

PROCEEDINGS

OF THE

BOARD OF SUPERVISORS

WYOMING COUNTY
NEW YORK

2010

A. Douglas Berwanger, Chairman

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

CERTIFICATE OF CHAIRMAN AND CLERK

State of New York
County of Wyoming
Chambers of Board of Supervisors

Pursuant to Article 211 of the County Law, we, the Chairman and Clerk of the Board of Supervisors of the County of Wyoming, New York, do hereby certify that the foregoing volume was printed by authority of said Board of Supervisors, and that it contains a true record of the proceedings of the said Board and the whole thereof, in all regular and special sessions held during the year **2010**.

s/ *A. D. Berwanger*
Chairman, Board of Supervisors

s/ *Cheryl J. Ketchum*
Clerk, Board of Supervisors



Wyoming County Board of Supervisors

Left to right, front row: Joseph Kushner (T/Eagle), Sally Meeder (T/Middlebury), Ellen Grant (T/Bennington), Rebecca Ryan (T/Warsaw), Brenda Ferrell (Deputy Board Clerk), Susan May (T/Orangeville), Janis Cook (Budget & Reimbursement Officer), Jean Totslie (T/Genesee Falls), Cheryl Ketchum (Board Clerk). Second row: James Fleischman (T/Java), A. Douglas Berwanger (T/Arcade)(Chairman of the Board), John Knab (T/Sheldon), Jerry Davis (T/Covington)(Vice Chairman of the Board), James Brick (T/Perry), Eric Dadd (County Attorney), E. Joseph Gozelski (T/Castile), Doug Patti (T/Attica), Harold Bush (T/Gainesville), Larry Rogers (T/ Pike), John Copeland (T/Wethersfield)

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2010 Supervisors for Wyoming County

TOWN	SUPERVISOR	PHONE
Arcade	A. DOUGLAS BERWANGER 6608 E. Arcade Road, Arcade, NY 14009	492-3798 492-4685 Ofc.
Attica	DOUGLAS PATTI 333 E. Main Street, Attica, NY 14011	591-2934
Bennington	ELLEN GRANT 134 Clinton Street, Alden, NY 14004	937-9913 591-2157 Ofc.
Castile	E. JOSEPH GOZELSKI 6175 E. Lake Rd., PO Box 331, Silver Springs, NY 14550	493-2218
Covington	JERRY DAVIS 7414 Court Rd., PO Box 445, Pavilion, NY 14525	584-3162
Eagle	JOSEPH KUSHNER 3468 E. Main St., Bliss NY 14024	322-7730
Gainesville	HAROLD BUSH PO Box 456, Silver Springs, NY 14550	786-2403
Genesee Falls	JEAN TOTSLINE 6940 River Rd., Portageville, NY 14536	468-2748
Java	JAMES FLEISCHMAN 5824 Java Lake Rd., Arcade, NY 14009	492-4560
Middlebury	SALLY MEEDER 1230 Dale Rd., Dale, NY 14039	786-2304
Orangeville	SUSAN MAY 2916 Orangeville Ctr. Rd., Warsaw, NY 14569	786-5508 786-2883 Ofc.
Perry	JAMES BRICK 7618 Route 20A, Perry, NY 14530	237-2472 237-2241 Ofc.
Pike	LARRY ROGERS PO Box 82, Pike, NY 14130-0082	493-5737 493-5140 Ofc.
Sheldon	JOHN KNAB 2246 Thomas Road, Varysburg, NY 14167	535-7252 535-7644 Ofc.
Warsaw	REBECCA RYAN 172 W. Buffalo St., Warsaw, NY 14569	786-2523 786-2800 Ofc.
Wethersfield	JOHN COPELAND 5888 Sheppard Rd., Bliss, NY 14024	322-8800

Wyoming County Board of Supervisors

2010 Standing Committees

***Effective January 04, 2010**

FINANCE COMMITTEE

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

AGRICULTURE COMMITTEE

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

AUDIT COMMITTEE

Bush, Davis, Fleischman, Kushner, Ryan, Totline

HUMAN RESOURCE COMMITTEE

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

HUMAN SERVICES COMMITTEE

Totline, Rogers, Bush, Davis, Fleischman, Kushner, Meeder, Patti,
Ryan

PLANNING COMMITTEE

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

GREEN ENERGY COMMITTEE

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

PUBLIC HEALTH COMMITTEE

Kushner, Totline, Bush, Gozelski, May, Patti, Ryan

PUBLIC SAFETY COMMITTEE

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

PUBLIC WORKS COMMITTEE

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

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

Officers for Wyoming County - 2010

Animal Control Officer	Justa D. Goodell	Castile
Board of Elections Commissioners	James Schlick (R)	Bennington
	Anna Mae Balmas (D)	Castile
Board of Supervisors, Chairman	A. Douglas Berwanger	Arcade
Board of Supervisors, Vice Chair	Jerry Davis	Covington
Board of Supervisors, Clerk	Cheryl Ketchum	Eagle
Buildings & Grounds (CIP)		
Superintendent	Dennis Halstead	arsaw
Buildings & Grounds (Co. Bldgs.)		
Superintendent	Daryl Rogers	Java
Budget Officer/Reimbursements	Janis Cook	Warsaw
Civil Service Administrator	Marjorie E. Downs	Perry
Civil Service Commission	Tim Moran	Attica
	Sandra Domnissey	Warsaw
	Tom 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	Rhonda Pierce	Wethersfield
County Court Judge	Mark H. Dadd	Attica
County Court Judge	Michael F. Griffith	Warsaw
County Treasurer	Cheryl Mayer	Pike
District Attorney	Gerald L. Stout	Warsaw
Fire & Building Code Officer	Donald Roberts	Pike
Fire & Emergency Mgmt. Dir.	Anthony Santoro	Attica

Health Dept. Commissioner	Gregory Collins, DO,MPH	Avon
Highway Superintendent	Todd Gadd	Cowlesville
Historian	Doris A. Bannister	Middlebury
Hospital Administrator	Ronald Krawiec	Hamburg
Information Technology Dir.	Todd MacConnell	Warsaw
Mental Health Director	Stephen Snell, LCSW	Rochester
Office for the Aging Director	Andrea Aldinger	Attica
Planning & Development. Dir.	Drew Shapiro	Getzville
Planning Board Chairman	Dana Grover	Perry
Probation Director	Joan Kibler	Warsaw
Public Defender	Norman P. Effman	Warsaw
Real Property Tax Serv. Director	Richard Dean, Jr. CCD	Castile
Records Retention, Director	Gail Royce	Warsaw
Sheriff	Farris Heimann	Attica
Social Services Commissioner	David Rumsey	Stafford
Traffic Safety Secretary	Joseph Heller, Jr.	Attica
Veterans' Services Director	Gary Cousins	Warsaw
Weights & Measures Director	James Marley	Gainesville
Worker's Comp./Health Ins. Adm.	Dixie Perkins	Warsaw
Youth Bureau Director	Andrea Aldinger	Attica
Republican Comm. Chairman	Gordon Brown	Warsaw
Democratic Comm. Chairman	Harold Bush	Gainesville

**ANNUAL ORGANIZATIONAL MEETING
TUESDAY, JANUARY 4, 2010
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 Town of Pike Supervisor, Larry Rogers as the Veteran leading in the pledge to the flag.

