLUTION NO. 08-448
(December 09, 2008)

By Mrs. Totsline, Chairman of the Human Services Committee:

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

BE IT RESOLVED, That the following members be hereby appointed / reappointed to the **Office for the Aging Advisory Council** as follows:

County Reps.
For a term of three (3) years; effective January 01, 2009 through December 31, 2011:

- **Gordon Lew (Department of Social Services)** 466 N. Main Street, Warsaw, NY 14569
- **Laura Paolucci (Public Health)** 5362 Mungers Mill Rd., Silver Springs, NY 14550
- **Farris Heimann (Sheriff's Department)** 151 N. Main St., Warsaw, NY 14569
- **Anthony Santoro (Emergency Services**) 151 N. Main St., Warsaw, NY 14569

Town Reps.
For a term of three (3) years; effective January 01, 2009 through December 31, 2011:

- **Elizabeth Rice (Town of Perry)** 14 Covington St., Perry, NY 14530
- **Ruth Kensinger (Town of Orangeville)** 3336 Syler Rd., Varysburg, NY 14167
- **Marilyn Pirdy (Town of Arcade)** 8819 Youngers Rd. Bliss NY 14024

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

RESOLUTION NO. 08-449
(December 09, 2008)

By Mrs. Totsline, Chairman of the Human Services Committee:

MEMBERS APPOINTED/REAPPOINTED TO THE WYOMING COUNTY YOUTH BOARD

BE IT RESOLVED, That the following members be hereby appointed/reappointed to the **Youth Bureau** as follows:

Youth Members
For a term of one (1) year; effective January 01, 2009 through December 31, 2009:

- **Sarah Carlson,** 2110 Sayre Rd., Warsaw NY 14569
- **Caitlyn McGinnis,** 37 North Main St., Perry NY 14530
- **Sarah McGinnis**, 37 North Main St., Perry NY 14530
- **Samantha Myers**, 7111 Route 20A, Perry NY 14530
- **Ashley White,** P. O. Box 371, Warsaw NY 14569

Agency Members
To fill an unexpired term of two (2) years; effective January 01, 2009 through December 31, 2009:

- **Amanda Pasquale (Probation)** 143 North Main St, Warsaw, NY 14569 **(**replacing T. Whalen)

For a term of two (2) years; effective January 01, 2009 through December 31, 2010:

- **Gordon Lew (Department of Social Services)** 466 N. Main Street, Warsaw, NY 14569
- **Joyce Horner (WNY Rural AHEC)** PO Box 152, Warsaw, NY 14569
- **Shawn Tiede (Cornell Cooperative Extension)** 401 North Main St.,

Warsaw, NY 14569

Community Members

To fill an unexpired term of three (3) years; effective January 01, 2009 through December 31, 2009:

- **Reverend Robert Farnsworth** P.O. Box 297 Pike, NY 14130 replacing L. Granger.

For a term of three (3) years; effective January 01, 2009 through December 31, 2011:

- **Jim Swatt (Coordinated Child Services)** 83 N. Main St., Warsaw NY 14569
- **Pastor Tim Walls (Full Gospel Church)** 244 N. Main St., Warsaw, NY 14569

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

#14

RESOLUTION NO. 08-450
(December 09, 2008)

By Mrs. Totsline, Chairman of the Human Services Committee:

ANDREA ALDINGER REAPPOINTED AS THE DIRECTOR OF THE OFFICE FOR THE AGING AND YOUTH

BE IT RESOVED, That ***Andrea Aldinger,*** 1139 Townline Rd., Attica, NY 14011 be hereby reappointed to the position of ***Director of the Office for the Aging and Youth***; effective ***January 01, 2009***.

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

There was a motion by Mr. Kushner, T/Eagle, to combine resolutions #15 through #19. A voice vote was taken and all voted aye.

RESOLUTION NO. 08-451
(December 09, 2008)

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

RESOLUTIONS 08-62, 08-249, AND 08-340 AMENDED

WHEREAS, Resolution Number 08-62, entitled, **"CHAIRMAN AUTHORIZED TO SIGN VARIOUS GRANT APPLICATIONS AND/OR RENEWALS ON BEHALF OF WYOMING COUNTY HEALTH DEPARTMENT AND CERTIFIED HOME HEALTH AGENCY FOR THE YEAR 2008,"** passed by this Board of Supervisors on February 12, 2008 provides for various grants for the Wyoming County Health Department and the Certified Home Health Agency for the year 2008; and

WHEREAS, Resolution Number 08-249, entitled, **"RESOLUTION NUMBER 08-62 AMENDED,"** passed by this Board of Supervisors on July 08, 2008 amends the following contracts from Resolution Number 08-62:

- NYS Department of Health – Division of Family Health (MWHS) Application amount was in a minimum amount of $248,524 reduced to $241,521 (1/1/08-12/31/08) (***decreased amount of original approval by $7,003; funds were expended and reimbursed in 2007)***

- NYS Department Health (Zoonoses Program Grant) Application amount was in a minimum amount of $9,000 increased to $16,380.00 (From April 01, 2008 through March 31, 2009 to January 01, 2008 through March 31, 2009) ***(extended term to fifteen months and increased amount)*;** and

WHEREAS, Resolution Number 08-340, entitled, "CHAIRMAN / COMMISSIONER OF HEALTH AUTHORIZED TO SIGN A GRANT APPLICATION AND ACCEPTANCE AWARD WITH NEW YORK STATE DEPARTMENT OF HEALTH CENTER FOR ENVIRONMENTAL HEALTH ON BEHALF OF THE COUNTY HEALTH DEPARTMENT," passed by this Board of Supervisors on September 08, 2008 provides for funding of Youth Tobacco Enforcement and Prevention program activities in a minimum amount of twenty-nine thousand

eight hundred thirty-five dollars ($29,835.00); effective October 01, 2008 through September 30, 2009; now therefore

BE IT RESOLVED, That resolution number 08-62 be hereby amended to reflect the following:

- NYS Department of Health Water Enhancement Grant Program (4/1/08-3/31/09) $88,435 (***decreased amount of original approval by$7,565);***

- NYS Department Health Early Intervention Administration Grant Program (10/1/08-9/30/09) $31,983.00 (***decreased amount of original approval by $2,322.00);***

- NYS Department Health Early Immunization Grant Program (4/1/08-3/31/09) $46,305.00 (***decreased amount of original approval by $945.00);*** and be it

FURTHER RESOLVED, That resolution number 08-249 be hereby amended to reflect the following:

- New York State Department of Health Division of Family Health (1/1/08-12/31/08) $235,186 **(decreased amount of original approval by $6,335)**; and be it

FURTHER RESOLVED, That resolution number 08-340 be hereby amended to reflect the following:

- NYS Department Health Adolescent Tobacco Use Prevention Act Grant Program (10/1/08-9/30/09) $27,173.00 (***decreased amount of original approval by $2,662.00).***

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

#16

RESOLUTION NO. 08-452
(December 09, 2008)

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

DR. GREGORY COLLINS, D.O. REAPPOINTED AS MEDICAL DIRECTOR OF THE WYOMING COUNTY PUBLIC HEALTH DEPARTMENT

BE IT RESOLVED, That ***Dr. Gregory Collins, DO, MPH,*** 4820 Darby Rd., Avon, NY 14414 be hereby reappointed as ***Medical Director of the Wyoming County Public Health Department***; effective ***January 01, 2009 through December 31, 2009.***

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

#17

RESOLUTION NO. 08-453
(December 09, 2008)

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

CHAIRMAN AUTHORIZED TO SIGN 2009 RENEWAL CONTRACTS ON BEHALF OF MENTAL HEALTH

BE IT RESOLVED, that the Chairman of this Board, with the approval of the County Attorney and on behalf of the Department of Mental Health, is hereby authorized and directed to sign the following contracts for FY 2009:

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, 2009 through December 31, 2009 for $44,791.00.