The pledge was said by all.

Clerk Ketchum invited Supervisors Knab and Copeland to escort newly elected Warsaw Town Supervisor, Rebecca Ryan to her seat.

Once Supervisor Ryan was seated Judge Mark Dadd administered the oath of office to the Board of Supervisors.

The Clerk then called for nominations for the Temporary Chairman. Supervisor Gozelski 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 Ryan. A roll call vote was taken with the following results: **Ayes: (1596); 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 his fellow Supervisors, County Officials, Department Heads, County Staff, Media Representatives, Family, Friends and guests of the 2010

Organizational Meeting

Annual Organizational Meeting of the Board of Supervisors. Supervisor Rogers welcomed newly elected Town of Warsaw Supervisor, Becky Ryan. He extended a thank you to the Board for their continued 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 Patti. As there were no other nominations Supervisor Brick moved that the nominations be closed, the motion was seconded by Supervisor Ryan. A roll call vote was taken with the following results: **Ayes: (1596); Noes: (0); Absent: (0); Abstain: (0)**; Temporary Chairman Rogers declared Supervisor Berwanger as Permanent Chairman of the Board for the year 2010.

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

Before taking the Chairman's seat, Chairman Berwanger introduced his mother, Tree (Theresa) who will be 93 years of age this year. He stated that she still likes an occasional martini and pinochle. He introduced his sister Julie Braun and thanked her for being there today to assist in his swearing in.

Chairman Berwanger called for nominations for Vice-Chairman of the Board. Supervisor Totsline nominated Supervisor Davis. Seconded by Supervisor Rogers. As there were no other nominations, Supervisor May moved that nominations be closed. The motion was seconded by Supervisor Fleischman. A roll call vote was taken with the following results: **Ayes: (1596); Noes: (0); Absent: (0) Abstain: (0)**; Supervisor Davis was declared Vice-Chairman of the Board for the year 2010.

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

Chairman Berwanger called for nominations for Clerk to the Board. Supervisor Brick nominated Cheryl J. Ketchum.

January 04, 2010

Seconded by Supervisor May. As there were no other nominations, Supervisor Davis moved that nominations be closed. The motion was seconded by Supervisor Grant. A roll call vote was taken with the following results: **Ayes: (1596); Noes: (0); Absent: (0) Abstain: (0)**. Cheryl J. Ketchum was declared Clerk to the Board for the year 2010.

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

Chairman Berwanger then invited newly elected County Clerk, Rhonda Pierce to please come forward and take the oath of office.

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

Chairman Berwanger then invited re-elected County Treasurer, Cheryl Mayer to please come forward and take the oath of office.

Judge Mark Dadd administered the oath of Office to the County Treasurer.

Introduction of Guests:

- Judge Dadd;
- Judge Griffith;
- Assistant District Attorney, Don O'Geen;
- Sheriff Heimann;
- Under Sheriff Greg Rudolph; and
- Guest Speaker / Congressman Chris Lee

Chairman Berwanger asked Clerk Ketchum to pass out the Standing Committee assignments for 2010.

At the request of Finance Chair Davis Chairmen Berwanger called for a short recess for a special meeting of the Finance Committee at 2:20 PM.

At 2:30 PM the meeting resumed with the following results:
 Before the meeting continued Chairman Berwanger took the opportunity to introduce two more guests, former Supervisor from the Town of Bennington and most recently the Town of Warsaw, Jim Foley, who so ably filled in after the resignation of the former Town Supervisor, Ron Smith and the election of Becky Ryan. Great to have him back on the Board!! Speaking for the rest of the Board his candor and his experience were greatly appreciated!!

The second introduction is Assistant County Attorney Lauren Weiss, filling in for Eric Dadd who was unable to be here today...
2/3 Majority
#1

RESOLUTION NO. 10-01
(January 4, 2010)

By the Chairman of the Finance Committee:

RULES OF PROCEDURE ADOPTED

BE IT RESOLVED, That this Board of Supervisors hereby adopts, as its temporary Rules of Procedure, the Rules of this Board as adopted June 09, 2009.

Carried: XXX Ayes: 1470 Noes: Absent: Abstain:
#2

RESOLUTION NO. 10-02
(January 04, 2010)

By Chairman of the Finance Committee:

OFFICIAL NEWSPAPERS DESIGNATED

January 04, 2010

RESOLUTION NO. 10-02**January 04, 2010****Page 2**

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

Carried: XXX Ayes: 1596 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 2010:

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

RESOLUTION NO. 10-02**January 04, 2010****Page 3*****Signed this fourth day of January 2010.***s/ A.D. Berwangers/ Jean Totslines/ Douglas Pattis/ James Bricks/ Ellen Grants/ Larry Rogerss/ Joseph Gozelskis/ Rebecca Ryans/ Jerry Daviss/ Susan Mays/ Joseph Kushners/ John Copeland**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 2010:

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

Election notices

Perry Herald

Perry, NY

Sheriff's Proclamations

Perry Herald

Perry, NY

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

Perry, NY

Official canvass

Arcade Herald

Arcade, NY

Constitutional amendments and concurrent resolutions (including tax sales and redemptions)

Arcade Herald

Arcade, NY

January 04, 2010

RESOLUTION NO. 10-02**January 04, 2010****Page 4*****Signed this fourth day of January 2010:***

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

#3

RESOLUTION NO. 10-03**(January 04, 2010)**

By 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, 2010 through December 31, 2010.***

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#4

RESOLUTION NO. 10-04**(January 04, 2010)**

By the Chairman of 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, 2010 through December 31, 2011.***

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
Organizational Meeting

Chairman Berwanger then invited re-appointed Public Defender, Norm Effman to come forward and take the oath of office as he begins his 10th consecutive appointment to the position.

Judge Mark Dadd administered the oath of Office to the Public Defender.

Mr. Effman was offered the opportunity to address the Board. He expressed his gratitude to the Board for their continued support over the many years he has served the county.

Prior to the roll call vote of resolution number 5 Chairman Berwanger commented on the asset that Dr. Collins has been to Wyoming County and thanked him for dedicating his life, his practice, and his knowledge to the betterment of the health of the residents of Wyoming County.