2) Suburban Adult Services, Inc., 960 West Maple Court, Elma, NY 14059, renewal contract for the period of January 1, 2009 through December

31, 2009 for $133,670.00. (Sheltered Work - $40,744.00; Supported Employment - $92,926.00)

3) Allegany Rehabilitation Associates, Inc., 4222 Bolivar Road, Wellsville, NY 14895 renewal contract for the period of January 1, 2009 through December 31, 2009:
One contract for Mental Health Services for $640,088.00

A. Mental Health Clinic and Crisis - $22,406.00
B. Adult Case Management/SPOA - $60,128.00
D. Child & Youth ICM/SCM & Wrap around Funds (2 ICMS; 1 SCM) - $68,200.00
E. RIV-POEMS - CSP

F. Co-Occurring Disorder Program & Case Management - $12,529.00
G. Child & Family Clinic Plus - $52,329.00
H. CSS Programs Continuing Day Tx., CSS Case Management, CSS
Transportation - COPS
I. Chemical Abuse Treatment and Prevention Staffing & Men's Group for
$424,496.00

4) Wyoming County Community Hospital, 400 North Main Street, Warsaw, NY 14569 - renewal contract for the period of January 1, 2009 through December 31, 2009 for $175,675.00.

A. PAO screenings - $22,756.00
B. Forensic case management - $31,947.00
C. Jail based Chemical Dependency services in the jail - $3,000.00
D. MICA/Homeless - Case Management - $11,492.00
E. Crisis Outreach Program - $68,600.00
F. Mobile Treatment Team - $16,576.00
G. Case Management AOT - $21,304.00

5) Mental Health Association of Rochester/Monroe County, Inc., 320 North Goodman Street, Rochester, NY 14607 – renewal contract for the period of January 1, 2009 through December 31, 2009: (One contract for $220,993.00)

1. Consumer Run Thrift Store - $32,529.00
2. Drop-in Center - $21,355.00

3. Transportation Program - $45,024.00
4. MICA & Social Club - $96,283.00
5. Peer Advocacy - $9,861.00
6. PREP - $5,573.00
7. Temporary Housing - $10,368.00

6) Hillside Children's Center, 1183 Monroe Ave., Rochester, NY 14620-1699, renewal contract for the period of January 1, 2009 through December 31, 2009: $63,790.00

A. Crisis respite for children - $17,527.00
B. GLOW Family Support - $16,893.00
C. Home Based Crisis Intervention - $14,335.00
D. Parent Advocate - $15,035.00

6a) Hillside Children's Center renewal MOU for the period of January 1, 2009 through December 31, 2009 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, 2009 through December 31, 2009 for: $172,446.00.

A. Four-bed treatment apartments - $ 4,699.00
B. Supported Housing (20 SLOTS) - $167,747.00

8) Coordinated Care Services, Inc. of Rochester, 1099 Jay Street, Building J, Rochester, NY 14611-1153, contract renewal for the period of January 1, 2009 through December 31, 2009: $522,030.00

C. Service Coordination - $ 123,459.00
D. Dual Diagnosis Coordination - $65,659.00
C. Coordinated Children's Services Initiative - $71,202.00
D. Performance Measurements - $13,663.00
E. Substance Abuse Prevention - $248,047.00

9) Contract with the STOP DWI Coordinator, whereas the Wyoming County Mental Health Department receives $10,000.00 in STOP DWI Funds for 2009.

10) 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 - $825.00 a month/$9,900.00 annually

11) 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:

#18

RESOLUTION NO. 08-454
(December 09, 2008)

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

CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH MATRIX COMMUNICATION GROUP, INC.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 Matrix Communication Group, Inc., 126 Dwight Park Circle, Syracuse, NY13209 on behalf of Mental Health. Said contract is to supply and install telephone service in the Partners for Prevention building at 108 Main Street, Warsaw, NY, in an amount not to exceed six thousand two hundred thirty-two dollars and thirty two cents ($6,232.32). No County Levy, to be paid for with 2008 State Aid funds.

Contingent upon the availability of funds.

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

#19

RESOLUTION NO. 08-455
(December 09, 2008)

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

CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH AD COUNCIL OF ROCHESTER 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 2008 contract with Ad Council of Rochester, 274 N. Goodman Street, NY on behalf of Mental Health. Said contract is for the development of a social marketing plan for Partners for Prevention pertaining to the STOP Act grant in an amount not to exceed ten thousand dollars ($10,000.00). This is covered with 100% 2008 state aid. No county levy.

Contingent upon the availability of funds.

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

There was a motion by Mr. Patti, T/Attica to combine resolutions #20 through #22. A voice vote was taken and all voted aye.

#20

RESOLUTION NO. 08-456
(December 09, 2008)

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

CHAIRMAN AUTHORIZED TO SIGN SUPPLEMENTAL AGREEMENT #1 WITH DEWBERRY – GOODKIND, 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 supplemental agreement #1 with Dewberry-Goodkind, Inc., 200 Alliance Building, 183 East Main Street, Rochester, NY 14604 on behalf of the Highway Department. Said agreement is for the provision of Scope of Services for a Right of Way study for the Town of Castile, East Lake Road; PIN 4754.98 in an amount not to exceed thirty-two thousand nine hundred forty-nine dollars ($32,949.00).

Contingent upon the availability of funds.

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

RESOLUTION NO. 08-457
(December 09, 2008)

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

RESOLUTION NUMBER 08-273 AMENDED

WHEREAS, Resolution Number 08-273, entitled, "**CHAIRMAN AUTHORIZED TO SIGN A LEASE AGREEMENT WITH TOMPKINS TRUST ON BEHALF OF WYOMING COUNTY BUILDINGS AND GROUNDS,"** passed by this Board of Supervisors on July 08, 2008 provides for a lease agreement for the lease / purchase of a 2008 F-250 Ford Pickup truck purchased from Conroy Motors, Java Center in an amount not to exceed eighteen thousand seven hundred forty seven dollars ($18,747.00) ($362.71/monthly at 6.25% APR). Said lease to be for 60 months with a $1.00 buy-out at the end of the agreement. Contingent upon the availability of funds; and

WHEREAS, Resolution Number 08-347, entitled, **"RESOLUTION NUMBER 08-273 AMENDED,"** passed by this Board of Supervisors on September 09, 2008 amends resolution number 08-273 to reflect Ford Motor Credit Company, The American Road, PO Box 1739-MD7500, Dearborn, MI 48121-1739 as the leasing company in place of Tompkins Trust at an increased amount in financing of 7.35% from 6.25%, which amounts to nine hundred four dollars and eighty cents ($904.80) over 60 months with a $1.00 buy-out at the end of the agreement. Contingent upon the availability of funds; now therefore

BE IT RESOLVED, That resolution number 08-273 as amended by resolution number 08-347 be hereby further amended to reflect twenty-two thousand six hundred sixty-seven dollars and forty cents ($22,667.40) as the total amount of the vehicle which includes all finance and delivery fees, instead of nineteen thousand one hundred seventy-two dollars ($19,172.00). Contingent upon the availability of funds.

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

#22

RESOLUTION NO. 08-458
(December 09, 2008)

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

CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH SPRAGUE ENERGY CORPORATION 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 Sprague Energy Corporation, Two International Dr., Suite 200, Portsmouth, NH 03801 on behalf of Buildings and Grounds. Said contract is for the provision of natural gas to county facilities as the result of a utility audit conducted by Sprague Energy that estimates they can save the county an estimated $2,000 in the delivery of natural gas; effective January 01, 2009 through December 31, 2009.

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

There was a motion by Mr. Fleischman, T/Java, to combine resolutions #23 through #25. A voice vote was taken and all voted aye.

#23

RESOLUTION NO. 08-459
(December 09, 2008)

By Mr. Fleischman, Chairman of the Planning Committee:

CHAIRMAN AUTHORIZED TO SIGN AN AGREEMENT WITH H. SICHERMAN & COMPANY INC. FOR OFFICE OF COMMUNITY RENEWAL CONSULTING SERVICES

WHEREAS, Wyoming County has received fiscal year 2008 Community Development Block Grant (CDBG) funding from the New York State Office of Community Renewal for the purpose of implementing the Wyoming County Microenterprise, Downtown Revitalization and Farm Diversification Programs (hereinafter the "Program"), and

WHEREAS, The Wyoming County Department of Planning and Development sent a Request for Proposal to qualified economic development consultant firms, and

WHEREAS, The Wyoming County Department of Planning and Development evaluated the only proposal it received, now therefore

BE IT RESOLVED, That the Chairman of this Board, with the approval of County Attorney, is hereby authorized and directed to sign a contract with H. Sicherman & Company Inc., 5852 Forest Creek Drive, East Amherst, NY 14051 to provide and implement grant administration services for a four hundred thousand dollar ($400,000.00) CDBG Office of Community Renewal grant in an amount not to exceed thirty thousand ($30,000.00); contingent upon the availability of funds. The cost of said contract will be paid from the grant funds that have been awarded; effective December 09, 2008 through October 31, 2010.
Contingent upon the availability of funds.

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

#24

RESOLUTION NO. 08-460
(December 09, 2008)

By Mr. Fleischman, Chairman of the Planning Committee:

CHAIRMAN AUTHORIZED TO SIGN RENEWAL CONTRACT WITH GENESEE FINGER LAKES REGIONAL PLANNING COUNCIL 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 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, 2009 through December 31, 2009.

Contingent on the availability of funds.

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

#25

RESOLUTION NO. 08-461
(December 09, 2008)

By Mr. Fleischman, Chairman of the Planning Committee:

SUSAN WHITE REAPPOINTED TO THE GLOW WORKFORCE INVESTMENT BOARD

BE IT RESOLVED, That ***Susan White, (JN White Designs)***, 129 N. Center St.,
PO Box 219, Perry, NY 14530 be hereby reappointed to the ***GLOW Workforce Investment Board*** for an ***Indefinite Term***; effective ***January 1, 2009*** as a ***Private Sector Rep.***

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

There was a motion by Mr. Gozelski, T/Castile, to combine resolutions #26 through #28. A voice vote was taken and all voted aye.

#26

RESOLUTION NO. 08-462
(December 09, 2008)

By Mr. Gozelski, Chairman of the Agriculture Committee:

CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH WYOMING COUNTY SOIL AND WATER CONSERVATION DISTRICT FOR AGRICULTURE DISTRICT REVIEWS

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 Soil and Water Conservation District, 31

Duncan Street. Ext., Warsaw, NY 14569 to provide agriculture district reviews for the County of Wyoming in an amount not to exceed fifteen thousand dollars ($15,000.00); effective January 01, 2009 through December 31, 2009.

Contingent upon the availability of funds.

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

#27

RESOLUTION NO. 08-463
(December 09, 2008)

By Mr. Gozelski, Chairman of the Agriculture Committee:

RICHARD YOUNGERS REAPPOINTED TO THE SOIL AND WATER CONSERVATION DISTRICT BOARD

BE IT RESOLVED, That ***Richard Youngers (Pomona Grange Rep.)***, 31 Duncan Street Ext., Warsaw, NY 14569 be hereby reappointed to the ***Soil & Water Conservation District Board*** for a ***term of three (3) years***; effective ***January 01, 2009 through December 31, 2011***.

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

#28

RESOLUTION NO. 08-
(December 09, 2008)

By Mr. Gozelski, Chairman of the Agriculture Committee:

MEMBERS APPOINTED/REAPPOINTED TO THE REGION 9 FISH AND WILDLIFE MANAGEMENT BOARD AND TO THE FOREST PRACTICE BOARD

BE IT RESOLVED, That the following members are hereby appointed/reappointed to the following **Region 9 Boards*:***

Fish & Wildlife Management Board
Two (2) year term; effective January 1, 2009 through December 31, 2010:

- *David Pankow, 5808 Glen Iris Rd., Castile, NY 14427 as* ***Landowner Rep.***

- *John Gillen, 161 W. Court St., Warsaw, NY 14569 as **Sportsman Rep.***

Forest Practice Board
Three (3) year term; effective January 01, 2009 through December 31, 2011:

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

Carried: Ayes: Noes: Absent: Abstain:

There was a motion by Mrs. Meeder, T/Middlebury, to combine resolutions #29 and #30. A voice vote was taken and all voted aye.

#29

RESOLUTION NO. 08-464
(December 09, 2008)

By Mrs. Meeder, Chairman of the Human Resource Committee:

JAMES SCHLICK REAPPOINTED AS ELECTION COMMISSIONER (R)

BE IT RESOLVED, That ***James Schlick***, 1468 Church Road, Darien Center, NY 14040 is hereby reappointed as ***Election Commissioner (R)*** for a ***term of two years*** effective ***January 01, 2009 through December 31, 2010.***

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

#30

RESOLUTION NO. 08-465
(December 09, 2008)

By Mrs. Meeder, Chairman of the Human Resource Committee:

ANNA MAE BALMAS REAPPOINTED ELECTION COMMISSIONER (D)

BE IT RESOLVED, That ***Anna Mae Balmas***, 1 West Mill Street, Castile, NY 14427 is hereby reappointed as ***Election Commissioner (D)*** for a ***term of two years*** effective ***January 01, 2009 through December 31, 2010.***

Carried: XXX **Ayes: 1618** **Noes:** **Absent:** **Abstain: #31**

RESOLUTION NO. 08-466
(December 09, 2008)

By Mr. Davis, Chairman of the Finance Committee:

Mr. Davis, Chairman of the Finance Committee, presented the **SEMI-ANNUAL MORTGAGE TAX REPORT** for the period of April 1, 2008 through September 30, 2008 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 **$213,556.20** 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	$29,554.35	$6,942.29	$22,612.06
Attica	$17,014.81	$3,444.19	$13,570.62
Bennington	$23,836.07		$23,836.07
Castile	$22,727.47	$1,776.06	$19,533.53
Perry Village		$1,417.88	
Covington	$4,796.95		$4,796.95
Eagle	$7,026.95		$7,026.95
Gainesville	$7,560.26	$241.62	$6,360.45
Silver Springs Village		$958.19	
Genesee Falls	$2,388.90		$2,388.90
Java	$18,352.19		$18,352.19

Middlebury	$8,004.61	$741.80	$7,262.81
Orangeville	$6,198.98		$6,198.98
Perry	$21,664.77	$5,847.83	$15,816.94
Pike	$4,167.90	$370.10	$3,797.80
Sheldon	$16,049.08		$16,049.08
Warsaw	$18,346.69	$5,950.06	$12,396.63
Wethersfield	$5,866.22		$5,866.22
Total:		**$27,690.02**	**$185,866.18**
Grand Totals:	**$213,556.20**		

Let This Be Your Warrant for Such Payment: **$213,556.20** IN WITNESS WHEREOF, I have hereunto set my hand and seal of the Board of Supervisors this 9th day of December 2008.
s/Cheryl J. Ketchum, Clerk

Board of Supervisors
Carried: XXX Ayes: 1618 Noes: Absent: Abstain:

#32

RESOLUTION NO. 08-467
(December 09, 2008)

By Mr. Davis, Chairman of the 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, 2008 through September 30, 2008 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 seven hundred fifty dollars and twenty-nine cents ($29,750.29) to the sixteen towns of Wyoming County, in accordance with the report filed with the Clerk of the Board of Supervisors, as follows:

TOWNS	REVENUE SHARING DISTRIBUTIED
Arcade	$4,117.19
Attica	$2,370.32
Bennington	$3,320.58
Castile	$3,166.14
Covington	$668.27
Eagle	$978.92
Gainesville	$1,053.22
Genesee Falls	$332.80
Java	$2,556.62
Middlebury	$1,115.10
Orangeville	$863.58
Perry	$3,018.09
Pike	$580.62
Sheldon	$2,235.78
Warsaw	$2,555.86
Wethersfield	$817.20
Grand Totals:	**$29,750.29**

Let this be your Warrant for Such Payment: **$29,750.29** (twenty-nine thousand seven hundred fifty dollars and twenty-nine cents) IN WITNESS WHEREOF, I have hereunto set my hand and seal of the Board of Supervisors this 9th day of December, 2008.

s/*Cheryl J. Ketchum*, Clerk
Board of Supervisors

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

#33

RESOLUTION NO. 08-468
(December 09, 2008)

By Mr. Davis, Chairman of the Finance Committee:

3 COPIES OF ANNUAL REPORTS REQUESTED

December 9, 2008

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 that March 31, 2009, 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:

#34

RESOLUTION NO. 08-469
(December 09, 2008)

By Mr. Davis, Chairman of the Finance Committee:

AUTHORIZE CHAIRMAN AND CLERK TO SIGN TAX WARRANTS

WHEREAS, Section 904 of the Real Property Tax Law provides that the Collectors' Warrants in said Tax Rolls should be executed by said Board of Supervisors under the seal of the Board signed by the Chairman and/or Clerk of the Board, and

WHEREAS, The Chairman/Clerk of the Board has presented the Annual Tax Rolls, with extensions therein, for the approval of this Board, now therefore

BE IT RESOLVED, That the Tax Rolls, as extended, are hereby in all things approved and the Chairman or Clerk are hereby authorized and directed to execute and sign the warrants attached in said Rolls: warrants to be returned on or before April 1, 2009.