#5

**RESOLUTION NO. 10-05
(January 04, 2010)**

By the Chairman of Public Health Committee:

**GREGORY COLLINS, DO MPH, REAPPOINTED AS
MEDICAL DIRECTOR, PT (PUBLIC HEALTH)**

BE IT RESOLVED, That *Gregory Collins, DO MPH*, 4820 Darby Rd., Avon, NY 14414 be hereby reappointed as **Medical Director, PT (Public Health)** effective *January 01, 2010* through *December 31, 2010*.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#6

January 04, 2010

RESOLUTION NO. 10-06
(January 04, 2010)

By the Chairman of Human Resources Committee:

SCHEDULE “S,” “D” AND “I” HANDBOOKS ADOPTED

BE IT RESOLVED, That the newly revised schedule “S,” “D” and “I” Employee handbooks are adopted as amended and presented and are attached hereto.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#7

RESOLUTION NO. 10-07
(January 04, 2010)

By the Chairman of Human Resources Committee:

COUNTY ATTORNEY REAPPOINTED

BE IT RESOLVED, That Eric T. Dadd, 11 Exchange Street, Town of Attica, Attica, NY 14011, is hereby reappointed County Attorney, said term to be for two (2) years to expire December 31, 2011.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

Chairman Berwanger introduced his good friend as well as a very good friend to Wyoming County and Congressman from the 26th District, Chris Lee.

Congressman Lee commented on the accomplishments of Wyoming County during trying economic times. Congressman Lee took the opportunity to talk to the Board about what the federal government will be working on in 2010 and what that could mean to Wyoming County.

Invited anyone to contact him if there is anything at all that he can do to help Wyoming County.

2010 State of the County Address

Fellow Supervisors, Judge Dadd, Judge Griffith, Congressman Lee, District Attorney Stout, Sheriff Heimann, Treasurer Mayer, County Clerk Pierce, and all of you who are joining us today for the annual organizational meeting of the Wyoming County Board of Supervisors, welcome to the Wyoming County Government Center and the Board of Supervisors' Chambers located here in Warsaw, the county seat.

Let me start by thanking the Board of Supervisors for their continued confidence and support in me by electing me to a 10th term as Chairman to the Board of Supervisors.

I would like to offer congratulations to Rhonda Pierce upon her election as County Clerk. Congratulations to Cheryl Mayer on her re-election to a second term as County Treasurer and congratulations to Public Defender, Norm Effman on his 10th two year appointment. Congratulations to Becky Ryan on her election as Warsaw Town Supervisor, and welcome to Congressman Chris Lee and thank you for joining us today!

As I looked back and reviewed my comments from January 2nd, 2009 I closed by saying, "...the uncertain turbulence of the economy makes operating a municipal government challenging..." that statement has certainly proven correct and is even more relevant as we begin 2010.

January 04, 2010

But first let us look at what has been accomplished in '09. Wyoming County continued its commitment to improving its infrastructure. The greatest investment continues to be roads and buildings. This Board has adopted and continues to support the "Better Pavement Improvement Program." Over the past 8 years over \$26 million has been invested in the reconstruction of county roads and bridges of which over \$9 million was county levy. This year an 8 mile section of Middle Reservation Rd. connecting Perry and Castile was completed at a cost of \$3.2 million. Bixby Hill Rd. located in Arcade was reconstructed at a cost of \$700,000.00 with stimulus funds. Also, various other county roads were sealed and maintained including Old Buffalo Rd., in the Town of Warsaw, Burke Hill Rd., in the Towns of Perry and Warsaw, Folsomdale Rd. in Bennington and Sheldon, Curriers Rd. in the Towns of Arcade and Java, French Rd. in the Town of Sheldon, Simmons Rd. and Lake Street in Perry, Water Street in Pike, and Buffalo Rd. in the Town of Orangeville. Bridges undergoing major work were in the Town of Attica Cascade Rd. and Nesbitt Rd., in the Town of Castile East Lake Rd. in Sheldon, Dutch Hollow Rd. in Warsaw, Dale Rd. and in Bennington, Urf Rd. In anticipation of paving Dale and Skates Hill Rd. in the Towns of Warsaw and Middlebury in 2010 milling and paving shoulders was completed this year in '09. Total cost for all highway construction in '09 was \$6,082,000.00.

The Board would like to recognize Superintendent of County Highways, Todd Gadd for his foresight in having prepared the Bixby Hill Rd. project in anticipation of the Stimulus Program. Because the project met the requirements set forth by the American Recovery and Reinvestment Act (A.R.R.A.) it was approved for total funding.

The second phase of Public Works commitments this year are the aggressive building renovations projects. The Public Works Committee has overseen the completion of the Fire Training Tower located at the Fire Training Center on Wethersfield Rd. The cost \$650,000.00, \$300,000.00 of which

Organizational Meeting

was made available through the assistance of Senator Volker. This structure provides a state of the art training facility for our dedicated Volunteer Firemen and First Responders. The second project is the renovations of the former 408 North Main Medical Building located north of the Wyoming County Community Hospital. The second floor of the building has been completely renovated and is now occupied. The first floor is now undergoing reconstruction and should be ready for occupancy in late July or early August. This building will become part of the Health System's Campus. Also, we are pleased to announce that an agreement has been reached by the Board of Supervisors and the hospital Board of Managers on a plan and design for renovations to the hospital. Preliminary estimates are for a \$21 million reconstruction project, which will allow the hospital to become a state of the art rural health care facility for decades to come. Funding for this ambitious and necessary project will come from a variety of sources including a series of grants and loans available for rural health care facilities and of course the Capital One Campaign which raised over \$4.6 million for the renovations. Groundbreaking is expected to take place in early spring.

The 3rd project under way is the reconstruction of the Department of Social Services Building. After conducting a structure study it was determined that the lower DSS building was able to support a 2nd floor so the plan is to build additional space to meet the growing needs of the department. The personnel of the lower building were moved to the former Hollywood Video Store across the street and the lower building is now under going renovation and the new addition is under construction. Once completed all personnel will be moved from the upper building and rejoined with the staff now housed at Hollywood Video. With all staff under one roof delivery of services will become more efficient. Plan for the upper building is to be razed and a parking lot for the employees to be developed. The cost of this building project will be \$4.5 million paid for through a USDA Rural Development Loan.

I am certain that some may think that these projects seem extravagant and unnecessary but the fact is the Board feels strongly that the infrastructure of the county needs to be maintained.

The Wyoming County Sheriff's Department continues to operate at a high level and provide the residents of Wyoming County with the best trained officers and administration. In 2009, Sheriff Heimann appointed Greg Rudolph as Undersheriff who succeeds the retired Undersheriff, Paul Donnelly.

Sheriff Heimann, Emergency Services Director Tony Santoro, 911 Coordinator, Floyd Feather, Bob Jae, and Bruce James continue to work on upgrading the radio communications system as well as the county wide addressing system for which the primary intent is to provide more efficient response time in emergency situations.

The Human Services Department, which basically functions on dependence of state reimbursements for programs, administration and delivery have seen an increase in usage. The Department of Social Services, Public Health, Mental Health, Office for the Aging and Youth Bureau have experienced dramatic increases in requests for services. Unfortunately, reimbursements for many mandated programs by the state of New York are lagging or are non-existent for 2009.