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

#35

RESOLUTION NO. 08-470
(December 09, 2008)

By Mr. Davis, Chairman of the 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 **Friday, January 2, 2009,** at **2:00 PM**, to be held at 143 North Main Street, Town of Warsaw, Warsaw, New York in the Government Center, 2nd Floor, in the Supervisor's Chambers.

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

#36

RESOLUTION NO. 08-471
(December 09, 2008)

By Mr. Davis, Chairman of the Finance Committee:

SALARY SCHEDULE "I" 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 "I"; effective January 01, 2009:

- Salary of the **Board of Supervisors** to reflect $10,500.00 annually.

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

#37

RESOLUTION NO. 08-472
(December 09, 2008)

By Mr. Davis, Chairman of the Finance Committee:

CHAIRMAN AUTHORIZED TO SIGN LETTERS OF UNDERSTANDING WITH CONTRACT AGENCIES FOR 2009

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 2009:

Contract Agency	*2009 Expenditures*
Wyoming County Soil & Water	$172,026.62
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	6,000.00
Mercy Flight	9,000.00
Wyoming County Wildlife Federation	1,256.00
Wyoming County Business Center (LDC)	157,000.00
Totals	**$524,506.62**

Contingent upon the availability of funds.

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

#38

RESOLUTION NO. 08-473
(December 09, 2008)

By Mr. Davis, Chairman of the Finance Committee:

CHAIRMAN AUTHORIZED TO SIGN A MEMORANDUM OF AGREEMENT WITH CORNELL COOPERATIVE EXTENSION OF WYOMING COUNTY FOR THE YEAR 2009

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.
- **202,773.35** to fully fund the 4-H Dept.
- **29,520.67** to partially fund the FCS Dept.

$397,106.00

and

- **$10,000.00** to partially fund the Wyoming County Dairy Institute

Effective January 01, 2009 through December 31, 2009;

Contingent upon the availability of funds.

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

#39

RESOLUTION NO. 08-474
(December 09, 2008)

By Mr. Davis, Chairman of the Finance Committee:

RESOLUTION IN OPPOSITION TO NEW STATE RETIREMENT REPORTING REGULATIONS

WHEREAS, The New York State Comptroller, Thomas P. DiNapoli, is proposing new reporting regulations that he feels will increase accountability and transparency in how information is reported to the Retirement System for local elected and appointed officials; and

WHEREAS, Said new proposed reporting regulations would be a significant bureaucratic burden and constitute an incursion into the principal of separation of powers among the co-equal branches of government; and

WHEREAS, Said proposed regulations would be at odds with some governmental basics, for example an elected official's salary is part of the position and not dependent upon hours worked; and

WHEREAS, Elected officials exist in the capacity 24 hours a day and do not fall under a "standard work day;" now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors hereby opposes the new proposed reporting regulations for local elected and appointed officials; and be it

FURTHER RESOLVED, That a certified copy of this resolution be sent to the Office of the New York State Comptroller, Senator Dale Volker, Assemblyman Daniel Burling, the New York State Association of Counties and Inter-County of Western New York.

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

#40

RESOLUTION NO. 08-475
(December 09, 2008)

By Mr. Davis, Chairman of the 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 2009 as indicated in the amount of $1,379,625.00 (one million three hundred seventy-nine thousand six hundred twenty-five dollars):

VILLAGE	UNIT	TOTAL
Castile	144	14,040.00
	1150	224,250.00
Gainesville	20	1,950.00
	822	160,290.00
Genesee Falls	14	1,365.00
	188	36,660.00
Middlebury	9	877.50
	591	115,245.00
Orangeville	23	2,242.50
	466	90,870.00

Perry	6	585.00
	1822	355,290.00
Pike	16	1,560.00
	420	81,900.00
Sheldon	11	1,072.50
	886	172,770.00
Warsaw	5	487.50
	606	118,170.00
TOTAL		
GRAND TOTAL		**1,379,625.00**

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

#41

RESOLUTION NO. 08-476
(December 09, 2008)

By Mr. Davis, Chairman of the Finance Committee:

RELIANCE TRUST COMPANY APPOINTED SUCCESSOR PASSIVE, NONDISCRETIONARY TRUSTEE FOR THE HARTFORD LIFE INSURANCE COMPANY DEFERRED COMPENSATION PLAN OF WYOMING COUNTY

WHEREAS, State Street Bank and Trust Company ("**State Street**") currently serves as passive, nondiscretionary Trustee for the **County of Wyoming** (the "**Plan**"); and

WHEREAS, State Street has provided notice to Hartford Life Insurance Company that it will no longer provide these services to our customers beyond January 9, 2009; and

WHEREAS, as a result, it is desirable to remove State Street as passive, nondiscretionary Trustee of the trust for the Plan and to appoint Reliance Trust Company ("**RTC**") as successor passive, nondiscretionary Trustee of the trust for the Plan; now therefore

BE IT RESOLVED, that State Street is hereby removed as passive, nondiscretionary Trustee of the trust for the Plan, and that Reliance Trust Company is hereby appointed as successor passive, nondiscretionary Trustee for the trust for the Plan; and

FURTHER RESOLVED, that the Chairman of the Board of Supervisors, on behalf of the Board, is hereby authorized, empowered and directed to execute any and all documents required to effectuate each removal and appointment, including but not limited to the enclosed Trustee Removal and Appointment, and to take such actions as are necessary, appropriate or advisable to effectuate the foregoing resolution.

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

#42

RESOLUTION NO. 08-477
(December 09, 2008)

By Mr. Davis, Chairman of the Finance Committee:

CHAIRMAN / COMMMISSIONER AUTHORIZED TO SIGN LONG TERM CARE GRANT ACCEPTANCE AWARD 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 New York Connects Long Term Care grant acceptance contracts for years one (1) and two (2) in a minimum amount of fifty-two thousand dollars each year; year one (1) effective January 01, 2006 through June 30, 2008 and year two (2) effective October 01, 2007 through March 31, 2009.

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

#43

RESOLUTION NO. 08-478
(December 09, 2008)

By Mr. Davis, Chairman of the Finance Committee:

RESOLUTION OF THE BOARD OF SUPERVISORS LEVYING TAXES AND ASSESSMENTS REQUIRED FOR PURPOSE OF ANNUAL BUDGET OF TOWNS OF WYOMING COUNTY

WHEREAS, There has been presented to this Board of Supervisors a duly certified copy of the annual budget of each of the several Towns in the County of Wyoming for the fiscal year beginning January 1, 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:

NAME OF TOWN	GENERAL FUND OUTSIDE	HIGHWAY OUTSIDE	TOTAL
ARCADE	$ 24,400.00	$ 265,409.00	$ 289,809.00
ATTICA	$ -	$ 208,318.00	$ 208,318.00
BENNINGTON	$ -	$ -	$ -
CASTILE	$ 21,580.00	$ 215,000.00	$ 236,580.00
COVINGTON	$ -	$ -	$ -
EAGLE	$ -	$ -	$ -
GAINESVILLE	$ 9,750.00	$ 130,670.00	$ 140,420.00
GENESEE FALLS	$ -	$ -	$ -
JAVA	$ -	$ -	$ -
MIDDLEBURY	$ 22,850.00	$ 228,400.00	$ 251,250.00
ORANGEVILLE	$ -	$ -	$ -
PERRY	$ 16,500.00	$ 188,680.00	$ 205,180.00
PIKE	$ 4,087.00	$ 143,651.00	$ 147,738.00
SHELDON	$ -	$ -	$ -
WARSAW	$ 10,970.00	$ 292,339.00	$ 303,309.00
WETHERSFIELD	$ -	$ -	$ -
TOTALS:	$110,137.00	$ 1,672,467.00	$ 1,782,604.00

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:

NAME OF TOWN	FIRE DISTRICT	FIRE PROTECTION	LIGHT	WATER/SEWER & RECYCLE FEE	RELEVIED WATER/SEWER & RECYCLE FEE	TOTAL
ARCADE		$ 56,500.00		*** $109,500.00		$ 166,000.00
ATTICA		$ 68,500.00				$ 68,500.00
BENNINGTON		B $ 86,000.00				
		C $ 72,361.00	$ 2,300.00	* $ 37,970.00		
		HC $ 23,900.00				
		V $ 5,836.25				$ 228,367.25
CASTILE		$ 58,400.00	$ 5,200.00	** $215,534.00	* $ 19,414.26	$ 298,548.26
COVINGTON		PA $ 49,223.00				
		WY $ 9,378.00		* $ 350.00		
		PE $ 4,100.00				$ 63,051.00
EAGLE		$ 152,312.00	$ 5,500.00	* $ 6,950.00	* $ 1,441.14	$ 166,203.14
GAINESVILLE		G $ 31,000.00				
		SS $ 10,800.00				
		C $ 1,000.00				$ 42,800.00
GENESEE FALLS		$ 31,000.00	$ 8,000.00			$ 39,000.00
JAVA	NJ $ 2,516.33	NJ $ 26,831.25	NJ $ 2,500.00	* $ 13,881.25	* $ 3,136.08	
		S $ 63,618.00	JC $ 300.00			$ 112,782.91
MIDDLEBURY		F1 $ 60,500.00				
		F2 $ 11,750.00				$ 72,250.00
ORANGEVILLE		V $ 29,800.00				
		O $ 14,400.00	L3 $ 650.00			$ 44,850.00
PERRY	F3 $ 860.00	F4 $ 31,000.00	PC $ 1,700.00	* $ 15,580.00		
				** $ 18,520.00		$ 67,660.00
PIKE		$ 20,500.00				$ 20,500.00
SHELDON	V $ 6,242.38	ST $ 35,517.00	L1 $ 4,200.00		* $ 821.82	
		NJ $ 5,489.00	L2 $ 2,900.00			
		V $ 22,965.50	L3 $ 750.00			
		SH $ 40,000.00	L9 $ 1,400.00			
		HC $ 22,900.00				$ 143,185.70
WARSAW		$ 49,300.00		* $ 5,209.00		$ 54,509.00
WETHERSFIELD		G $ 13,900.00				
		NJ $ 14,261.00				
		B $ 4,400.00				$ 32,561.00
TOTALS:	$ 9,618.71	$1,127,442.00	$ 35,400.00	$423,494.25	$ 24,813.30	$1,620,768.26
			* = 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	$ 119,712.00	$ 192,052.00	$ 311,764.00
ATTICA	$ 143,732.00	$ 211,418.00	$ 355,150.00
BENNINGTON	$ 143,168.00	$ 589,050.00	$ 732,218.00
CASTILE	$ 194,628.00	$ 169,202.00	$ 363,830.00
COVINGTON	$ 133,731.00	$ 255,624.00	$ 389,355.00
EAGLE	$ -	$ -	$ -
GAINESVILLE	$ 122,716.00	$ 104,870.00	$ 227,586.00
GENESEE FALLS	$ 97,643.00	$ 178,742.00	$ 276,385.00
JAVA	$ 108,820.00	$ 327,432.00	$ 436,252.00
MIDDLEBURY	$ 129,957.00	$ 212,300.00	$ 342,257.00
ORANGEVILLE	$ 126,607.00	$ 433,174.00	$ 559,781.00
PERRY	$ 263,501.00	$ 222,100.00	$ 485,601.00
PIKE	$ 140,630.00	$ 86,989.00	$ 227,619.00
SHELDON	$ -	$ -	$ -
WARSAW	$ 487,336.00	$ 297,000.00	$ 784,336.00
WETHERSFIELD	$ 22,801.00	$ 47,260.00	$ 70,061.00
TOTALS:	$ 2,234,982.00	$ 3,327,213.00	$ 5,562,195.00

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

#44

RESOLUTION NO. 08-479
(December 09, 2008)

By Mr. Davis, Chairman of the Finance Committee:

ONE (1) POSITION OF ADMINISTRATIVE ASSISTANT (DISTRICT ATTORNEY) (1.00 FTE) CREATED IN THE DISTRICT ATTORNEY'S OFFICE

BE IT RESOLVED, That one (1) position of Administrative Assistant (District Attorney) (1.00 FTE) be hereby created in the District Attorney's Office and placed on salary schedule "S" at an annual salary of $33,000.00, effective January 12, 2009; and be it

FURTHER RESOLVED, That one position of Secretary I in the District Attorney's Office be hereby abolished as soon as vacated or March 31, 2009, whichever comes first.

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

#45

RESOLUTION NO. 08-480
(December 09, 2008)

By Mr. Davis, Chairman of the Finance Committee:

ONE (1) POSITION OF RPN – PER DIEM (CHHA) CREATED IN THE WYOMING COUNTY PUBLIC HEALTH CERTIFIED HOME HEALTH AGENCY

BE IT RESOLVED, That one position of RPN - Per Diem (CHHA) be hereby created in the Wyoming County Public Health Certified Home Health Agency; effective December 09, 2008.

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

RESOLUTION NO. 08-481
(December 09, 2008)

By Mr. Davis, Chairman of the Finance Committee:

BOND RESOLUTION OF THE COUNTY OF WYOMING, NEW YORK, DATED DECEMBER 9, 2008, FOR THE ISSUANCE AND SALE OF BONDS OF THE COUNTY OF WYOMING, NEW YORK, IN THE AMOUNT OF $800,000.00 FOR THE ACQUISITION OF HOSPITAL EQUIPMENT FOR COUNTY PURPOSES.

RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF WYOMING, NEW YORK (by the favorable vote of not less than two-thirds of the voting strength of said Board) **AS FOLLOWS:**

Section 1. The County of Wyoming, New York is hereby authorized to acquire by purchase the following equipment for Wyoming County Community Health System.

Item		Estimated Maximum Cost
Pentium 4 Workstations	3 @ $1,530.00	$ 4,590.00
19" flat panel display monitor		
Microsoft Office 2007 Basic		
Piano Hinges for Patient Bedroom & Bathroom Doors	14 @ $150.00	2,100.00
Push- button Valve for shower & wall repair	7 @ $500.00	3,500.00
Push- button Toilets with no exposed plumbing	6 @ $300.00	1,800.00
Sinks with no exposed plumbing or loop able faucets & enclosures	7 @ $1,500.00	10,500.00
Roller Latches	7 @ 100.00	700.00
Pentium 4 Computer	3 @ $1,533.00	4,599.00
19" CRT Monitor		
Microsoft Office 2007 Basic		

Replacement of Laser Vault PC	1 @ $5,000.00	5,000.00
Pentium 4 Computer	4 @ $1,533.00	6,132.00
19" CRT Monitor		
Microsoft Office 2007 Basic		
Pentium 4 Computer	4 @ $1,533.00	6,132.00
19" CRT Monitor		
Microsoft Office 2007 Basic		
19" CRT Monitor	4 @ $240.00	960.00
HP High Volume Printers	2 @ $550.00	1,100.00
Software Program Data Base	1 @ $12,500.00	12,500.00
for Medical Credentialing		
Biologic Safety Cabinet	1 @ $15,000.00	15,000.00
Chemo Biologic Cabinet	1 @ $15,000.00	15,000.00
SN 716Console-Replacement for Switchboard	1 @ $2,100.00	2,100.00
Exhaust System in Kitchen	1 @ $25,000.00	25,000.00
Heated Holding Cabinet	1 @ $3,800.00	3,800.00
Heavy Duty Restaurant Range	1 @ $4,300.00	4,300.00
Vulcan Convection Electric Steamer	1 @ $10,300.00	10,300.00
Glass Door Mobile Refrigerator	1 @ $3,145.00	3,145.00
Window Shades	40 @ $72.00	2,880.00
Replacement Window Shades	3 @ $395.00	1,185.00
Reclining Phlebotomy Chairs	2 @ $1,600.00	3,200.00
Pentium 4 Workstations	1 @ $1,530.00	1,530.00
19" flat panel display monitor		
Microsoft Office 2007 Basic		
Refrigerator for 408 Lab	1 @ $500.00	500.00
Statement of Conditions		25,000.00
Plow Truck		28,000.00
Upgrade Boiler #2 Burner		25,000.00
Replace Steam Lines & Valves in		25,000.00

Boiler Room		
Replace Furniture to Improve Aesthetics		55,565.00
Replace Treadmill (Currently Broken)	1 @ $3,800.00	3,800.00
Pentium 4 Workstation	1 @ $1,533.00	1,533.00
19" flat panel display monitor	2 @ $1,524.00	3,048.00
Microsoft office 2007 Basic		
Fluid Therapy Unit	1 @ $3,955.00	3,955.00
Splint Center	1 @ $1,020.00	1,020.00
Hand Therapy Table	1 @ $1,495.00	1,495.00
Power Board Table	1 @ $394.00	394.00
Pentium 4 Workstation	4 @ $1,675.00	6,700.00
19" flat panel display monitor and printers		
Mobile Mirror	1 @ $1,200.00	1,200.00
Colpac Freeze Cold Pack Machine	1 @ $676.00	676.00
Sports Art C530 - Upright bike	1 @ $1,435.00	1,435.00
Performa Power Mat Platform	1 @ $3,777.00	3,777.00
Quantum Combination Series Adjustable Cable and Column	1 @ $2,496.00	2,496.00
Cuff Weights 2 each (1/4 lb. - 10 lbs.)	1 @ $314.00	314.00
3-in-one Training Staircase	1 @ $1,828.00	1,828.00
Whitehall Whirpool - 22 gallon	1 @ $2,000.00	2,000.00
Floor Mounted Parallel Bars	1 @ $929.00	929.00
Hydrocollater Heating Unit (24 standard hot packs)	1 @ $2,534.00	2,534.00
Scifit Pro 2 All Body Ergometer with Swivel Seat	1 @ $3,321.00	3,321.00
Scifit Recumbent Stepper (All Body Swivel Seat)	1 @ $4,107.00	4,107.00

Batca X - O2 Multitraction GYM	1 @ $5,893.00	5,893.00
Handheld Caphograph CO-2 Sidestream Sampling	1 @ $3,185.00	3,185.00
GE Healthcare Dinemapp Procare 300N	1 @ $2,857.00	2,857.00
GE Healthcare Dinemapp Procare 300N	3 @ $2,857.00	8,571.00
Halascale Respirometer	1 @ $3,195.00	3,195.00
Standard Unit Bed	2 @ $11,685.00	23,370.00
GE Healthcare Dinemapp Procare 300N	3 @ $2,857.00	8,571.00
Workstation with Monitor	2 @ $1,533.00	3,066.00
Medication Carts	4 @ $2,913.00	11,652.00
Hill-Rom Stretcher w/ Scale	2 @ $4,548.00	9,096.00
Stryker Beds	5 @ $5,834.00	29,170.00
Hill-Rom Stretchers w/scale	3 @ $4,548.00	13,644.00
Pentium 4 Workstations	1 @ $1,644.00	1,644.00
19" flat panel display monitor		
Microsoft Office 2007 Small Business		
Wannette	1 @ $4,895.00	4,895.00
3 Position Stationary Recliner Chairs	5 @ $650.00	3,250.00
Surgical Table Skytron	1 @ $38,486.00	38,486.00
Pediatric Crib Stretcher Pedigo	1 @ $3,587.00	3,587.00
Hill ROM Procedural Stretcher - with weight scale	1 @ $4,548.00	4,548.00
capacity of 700 lbs. & 3" mattress		
Hill-ROM Transport Stretcher-700 lbs capacity	2 @ $3,564.00	7,128.00
19" LCD SD TV Flat Panel Monitor	1 @ $3,420.00	3,420.00
Pentium 4 Workstations	7 @ $1,533.00	10,731.00
19" flat panel display monitor		

Microsoft Office 2007 Basic		
Passport 2 Datascope VS Monitor with ECG	2 @ $8,200.00	16,400.00
Accutorr Plus VS Monitor	1 @ $4,500.00	4,500.00
Pentium 4 Workstations	3 @ $1,293.00	3,879.00
Microsoft Office 2007 Basic		
19" Monitor Screens	5 @ $240.00	1,200.00
OBIX Workstation & related items	1 @ $17,936.00	17,936.00
GE Healthcare Dinemapp Procare 300N	1 @ $2,857.00	2,857.00
Hill-Rom Stretcher	1 @ $3,876.00	3,876.00
Pentium 4 Workstations	3 @ $1,677.00	5,031.00
19" flat panel display monitor		
Microsoft 2007 Small Business		
New Rug		7,700.00
Hip Wheel Chairs	5 @ $300.00	1,500.00
Trapeze's	5 @ $150.00	750.00
Urology Equipment		46,487.00
Resident Companion Radios	20 @$30.00	600.00
Flat Screen TV's for Dinning and Activities	2 @ $700.00	1,400.00
Vinyl Recliners for Dinning/Activities. CAL 133 Rating	5 @ $500.00	2,500.00
20" Color TV's for Rehab	10 @ $350.00	3,500.00
40 Joern's Healthcare Beds & Frames	20 @ $1,196.00	23,920.00
Replace Mattresses w/ Bio Core AHP Foam Mattresses	20 @ $240.00	4,800.00
Boston Fire Code		
Pentium 4 Workstations	4 @ $1,492.00	5,968.00
19" flat panel display monitor		
Microsoft Office 2007 Basic		
Faux Wood Blinds with Fire Rating	8 @ $129.00	1,032.00

Invacare 3 position Geri Chair CAL 117 Fire rated	3 @ $423.00	1,269.00
Invacare 16" Seat Depth Wheelchair	2 @ $225.00	450.00
Tracer SX5 Arthritic Poor control wheelchair w/ elevated leg rest	1 @ $312.00	312.00
Water Resistant Wheelchair & Recliner Comfort Seat	10 @ $45.00	450.00
Replace Counters & Corian Sink	2 @ $1,395.00	2,790.00
Emergency Cart HV93	1 @ $1,419.00	1,419.00
Invacare Hemi-Swingway Elevating leg rest wheelchair	5 @ $251.00	1,255.00
Staff Lounge Laminated Table Top with vinyl bumper Guards and Chairs	2 @ $308.00	616.00
3 position PVC Shower - Recliner for Bariatric Residents	2 @ $289.00	578.00
ERGO Lift 600 Mechanical w/scales	2 @ $4,457.00	8,914.00
Smith Medical Hand-Held Pulse Oximeter #17000	1 @ $1,050.00	1,050.00
Zoll AED Defibrillation plus Pack w/CPR Pads	1 @ $1,600.00	1,600.00
ERGO Lift- Sit to Stand	1 @ $3,650.00	3,650.00
Gendron Tracker II Bariatric W/C with Elevated leg rest	2 @ $469.00	938.00
P&NP Care Tracker with Touch Screens	1 @ $7,000.00	7,000.00
Gendron Trapeze 750 weight Capacity for Bariatric Pts	1 @ $650.00	650.00
Panacra Bariatric Electrical Bed 750 Weight Capacity Expandable length - 5 function	1 @ $3,715.00	3,715.00
Ceiling Lift 600 lb Capacity for Bariatric installation	1 @ $7,000.00	7,000.00

Intrical Scale for Bed	1 @ $2,719.00	2,719.00
Bariatric Mattress 800 lb Weight capacity	1 @ $350.00	350.00
Renovation SNF Rooms - Upgrades for furniture in Resident Rooms (Dress for Success)		44,800.00
GRAND TOTAL FOR 2008		$ 800,000.00

The estimated maximum cost of the acquisition of such equipment is the sum of $800,000.00 and said amount is hereby appropriated therefor. The plan of financing involves the issuance of $800,000.00 in serial bonds of the County of Wyoming to finance the appropriation, and the levy and collection of taxes upon all the taxable real property in the County in an amount sufficient to pay the principal of and interest of said bonds.

Section 2. Serial bonds of said County of Wyoming in the principal amount of $800,000.00 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law of the State of New York, to finance the said appropriation.

Section 3. The following additional matters are hereby determined and declared:

a. In accordance with Section 11 of the Local Finance Law, the period of probable usefulness for which said bonds are to be issued, is hereinabove set forth in Section 1 for each item or items to be acquired, such period of probable usefulness being the period of five (5) years. Also, set forth for each item is the maximum estimated cost of each item or items.

b. No current funds need be provided because the period of probable usefulness for each item does not exceed five (5) years.

Section 4. Each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of such bonds shall contain the recital of validity prescribed by Section 52.00 of said Local Finance Law, and said serial bonds and any notes issued in anticipation of said bonds shall be general obligations of the County payable as to both principal and interest by general tax upon all the taxable real property within the County without limitation of rate or amount. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and provision shall be made annually in the budget of the County by appropriation for (a) the amortization and redemption of the bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and pursuant to Section 30.00 of the Local Finance Law relative to the authorization of the issuance of bond anticipation notes and of Section 50.00 and Section 56.00 to Section 60.00 of said law, the powers and duties of the Board of Supervisors relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the serial bonds authorized by this resolution and of any notes authorized and issued in anticipation of the sale of said bonds, and the renewals thereof, are hereby delegated to the County Treasurer, as the Chief Fiscal Officer of the County.