As we are all well aware, the State of New York is facing its most challenging fiscal crisis in its history and the Board of Supervisors is committed to working with the leaders of State Government to find an acceptable resolution to the problems, however it can not be one sided. At some point there needs to be a change of direction in the State's finances. In taking direction from the Board of Supervisors, I have written a letter to Governor David A. Paterson regarding this situation. I will read it to you now:

“Dear Governor Paterson:

I am writing to you on behalf of the Wyoming County Board of Supervisors. Having met you recently in Arcade at the Koike Aronson Corporation, I was impressed by your openness and charisma. However, I also recognize that you have the unenviable task of attempting to make some sense out of the current financial difficulties facing New York State. As Chairman of the Wyoming County Board of Supervisors I too am responsible for maintaining the fiscal stability for Wyoming County. Your recent announcement regarding the 10% reduction in payment to most specifically, counties has raised a great deal of concern among the members of the Board of Supervisors. Simply stated we are not going to jeopardize the financial well being of Wyoming County in order to continue to provide mandated services for the State of New York without timely payments for reimbursement of these services. Below you will find a listing of payments due from the State which are for services provided during the County Fiscal Year ending 12/31/09 totaling \$1,343,321.34.

<i>State Marcheselli</i>		<i>\$75,500.00</i>
<i>Court Security</i>	<i>Through 11/2009</i>	<i>188,897.00</i>
	<i>Est. 4 mos</i>	<i>96,000.00</i>
<i>Indigent Parole Program</i>	<i>03/09 – 11/09</i>	<i>100,193.00</i>
<i>Public Health State Aid</i>		<i>395,000.00</i>
	<i>Est. 4th qtr.</i>	<i>135,000.00</i>
<i>Mental Health Federal Salary Sharing</i>		<i>81,000.00</i>
<i>Pre-School</i>		<i>103,125.94</i>
	<i>Est. 4th qtr.</i>	<i>115,000.00</i>
<i>Parole Violators Billed</i>	<i>03/31/09</i>	<i>9,738.40</i>
<i>DA Salary Supplement</i>		<i>43,867.00</i>
<i>Total</i>		<i>\$1,343,321.34</i>

January 04, 2010

While some payments for other reimbursement such as Medicaid are timely, the above mentioned are not. Most notably there has not been \$1.00 of reimbursement for programs provided by the Wyoming County Public Health Department. The amount owed is \$540,000.00. This Board of Supervisors is in unanimous agreement and is adamant that unless there is some indication of intent to send payment within the next 30 days for these mandated programs Wyoming County will be forced to discontinue providing these services for the State of New York.

I regret having to send you this letter. However, the Board of Supervisors is taking a hard line regarding this difficult situation. I will be waiting to hear from you or someone from your administration.”

This letter is signed by all 16 Supervisors and is being sent registered mail to the Governor with copies going to Assembly Speaker Silver and Temporary President of the Senate Malcolm Smith. Wyoming County has been careful about our spending and debt service. This Board takes a great deal of pride in our continued efforts to provide decent roads, bridges, buildings, programs, health care, and employment opportunities for the residents of Wyoming County. We are also proud of the fact that in the face of the greatest economic recession since the great depression we are able to continue to provide all of the above. The Board has maintained a minimal tax rate increase. We have been able to continue all programs at previous levels and there have been no layoffs of County personnel to this point!

However, I am saying now that unless the state reimburses for services already provided changes will be unavoidable.

Another development was the formation of a County Wide Water District Committee. The focus of this Committee is to study the 16 water purveyors in the County and develop a plan to provide

Organizational Meeting

water for areas which have a need. This Committee is Co-Chaired by Supervisor Gozelski and Supervisor Fleischman.

Moving forward, the County needs to stay focused on three key areas continuing to maintain infrastructure, providing services which residents have come to expect, and focusing our support on the #1 industry in Wyoming County and the State of New York, Agriculture. Farmers today are facing a very difficult fiscal environment as well, and one would hope that the State and Federal Government would be working to ensure that the wholesome food supply that all Americans enjoy is sustainable.

The Board challenges the Wyoming County Industrial Development Agency and the Wyoming County Business Development Corporation to lead the way in retaining and providing opportunities for growth for the existing businesses in the Towns and Villages of our County and providing opportunities for new prosperous business to locate here and provide excellent employment opportunities for our residents.

In closing, 2009 was challenging, however the Board met the challenge with a tremendous amount of cooperation from our Department Heads and the employees. When the budget directive was sent out in July to maintain spending at '09 levels, there was a determination demonstrated by County Departments and County Contract Agencies to achieve the goal set by the Board. The Board of Supervisors recognizes the effort made by all and thanks you on behalf of the tax payers of Wyoming County.

2010 will be an even greater challenge. We are hoping that the fiscal problems will be addressed and that all of us who are involved in Public Service may continue to provide the best services at the lowest cost.

Happy New Year, good luck to all, and God bless Wyoming County.

January 04, 2010

There being no further business to come before this Board,
Senior Supervisor Bush, T/Gainesville, adjourned the meeting at
2:54 PM with a rap on his desk.

Respectfully submitted,

Cheryl J. Ketchum

Cheryl J. Ketchum, Board Clerk

REGULAR SESSION

(January 12, 2010)

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(s) leading the Pledge of Allegiance this month was:

Matthew F. Comstock

Mr. Comstock's service to his country comes while serving during the Korean War. He was inducted into the United States Army on June 25, 1952 and completed Basic Training at Fort Dix, New Jersey. Mr. Comstock was then assigned duties with HQ Company, 1st Battalion, 279th Infantry Regiment, in the 45th Infantry Division on the Pacific Island of Kokido, where he guarded Korean Prisoners of War and was then sent to Japan for training as a 'Field Wireman.' Mr. Comstock returned to his unit and worked in the common section, where he would set-up and repair communication lines within and between units. The 279th Infantry Regiment was then shipped to the northern part of Korea where he continued to work as a 'field wireman'. Mr. Comstock took part in battles at "Old Baldy" and "Heartbreak Ridge." At the end of the War, Mr. Comstock returned to the United States and was Honorably Discharged at Camp Kilmer, New Jersey on April 27, 1954 at the rank of Corporal.

January 12, 2010

For his service to his country Mr. Comstock was awarded:

The National Defense Service Medal
The Korean Service Medal w/2 Bronze Service Stars
The United Nations Service Medal
The Combat Infantry Badge

Following the war, Mr. Comstock returned to this area and went to work as a 'welder's helper' for the Ralph White Pipeline Company. He worked about 5 years with this company helping to install and repair gas and oil lines, both in commercial and residential local communities and in and around Jamestown. Mr. Comstock then transferred to Lapp Insulator in Leroy and spent the next ten (10) years working as a general laborer. Mr. Comstock then desired to work more outdoors, so he went to work in the field of construction as a crane operator. He worked for several companies which included: Higgins Construction, C.P. Ward Construction, and Benzanooto Construction until his retirement in 1965. Mr. Comstock still wanted to stay active and in the outdoor setting, so he worked part-time for Paul McCormick as a truck driver for about 15 years. Mr. Comstock has been a member of the Walter Klein Post 532 of the American Legion for 54 years and still lives in the Town of Warsaw.

The pledge was said by all.

Chairman Berwanger, T/Arcade thanked Mr. Comstock for leading in the pledge today and presented him with a certificate of appreciation. The Chairman explained to Mr. Comstock that he has to opportunity to address the Board about anything he so chooses. Mr. Comstock stated that he was all set and thanked the Board for today's invitation.

Communications by Clerk Ketchum:

C1: Letter from New York Municipal Insurance Reciprocal, dated December 11, 2009 regarding recommendations for Wyoming County. The letter reads as follows:

Dear Mr. Berwanger:

I would like to thank you and the staff for affording me the opportunity to perform an underwriting survey of your municipality. Since you are a subscribing member of the New York Municipal Insurance Reciprocal, it is imperative that the proper time and attention be devoted to providing a safe environment for officials, employees and others who use and visit your facilities. Careful consideration should be given to methods of preventing and minimizing losses and accidents, which could result in bodily injury and property damage.

As a result of this underwriting survey, we are happy to inform you there are no recommendations for your municipality. Should you have any questions, please feel free to contact me at 716-282-4890.

Yours truly,

J. Brett Carruthers
Senior Loss Control Specialist

Open Public Hearing:

Local Law No. 1 Year 2010, (INTRODUCTORY D, Year 2009)
- *“County of Wyoming, Providing Salaries for Certain County Officers for the Year 2010”*

January 12, 2010

RESOLUTION NO. 10-08
(January 12, 2010)

By Mr. Davis, Chairman of the Finance Committee:

FUNDS TRANSFERRED TO VARIOUS 2009 ACCOUNTS

BE IT RESOLVED, That funds are hereby transferred to the various 2009 accounts as follows:

Board of Elections			
From: 01.34.1450.4.41211 Election-Primary Exp. To: 01.34.1450.1.10001 Salaries Reason: transfer funds to cover the cost of the 2 county election custodians not budgeted for. (\$100/machine – custodial cost)	\$2,542.00	\$2,542.00	
Board of Elections Total			\$2,542.00

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#2

RESOLUTION NO. 10-09
(January 12, 2010)

By Mr. Davis, Chairman of the Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2009 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2009 accounts as follows:

RESOLUTION NO. 10-09**January 12, 2010****Page 2**

Wyo. Co. Community Action			
To: 06.57.6290.4.42449 JTPA 2A Admin – due NY State w/06.12.6290.4790 JTPA 2A Federal Aid Reason: Job Training Program through Wyoming County Community Action.	\$26,814.38	\$26,814.38	
Wyo. Co. Community Action Total			\$26,814.38
Board of Supervisors			
To: 01.31.1010.4.40301 Prof. Svc. Contracts <i>From Any Funds available</i> Reason: To cover contract with Municipal Solutions, Inc.	\$3,750.00	\$3,750.00	
Board of Supervisors Total			\$3,750.00
County Jail			
To: 01.37.3150.1.10202 Temporary 01.37.3150.4.40806 Cleaning Supplies 01.37.3150.4.41010 Office Supplies 01.37.3150.4.41209 Operating Supplies 01.37.3150.4.41414 Misc Repair 01.37.3150.4.41417 Locks & Camera 01.37.3150.4.41711 Inmate Medical 01.37.3150.8.89001 Medical Insurance <i>From any funds available</i> Reason: even up line item shortfalls for balance of 2009	\$18,829.09 \$3,500.00 \$500.00 \$1,000.00 \$100.00 \$500.00 \$35,000.00 <u>\$11,798.59</u>	\$71,227.68	
County Jail Total			\$71,227.68

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

#3

RESOLUTION NO. 10-10**(January 12, 2010)**

By Mr. Davis, Chairman of the Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2010 ACCOUNTS

January 12, 2010

RESOLUTION NO. 10-10**January 12, 2010****Page 2**

BE IT RESOLVED, That funds are hereby appropriated to the various 2010 accounts as follows:

Treasurer			
To: 01.33.1325.4.42306 Other w/01.11.1325.3089 Other State Grant Reason: To roll un-used Collaborative Tax Collection Study residual grant proceeds into 2010 for use purchasing services from IT.	\$15,095.50	\$15,095.50	
Treasurer Total			\$15,095.50
Board of Supervisors			
To: 01.31.1010.4.40301 Prof. Svc. Contracts <i>From Any Funds available</i> Reason: To cover contract with The Brennan Group.	\$11,200.00	\$11,200.00	
Board of Supervisors Total			\$11,200.00
District Attorney			
To: 01.32.1166.4.41010 Misc. Equip/Ofc. Sup. w/01.11.1166.308907 State Block Grant Reason: Recording Equipment as granted by DCJS through the Operation Impact Tools Grant.	\$10,000.00	\$10,000.00	
District Attorney Total			\$10,000.00

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

Mr. Bush, T/Gainesville, Chairman of the Audit Committee, presented bills totaling **\$1,589,272.77** for the month of **December 2009**.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

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

Prior to the roll call vote Chairman Berwanger, T/Arcade asked Superintendent of County Highways, Todd Gadd, to explain resolution number 5. The resolution pertains to a shared municipal agreement / grant for the purchase of a tractor and boom mower to be utilized by the 16 towns and the County.

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Superintendent Gadd explained a little about how the sharing will work.

#4

**RESOLUTION NO. 10-11
(January 12, 2010)**

By Mr. Patti, Chairman of Public Works Committee:

**NEW YORK STATE DEPARTMENT OF
TRANSPORTATION
PROPOSED DETOUR APPROVED**

WHEREAS, Route 98 (Market Street & High Street) and Route 238 (Buffalo Street, Main Street & Halls Corners Road) in the Village and Town of Attica has been approved by the New York State Department of Transportation for rehabilitation and improvement using state and federal aid funds; and,

WHEREAS, The storm drainage installation, curb placement, pavement widening and reconstruction, pavement milling and resurfacing, and other operations related to the rehabilitation and improvements proposed on Route 98 (High Street) will require the temporary closure of Route 98 (High Street) between the intersection with Route 354 (Attica-Bennington Highway) and the intersection with Route 238 (Main Street); and,

WHEREAS, In conformance with Section 42 of the New York State Highway Law, the New York State Department of Transportation proposes to utilize the following roads as a short-term detour during the period of the pavement reconstruction:

Exchange Street (C.R. 31), from the intersection with Dunbar Road to the intersection with Route 238 (Main Street); and

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RESOLUTION NO. 10-11**January 12, 2010****Page 2**

WHEREAS, The New York State Department of Transportation will include contract provisions that restrict use of said short-term detour to specific time periods, as defined in the contract documents prepared for the intersection improvements, during the period of construction; and,

WHEREAS, The New York State Department of Transportation will provide traffic control devices and make improvements or repairs when and where necessary to the above mentioned roads to make them adequate to handle additional detour traffic; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors does hereby authorize the New York State Department of Transportation to utilize the above mentioned road as a short-term detour during the period of construction as defined above; and be it

FURTHER RESOLVED, That Wyoming County will continue to provide routine maintenance on the above mentioned road, including snow and ice control; and be it

FURTHER RESOLVED: That the Clerk of this Board is hereby directed to transmit five (5) certified copies of this resolution to the New York State Department of Transportation.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

#5

RESOLUTION NO. 10-12
(January 12, 2010)