Section 6. The validity of the bonds authorized by this resolution and of any notes issued in anticipation of the sale of said bonds may be contested only if: (a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or (b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. The specific object or purpose of the purchase herein authorized is to provide equipment for use at Wyoming County Community Hospital, a public general hospital owned and operated by the County of Wyoming.

Section 8. This resolution shall take effect immediately.

Carried: XXX Ayes: 1687 Noes: Absent: Abstain:

Local Law #47

RESOLUTION NO. 08-482
(December 09, 2008)

By Mr. Davis, Chairman of Finance Committee:

LOCAL LAW 11 (INTRODUCTORY J) - YEAR 2008, *"A Local Law Amending Local Law No. 7 for the Year 1976, County of Wyoming, New York, Modifying the Wyoming County Plan of Apportionment,"* ADOPTED

WHEREAS, There was duly presented and introduced at a meeting of this Board, held on the 12th day of November, 2008, a proposed local law of the County, designated as Local Law Introductory No. J, for the year 2008, entitled, ***A Local Law Amending Local Law No. 7 for the Year 1976, County of***

Wyoming, New York, Modifying the Wyoming County Plan of Apportionment; and

WHEREAS, In accordance with the provisions of Resolution No. 08-429, there was a public hearing held by this Board of Supervisors on this 9th day of December, 2008 at 2:30 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. J, Year 2008, County of Wyoming, New York, as presented to this Board on the 9th day of December, 2008, is hereby adopted, enacted and passed by this Board in its original form as follows:

LOCAL LAW NO. 11 - YEAR 2008

A Local Law Amending Local Law No. 7 for the Year 1976, County of Wyoming, New York, Modifying the Wyoming County Plan of Apportionment

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

SECTION 1. This local law hereby repeals local law number 18 of 1991, entitled, "Amending Local Law #7 for the Year 1976, County of Wyoming, New York, Modifying the Wyoming County Plan Apportionment;"

SECTION 2. Paragraph 3 of Local Law No. 7 of the County of Wyoming, Year 1976, is hereby deleted and the following paragraph 3 is substituted therefore:

3. The apportionment of the voting strength of the members of the Board of Supervisors shall be determined by the 2000 federal census in the County of Wyoming, until the next decennial federal census. On and after the effective date of this local law and continuing until the next decennial federal census unless an official county census shall be made sooner, each Supervisor elected within the respective towns of Wyoming County shall be entitled to

the following number of votes on any resolution, Local Law, motion or proposal to be voted on by the Board of Supervisors, to wit:

		Simple Majority	2/3 Majority
Town	**Population**	**No. of Votes**	**No. of Votes**
Arcade	4184	167	156
Attica	3832	154	143
Bennington	3349	135	124
Castile	2873	118	107
Covington	1357	57	50
Eagle	1194	50	44
Gainesville	2333	96	86
Genesee Falls	460	20	17
Java	2222	92	82
Middlebury	1508	63	56
Orangeville	1301	54	48
Perry	4876	192	182
Pike	1086	45	40
Sheldon	2561	106	95
Warsaw	5423	210	207
Wethersfield	891	37	33
Totals	39450	1596	1470

SECTION 3. This Local Law shall become effective on the day that it is filed in the office of the Secretary of the State of New York

Carried: XXX Ayes: 1618 Noes: Absent: Abstain: Unanimous Consent #48

RESOLUTION NO. 08-483
(December 09, 2008)

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

WYOMING COUNTY DEPUTY SHERIFF'S ASSOCIATION CONTRACT APPROVED

BE IT RESOLVED, That the Wyoming County Board of Supervisors hereby accepts the Agreement between the ***Wyoming County Deputy Sheriff's Association (D.S.A.) and the County of Wyoming/Wyoming County Sheriff***

dated January 1, 2009 to December 31, 2011, subject to language clarification approval by the office of the County Attorney; and be it

FURTHER RESOLVED, That the Chairman of this Board of Supervisors and the members of the Committee of the Whole of this Board, with the approval of the County Attorney are hereby authorized and directed to execute the above mentioned agreements on behalf of the County of Wyoming.

This resolution shall become effective immediately, contingent on the ratification of said agreement by all parties.

Carried: XXX Ayes: 1570 Noes: Absent: Abstain: 48 (Orangeville)

SPECIAL SESSION
(December 19, 2008)

Wednesday 11:00 AM

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 Kushner, T/Eagle; Supervisor Totsline, T/Genesee Falls; Supervisor Copeland, T/Wethersfield. Also present were Budget Officer, Janis Cook; Clerk to the Board of Supervisors, Cheryl Ketchum and Deputy Clerk to the Board, Brenda Ferrell.

At 11:13 AM Chairman Berwanger, T/Arcade, called the meeting to order.

Supervisor Rogers, T/Pike was asked to lead the Board in the Pledge to the Flag.

The pledge was said by all.

The purpose of this meeting is to introduce Introductory Local Law No. K, Year 2008.

Supervisor Rogers, T/Pike questioned the timeframe of the Local Law. He wondered if the Local Law needed to lie on the desks of the Supervisors for any amount of time. Clerk Ketchum confirmed the requirement to lay the Local Law on the desks of the Board members for 7 days.

Chairman Berwanger explained that the purpose of this Local Law is to fill the vacancy in the Office of the County Clerk locally due to the untimely passing of County Clerk, Richard Harrison. The appointee will fill the term through December 31, 2009. At which time the incumbent will need to run for election at the next general election, which is at the end of 2009 for a full four year term.

Supervisor Bush, T/Gainesville questioned if this was proper procedure. Chairman Berwanger stated that this local law will supersede the Governor's ability to appoint a replacement. If Wyoming County was a charter county then the appointment would be that of the Governor. However, because Wyoming County is not a charter county we have the ability to enact local legislation to appoint a replacement. The Chairman stated that he is in possession of several opinions and rulings which indicate this is the proper way to proceed and upon the advice of the county attorney this is the direction the county will be taking. Chairman Berwanger stated that Rhonda Pierce, current Deputy County Clerk will be the appointee. She is a long time county employee with 8 years in the County Clerk's office. She has the experience necessary to run the office.

Supervisor Gozelski, T/Castile and Supervisor Bush, T/Gainesville agreed that Rhonda Pierce is the logical appointee.

#1

RESOLUTION NO. 08-484
(December 19, 2008)

By Mrs. Meeder, Chairman of the Human Resource Committee:

SET PUBLIC HEARING – INTRODUCTORY LOCAL LAW NO. K YEAR 2008

WHEREAS, The Wyoming County Board of Supervisors are convened in a Special Session properly noticed to each member of the Board of Supervisors and to the general public to consider this resolution; and

WHEREAS, There has been duly presented and introduced at a meeting of this Board of Supervisors of Wyoming County on this 19th day of December 2008, a proposed local law entitled, "Local Law Introductory No. K, Year 2008, **"A LOCAL LAW PROVIDING FOR THE WYOMING COUNTY BOARD OF SUPERVISORS TO FILL A VACANCY IN THE OFFICE OF THE WYOMING COUNTY CLERK PURSUANT TO MUNICIPAL HOME RULE LAW §10;"** 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 30th day of December, 2008 at 2:00 PM at the Wyoming County Government Center, 143 North Main Street, Warsaw, New York.

Carried: XXX Ayes: 1514 Noes: Absent: 49 (Eagle) Abstain:
20 (Genesee Falls)
35 (Wethersfield)
104 Total

Supervisor Patti, T/Attica asked to see the Supervisors that were not at Public Works to please see him for about 2 minutes.

There being no further business to come before this Board, Senior Supervisor, Mr. Harold Bush, T/Gainesville adjourned the meeting at 11:20 AM with a rap on his desk.

****

Respectfully submitted,

Cheryl J. Ketchum
Clerk to the Board of Supervisors

SPECIAL SESSION
(December 30, 2008)

Tuesday 2:00 PM

The special session of the Wyoming County Board of Supervisors was held at the Wyoming County Government Center in the Board of Supervisors' Chambers located at 143 North Main Street, Warsaw, New York with all Supervisors present. Also present were Budget Officer, Janis Cook; Clerk to the Board of Supervisors, Cheryl Ketchum and Deputy Clerk to the Board, Brenda Ferrell.