Regular Session

RESOLUTION NO. 10-12**January 12, 2010****Page 2**

By Mr. Patti, Chairman of Public Works Committee:

HIGHWAY EQUIPMENT BID AWARDED

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to award the bid and sign a contract for the purchase of one (1) 2010 John Deere 6330 Tractor w/Tiger Mower from Z&M Ag & Turf, 3517 Railroad Ave., Alexander, NY 14005 in an amount not to exceed one hundred eleven thousand eight hundred twenty-five dollars and ninety cents (\$111,825.90) be hereby approved using Local Government Efficiency Grant funding.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#6

RESOLUTION NO. 10-13**(January 12, 2010)**

By Mr. Patti, Chairman of Public Works Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
WITH NOMAD ENTERPRISES, 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 NOMAD Enterprises, Inc., 6270 Abbott Rd., Silver Springs, NY 14550 on behalf of Buildings and Grounds. Said contract is to provide lawn maintenance in an

January 12, 2010

RESOLUTION NO. 10-13**January 12, 2010****Page 2**

amount not to exceed ten thousand five hundred forty-five dollars (\$10,545.00); effective April 01, 2010 through November 30, 2010.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#7

RESOLUTION NO. 10-14**(January 12, 2010)**

By Mr. Patti, Chairman of Public Works Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
WITH BENNET-N-HALEY SEALCOATING & MORE 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 Bennet-N-Haley Sealcoating & More, 2421 Strong Rd., Delevan, NY 14042 on behalf of Buildings and Grounds. Said contract is to provide for parking lot restorations at the Government Center, Jail secured lot and the Health Department in an amount not to exceed nine thousand eight hundred seventy-five dollars (\$9,875.00); effective April 1, 2010 through the completion of project.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

RESOLUTION NO. 10-15
(January 12, 2010)

By Mr. Patti, Chairman of 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 years; effective November 14, 2009 through November 13, 2012:

- Paul Korzelius (Town of Eagle) 4201 Hillside Rd., Bliss NY 14024
- Gary Rinehart (Town of Gainesville) 18 South Main Street, Silver Springs NY 14550
- Gary Vasile, (Town of Genesee Falls) 6641 Pike Street, Portageville, NY 14536
- Ronald George (Town of Java) 4885 Coby Road, North Java, NY 14113
- John Hurst (Town of Middlebury) 51 Main Street, Wyoming, NY 14591

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

There was a motion by Mr. Rogers, T/Pike, to combine resolutions #9 through #12. A voice vote was taken and all voted aye.

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**RESOLUTION NO. 10-16
(January 12, 2010)**

By Mr. Rogers, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A RENEWAL
CONTRACT WITH WYOMING COUNTY ATTICA LEGAL AID
BUREAU, INC. 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 renewal is for partial funding of 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 January 01, 2010 through December 31 2010.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#10

**RESOLUTION NO. 10-17
(January 12, 2010)**

By Mr. Rogers, Chairman of Public Safety Committee:

RESOLUTION NO. 10-17**January 12, 2010****Page 2****CHAIRMAN AUTHORIZED TO SIGN A GRANT
ACCEPTANCE AWARD WITH NEW YORK STATE
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 NYS Division of Criminal Justice Service, 4 Tower Place, Albany, NY 12203-3764 for the Operation Impact Tools Grant on behalf of the District Attorney's office. Said grant will provide funding for the purchase of recording equipment for police agencies within our county in an amount not to exceed ten thousand dollars (\$10,000.00) with county match for a total of twelve thousand five hundred (\$12,500.00), effective January 01, 2010 through December 31, 2010.

**Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#11**

**RESOLUTION NO. 10-18
(January 12, 2010)**

By Mr. Rogers, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A LEASE
AGREEMENT WITH WELLS FARGO FINANCIAL
LEASING, INC. ON BEHALF OF THE SHERIFF'S
DEPARTMENT**

January 12, 2010

RESOLUTION NO. 10-18**January 12, 2010****Page 2**

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 Wells Fargo Financial Leasing Inc, 800 Walnut St, Des Moines, IA 50309 on behalf of the Sheriff's Department. Said lease will provide for a Savin 8025 copier in an amount not to exceed ninety-three dollars and twenty-eight cents (\$93.28) per month for 36 months, total lease amount not to exceed three thousand three hundred fifty-nine dollars and eight cents (\$3,359.08) with an end of term buyout of \$1.00; effective January 01, 2010 through December 31, 2013.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#12

RESOLUTION NO. 10-19**(January 12, 2010)**

By Mr. Rogers, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A GRANT
ACCEPTANCE AWARD WITH THE DORMITORY
AUTHORITY OF THE STATE OF NEW YORK 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 Dormitory Authority of the State of New York, 515 Broadway, Albany, NY 12207 on behalf of Emergency Services. Said grant is to provide partial funding for the establishment of the fire training facility in

RESOLUTION NO. 10-19**January 12, 2010****Page 2**

the minimum amount of three hundred thousand dollars (\$300,000.00); effective October 2008 through October 2009.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

There was a motion by Mrs. Totslin, T/Genesee Falls, to combine resolutions #13 through #21. A voice vote was taken and all voted aye.

Prior to the roll call vote Chairman Berwanger, T/Arcade asked Director of OFA and Youth, Andrea Aldinger, to explain the Pine Lounge contract from resolution number 15. Director Aldinger explained that the program is new, it's called restaurant dining and it's for the senior congregate meal site in Bennington. The site was in danger of closing due to lack of attendance. Eligible seniors are asked to make a suggested donation of \$3.00/meal for a ticket. The site went from 6-8 attending to 40 per week attending.

Other towns have expressed an interest in running their congregate meal site the same way so the Director said to watch for it in the future...

#13**RESOLUTION NO. 10-20****(January 12, 2010)**

By Mrs. Totslin, Chairman of Human Services Committee:

RESOLUTION NUMBER 09-482 AMENDED

January 12, 2010

RESOLUTION NO. 10-20**January 12, 2010****Page 2**

WHEREAS, Resolution Number 09-482 entitled, “**MEMBERS APPOINTED/REAPPOINTED TO THE OFFICE FOR THE AGING ADVISORY COUNCIL**,” passed by this Board of Supervisors on December 8, 2009 and provides for the appointment / reappointment of various members to the Office for the Aging Advisory Council for a term of *three (3) years; effective January 01, 2010 through December 31, 2012*; now therefore

BE IT RESOLVED, That Resolution Number 09-482 be hereby amended to reflect a change in appointment to ***Beth Schafer*** (DSS) 466 N. Main Street Warsaw, NY 14569 from Deb Vosburg who replaced Gordon Lew, to reflect the balance of a ***three (3) term; effective January 01, 2010 through December 31, 2011..***

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

#14

RESOLUTION NO. 10-21**(January 12, 2010)**

By Mrs. Totstline, Chairman of Human Services Committee:

**FRAN RUDGERS APPOINTED TO THE
WYOMING COUNTY OFFICE FOR THE AGING ADVISORY
COUNCIL**

BE IT RESOLVED, That ***Fran Rudgers***, 217 Wyoming Ct., Warsaw, NY 14569 be hereby appointed to the Wyoming County Office for the Aging Advisory Council ***for a term of three (3) years as a Community Member representing the Town of Warsaw; effective January 1, 2010 through December 31, 2012 replacing Bea Tilton.***

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

#15

Regular Session

RESOLUTION NO. 10-22
(January 12, 2010)

By Mrs. Totslin, Chairman of Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN VARIOUS
CONTRACTS AND AGREEMENTS ON BEHALF OF
WYOMING COUNTY OFFICE FOR THE AGING**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign various contracts and agreements on behalf of Wyoming County Office for the Aging for 2010 as follows:

- **WCJW 3258 Merchant Road, Warsaw, NY 14569**
 - o Memorandum of Understanding to provide Radio advertising for various OFA programs that require promotions in an amount not to exceed five thousand dollars (\$5,000.00); effective January 01, 2010 through December 31, 2010.
 - o Contract 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); effective January 01, 2010 through December 31, 2010.
- **The Pine Lounge 164 Clinton St. Cowlesville, NY 14037**
 - o Memorandum of Understanding for the provision of Congregate Nutrition – variable depending on use. Not to exceed 2010 budget effective January 01, 2010 through December 31, 2010.

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RESOLUTION NO. 10-22**January 12, 2010****Page 2**

- **The Cloister, 171 N. Maple St., Warsaw, NY 14569**
 - o Memorandum of Understanding for the provision of Respite Care – variable depending on use. Not to exceed 2010 budget effective January 01, 2010 through December 31, 2010.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain: #16

RESOLUTION NO. 10-23**(January 12, 2010)**

By Mrs. Totslie, Chairman of Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN VARIOUS
CONTRACTS ON BEHALF OF THE WYOMING COUNTY
YOUTH BUREAU**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign contracts on behalf of the Wyoming County Youth Bureau:

- **Karen Maskell, 210 South Main Street, Batavia, NY 14020.**
 - o Contract for the provision of Early Intervention Services not to exceed 2010 - 2011 budget – variable depending on number of services effective amount variable; effective December 01, 2009 through June 30, 2012.

RESOLUTION NO. 10-23**January 12, 2010****Page 2**

- **Children First of Western New York LLC, 4 Lancaster Lane, Orchard Park, NY 14127**
 - o Contract for the provision of Early Intervention Services not to exceed 2010-2011 budget – variable depending on number of services effective amount variable; effective December 01, 2009 through June 30, 2012. For their center based programming.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#17

RESOLUTION NO. 10-24
(January 12, 2010)

By Mrs. Totslie, Chairman of Human Services Committee:

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

Community Members

Term of three (3) years; effective January 1, 2010 through December 31, 2012

- **Kristi Streamer (Warsaw Central School)** 81 West Court St., Warsaw, NY 14569 (filling a vacancy)
- **Tricia Janes (Perry Central School)** 33 Watkins Ave., Perry, NY 14530 (filling a vacancy)
- **Robert Farnsworth (Pike Community Church)** P.O. Box 297, Pike, NY 14140

January 12, 2010

RESOLUTION NO. 10-24**January 12, 2010****Page 2****Agency Members*****Term of two (2) years; effective January 1, 2010 through December 31, 2011***

- **Patricia Baron-Mills (Wyoming County Mental Health)** 338 North Main St., Warsaw, NY 14569
- **Colin Reagan (Wyoming County Sheriff's Department)** 151 North Main St., Warsaw, NY 14569
- **Amanda Daniel (Probation Department)** 143 North Main St., Warsaw, NY 14569

Youth Members***Term of one (1) year; effective January 1, 2010 through December 31, 2010***

- **Spencer Darby**, 45 Allen St., Warsaw, NY 14569 (replacing Ashley White)
- **Kirstyn Geercken**, 3519 Truesdell Rd., Warsaw, NY 14569 (replacing Samantha Meyers)

Carried: XXX Ayes: 1596 Noes: Absent: Abstain: #18

**RESOLUTION NO. 10-25
(January 12, 2010)**

By Mrs. Totslie, Chairman of Human Services Committee:

**CHAIRMAN / COMMISSIONER OF SOCIAL SERVICES
AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF
OF THE DEPARTMENT OF SOCIAL SERVICES**

BE IT RESOLVED, That the Chairman of this Board and the Commissioner of Social Services with the approval of the County Attorney are hereby authorized and directed to sign various contract on behalf of the Department of Social Services:

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RESOLUTION NO. 10-25**January 12, 2010****Page 2**

- **Eric T. Dadd, 11 Exchange Street, Attica, NY 14011**
 - Legal services for Child Support & Family Court in an amount not to exceed fifty-eight thousand two hundred fourteen dollars and eighteen cents (\$58,214.18): effective January 01, 2010 through December 31, 2010.
- **David H. Nelson, 11 Exchange Street, Attica, NY 14011**
 - Resource recovery at a rate of \$70.00/hr. not to exceed 2010 budgeted amounts; effective January 01, 2010 through December 31, 2010.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain: #19

**RESOLUTION NO. 10-26
(January 12, 2010)**

By Mrs. Totslie, Chairman of Human Services Committee:

**CHAIRMAN / COMMISSIONER OF SOCIAL SERVICES
AUTHORIZED TO SIGN A GRANT ACCEPTANCE
AWARD WITH NEW YORK STATE OFFICE OF
CHILDREN 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 are hereby authorized and directed to sign a grant acceptance award with the NYS Office of Children and Family Services Division of Information Technology, 52 Washington Street, Rensselaer, NY 12144 on behalf of the

January 12, 2010

RESOLUTION NO. 10-26**January 12, 2010****Page 2**

Department of Social Services. Said grant is to provide funding for 8 laptop computers for child welfare workers in the minimum amount of eight thousand four hundred ninety-four dollars and twenty-four cents (\$8,494.24); effective December 01, 2009 through June 30, 2012.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#20

RESOLUTION NO. 10-27**(January 12, 2010)**

By Mrs. Totslie, Chairman of Human Services Committee:

RESOLUTION NUMBER 09-16 AMENDED

WHEREAS, Resolution Number 09-16 entitled, **“CHAIRMAN / COMMISSIONER AUTHORIZED TO SIGN A CONTRACT WITH WENDY SISSON, ATTORNEY, ON BEHALF OF THE DEPARTMENT OF SOCIAL SERVICES,”** passed by this Board of Supervisors on January 13, 2009 and provides for legal services in an amount not to exceed three thousand dollars (\$3,000.00); effective January 01, 2009 through December 31, 2009. Contingent upon the availability of funds; now therefore

BE IT RESOLVED, That Resolution Number 09-16 be hereby amended to reflect an increase in the contract by three hundred fifty dollars (\$350.00) for additional legal services to reflect a total contract price for 2009 of three thousand three hundred fifty dollars (\$3,350.00), all else remains the same.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

**RESOLUTION NO. 10-28
(January 12, 2010)**

By Mrs. Totsline, Chairman of Human Services Committee:

**CHAIRMAN / COMMISSIONER OF SOCIAL SERVICES
AUTHORIZED TO SIGN CONTRACTS WITH WENDY
SISSON, ATTORNEY, 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 Wendy Sisson, Attorney, P.O. Box 242, Geneseo, NY 14454 on behalf of the Department of Social Services. Said contract is to provide legal services in an amount not to exceed three thousand dollars (\$3,000.00); effective January 01, 2010 through December 31, 2010.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

Prior to the roll call vote of resolution number 22, County Attorney Dadd expressed a desire to discuss the contract with his home committee because the contract is not now what it once was and “morphed” into its current structure.