At 2:02 PM Chairman Berwanger, T/Arcade, called the meeting to order.

Chairman Berwanger invited Supervisor Copeland, T/Wethersfield and Vietnam Veteran to lead in the pledge to the flag.

The pledge was said by all.

Chairman Berwanger opened two public hearings:

1. *Local Law K (12) of the year 2008, entitled,* ***"A Local Law Providing for the Wyoming County Board of Supervisors to Fill a Vacancy in the Office of the Wyoming County Clerk Pursuant to Municipal Home Rule Law §10"***

2. Public Hearing number two (2) is being held to provide residents with information about renovations to 408 North Main Street, Warsaw NY and to describe the County's plan to meet the needs of the community as per the requirements of a United States Department of Agriculture Rural Development Community Facilities Loan.

Public Comment:

Chairman Berwanger explained to the public that speakers are limited to (2) minutes. Longer statements may be submitted in writing to the Clerk for distribution prior to the meeting.

Comment #1:
Cynthia M. Appleton, 126 Jefferson St., Warsaw, NY 14569

Ms. Appleton thanked the members of the board for allowing her to speak and questioned why the Board felt that the appointment of Rhonda Pierce by this Board of Supervisors was better than allowing for a gubernatorial appointment.

Supervisor Kushner, T/Eagle stated that Ms. Pierce has held the Deputy position and is experienced in the job. On the other hand he stated that the Governor would not have a clue about the best interest of Wyoming County.

Supervisor Bush, T/Gainesville stated that as the County Democratic Committee Chair he had spoken with the other Democratic Supervisors and they all felt that if the Governor were to make the appointment he would most likely ask for input from the local Democrats. However, Supervisor Knab, T/Sheldon, Supervisor Meeder, T/Middlebury and Supervisor Fleischman, T/Java all agreed that Rhonda Pierce, current Deputy County Clerk has the experience to be the best choice.

Supervisor Gozelski, T/Castile echoed the other Supervisors by stating that Rhonda Pierce is the logical choice.

Chairman Berwanger asked for any additional questions or comments on either piece of legislation before the Board today.

There being none he invited Supervisor Patti to comment on Public Hearing number 2 which refers to renovations to 408 North Main Street, Warsaw and describes the county's plan to meet the needs of the community as has been mentioned prior to today. Supervisor Patti stated that 408 North Main is a piece of property purchased this calendar year. A purchase that the Board feels will help the hospital expand and service Wyoming County. Supervisor Patti then deferred to WCCH, CEO, R. Krawiec and Supt. of Buildings and Grounds, D. Halstead.

WCCH, CEO, R. Krawiec came forward with drawings to share with the public. He explained the renovation plans for the hospital as well as how the renovations to 408 North Main Street will improve the flow of patient services.

Mr. Krawiec stated that Outpatient Therapies as well as Laboratory Services (not the actual lab) will be relocated to 408 North Main Street. This move will provide handicap accessibility as well as ease of access to these heavily utilized services. Currently, patients are required to enter at the ground floor and walk a very long distance to these services. The reallocation of these departments will enable the radiology department to be moved adjacent to the emergency department. Currently the two departments are located on separate floors of the hospital which has proven to be not only challenging but not conducive patient flow.

Mr. Krawiec also stated that the 408 North Main Street building will also have available space that may attract physicians to the area. With the proximity of the hospital and the lab services located in the same building, it is a desirable

location for a physician's practice. Currently, an urologist, which is extremely difficult for a rural community hospital to attract, is interested in rental of the space. The rental income generated would help to offset the mortgage and minimize the cost to the taxpayers of the county.

Mr. Krawiec stated that plans took into consideration the vehicle traffic flow to and from the facility and the safety concern over exiting onto the main highway at the traffic light.

408 North Main Street is a very important piece of the renovation process. It provides much needed space and reduces the initial cost of renovations by providing more economical square footage. The building was purchased for $40/sq. footage.

Supervisor Patti also pointed out that the vast majority of the work being done to this building is being provided by employees in Buildings and Grounds under the Supervision of Supt. of Buildings and Grounds, D. Halstead.

Supervisor Brick, T/Perry asked if the length of the loan is known at this time. Mr. Krawiec stated that he does not know but stated that he would like to see as long a term as he can possibly get.

Supervisor Meeder, T/Middlebury asked if the interest rate was known. Again, Mr. Krawiec stated that he does not have this information either. However, he stated that due to the economy the longer they wait the better the interest rate should be. Had the county acted on this during this past summer the rate would be at least 2% higher.

Close Public Hearing:
There being no further comments on the following Local Law and on renovation plans for 408 North Main St., Chairman Berwanger asked for a motion to close the Public Hearing.

Supervisor Smith moved that the public hearing be closed. Supervisor Gozelski seconded the motion, all voted aye and the Public Hearing were closed.

#1

RESOLUTION NO. 08-485
(December 30, 2008)

By Mrs. Meeder, Chairman of Human Resources Committee:

LOCAL LAW NO. 12 (INTRODUCTORY K) - YEAR 2008, *"A Local Law Providing for the Wyoming County Board of Supervisors to Fill a Vacancy in the Office of the Wyoming County Clerk Pursuant to Municipal Home Rule Law §10,"* ADOPTED

WHEREAS, The Wyoming County Board of Supervisors has determined that it is in the best interests of the County of Wyoming and consistent with the principles of the Municipal Home Rule that the County of Wyoming exercise its rights under §10 of the Municipal Home Rule Law to provide a local procedure for the filling of any vacancy in the office of the Wyoming County Clerk until such time as such vacancy can be filled by the electors of the County of Wyoming; and

WHEREAS, The Wyoming County Board of Supervisors is authorized under §10 of the Municipal Home Rule Law to supersede County Law §400(7) regarding the temporary filling of any vacancy in the office of the Wyoming County Clerk; and

WHEREAS, There was duly presented and introduced at a meeting of this Board, held on the 19th day of December, 2008, a proposed local law of the County, designated as Local Law Introductory No. K, for the year 2008, entitled, ***"A Local Law Providing for the Wyoming County Board of Supervisors to Fill a Vacancy in the Office of the Wyoming County Clerk Pursuant to Municipal Home Rule Law §10*;"** and

WHEREAS, In accordance with the provisions of Resolution No. 08-484, there was a public hearing held by this Board of Supervisors on this 30th day of December, 2008 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 pursuant to Municipal Home Rule Law §10 and the New York State Constitution, County Law §400(7) is superseded to the extent that the elected legislative body for the County of Wyoming, the Wyoming County Board of Supervisors, shall fill any vacancy in the office of the Wyoming County Clerk; and be it

FURTHER RESOLVED, That any vacancy in the office of the Wyoming County Clerk which has been temporarily filled pursuant to this Local Law shall be subject to being filled by an election pursuant to law; and be it

BE IT RESOLVED, That Local Law Introductory No. K, Year 2008, County of Wyoming, New York, as presented to this Board on the 30th day of December, 2008, is hereby adopted, enacted and passed by this Board in its original form as follows:

LOCAL LAW NO. 12 - YEAR 2008

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

Section 1. Pursuant to Municipal Home Rule Law §10 and the New York State Constitution, County Law §400(7) is superseded to the extent that the elected legislative body for the County of Wyoming, the Wyoming County Board of Supervisors, shall fill any vacancy in the office of the Wyoming County Clerk.

Section 2. Any vacancy in the office of the Wyoming County Clerk which has been temporarily filled pursuant to this Local Law shall be subject to being filled by an election pursuant to New York Public Officers Law §42.

Section 3. This local law shall take effect upon filing with the office of the NYS Secretary of State.

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

#2

RESOLUTION NO. 08-486
(December 30, 2008)

By Mrs. Meeder, Chairman of Human Resources Committee:

RHONDA PIERCE APPOINTED COUNTY CLERK

BE IT RESOLVED, That Rhonda Pierce, 4067 Hobday Road, Bliss, NY 14024 be hereby appointed as County Clerk, effective pursuant to Local Law 12 for the year 2008, entitled, ***"A Local Law providing for the***

Wyoming County Board of Supervisors to Fill a Vacancy in the Office of the Wyoming County Clerk Pursuant to Municipal Home Rule Law § 10."

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 3:25 PM with a rap on his desk.

****

Respectfully submitted,

Cheryl J. Ketchum

Cheryl J. Ketchum, Board Clerk

2

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