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WITHDRAWN**Non-Consent****#22**

**RESOLUTION NO. 10-
(January 12, 2010)**

By Mrs. Totslin, Chairman of Human Services Committee:

**CHAIRMAN / COMMISSIONER OF SOCIAL SERVICES
AUTHORIZED TO SIGN A LEASE AGREEMENT WITH
ERIC T. DADD ON BEHALF OF THE DEPARTMENT OF
SOCIAL SERVICES**

BE IT RESOLVED, That the Chairman of this Board and the Commissioner of Social Services are hereby authorized and directed to sign a contract with Eric T. Dadd, 11 Exchange Street, Attica NY 14011 on behalf of the Department of Social Services. Said lease is to provide office space for the County Attorney in an amount not to exceed four thousand eight hundred dollars (\$4,800.00); effective January 01, 2010 through December 31, 2010.

Carried: Ayes: Noes: Absent: Abstain:
Referred to County Attorney's home committee (Human Resource Committee)

There was a motion by Mr. Kushner, T/Eagle, to combine resolutions #23 through #26. A voice vote was taken and all voted aye.

#23

**RESOLUTION NO. 10-29
(January 12, 2010)**

By Mr. Kushner, Chairman of Public Health Committee:

Regular Session

RESOLUTION NO. 10-29

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Page 2

**DR. JAMES WAWRZYNIAK REAPPOINTED TO
THE WYOMING COUNTY BOARD OF HEALTH**

BE IT RESOLVED, That Dr. James Wawrzyniak, 727
Getman Rd. Alden NY14004 be hereby reappointed to the
Wyoming County Board of Health for a term of six (6) years;
effective January 01, 2010 through December 31, 2015.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#24

**RESOLUTION NO. 10-30
(January 12, 2010)**

By Mr. Kushner, Chairman of Public Health Committee:

January 12, 2010

RESOLUTION NO. 10-30**January 12, 2010****Page 2**

**CHAIRMAN / COMMISSIONER OF HEALTH
 AUTHORIZED TO SIGN VARIOUS CONTRACTS AND
 AGREEMENTS ON BEHALF OF WYOMING COUNTY
 HEALTH DEPARTMENT AND CERTIFIED HOME
 HEALTH AGENCY FOR THE YEAR 2010**

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 the following Contracts and Agreements for the year 2010 on behalf of the

Wyoming County Health Department and the Certified Home Health Agency. All amounts reflect amounts not to exceed:

**** all contracts and agreements will be equal to or less
 than the maximum amount indicated****

Clearpath Diagnostics

(formerly Pathology Associates)	Per Price List
Clinical Laboratory testing services MWHS	TBD based on usage
January 1 – December 31, 2010	Not to exceed amount budgeted

Quest Diagnostics

	Per Price List
Clinical Laboratory testing services MWHS	TBD based on usage
January 1 – December 31, 2010	Not to exceed amount budgeted

Benchmark Analytics, Inc. (formerly Eastern Laboratory Svc) Per Price List

Environmental water Laboratory testing svcs.	TBD based on usage
January 1 – December 31, 2010	Not to exceed amount budgeted

Cattaraugus County Health Department

	Per Price List
Environmental laboratory – water testing services	TBD based on usage
January 1 – December 31, 2010	Not to exceed amount budgeted

Clark Patterson Lee

	\$75/hour max plus expenses
Professional Engineering Services	TBD based on usage
January 1 – December 31, 2010	Not to exceed amount budgeted

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Freed Maxick and Battaglia, PC \$19,425 / year
 Audit and Consulting Services (MWHS and CHHA)
 January 1 – December 31, 2010

Monroe County Department of Health \$33,840 / year
 Medical Examiner Services
 January 1 – December 31, 2010 (Multi-year agreement 1/1/08 – 12/31/10)

Susan Schell, RD Per Schedules B & B-1
 Registered Dietician Services (CHHA & Public Health) TBD based on usage
 January 1 – December 31, 2010 Not to exceed amount budgeted

Frank Hollister, Jr.
 Emergency Preparedness Coordination Services (H1N1 Response)
 January 1, 2010 – August 9, 2010 \$30.00 /hr TBD based on usage
 Not to exceed amount budgeted

Scott Treutlein, MD \$6,000 / year
 Medical Director Services MWHS
 January 1 – December 31, 2010

United Church of Christ \$425 / month (2010)
 Building Use Agreement WIC \$450 / month (2011)
 January 1 – December 31, 2011

Buffalo Hospital Supply Per Bid Price List Medical Supplies
 CHHA
 January 1 – December 31, 2010

Community Care of WNY dba Homecare & Hospice
 Home Health Aide Svc. TBD based on usage Not to exceed amount budgeted
 January 1 – December 31, 2010 \$27.52/one hour \$21.80/one hour + visit

Jolene Griffith, PA \$40.00 / hr.
 MWHS Mid-Level Practitioner Services TBD based on usage
 January 1 – December 31, 2010 Not to exceed amount budgeted

Karen Nelson, MSW \$75.00/visit & \$40.00/hr in-service
 Medical Social Worker Services TBD based on usage
 January 1 – December 31, 2010 Not to exceed amount budgeted

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Step-by-Step Physical Therapy
 Physical Therapy Services
 January 1 – December 31, 2010

\$66.20 / visit
 TBD based on usage
 Not to exceed amount budgeted

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#25

RESOLUTION NO. 10-31
(January 12, 2010)

By Mr. Kushner, Chairman of Public Health Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
 WITH SPECTRUM HUMAN SERVICES, INC. ON BEHALF
 OF THE MENTAL HEALTH DEPARTMENT**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Spectrum Human Services, Inc., 227 Thorn Ave., Orchard Park, NY on behalf of the Mental Health Department. Said contract for an amount not to exceed ten thousand dollars (\$10,000.00) of unspent 2009 Mental Hygiene State Aid.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#26

RESOLUTION NO. 10-32
(January 12, 2010)

By Mr. Kushner, Chairman of Public Health Committee:

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RESOLUTION NO. 10-32**January 12, 2010****Page 2****CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
WITH CANDLE INC. ON BEHALF OF THE MENTAL
HEALTH DEPARTMENT**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Candle Inc., 100 Brugh Ave., Butler, PA 16001 on behalf of the Mental Health Department. Said contract is to purchase ***Reality Tour***, in order to create a Wyoming County version for the community in order to educate youth and parents on the risks and harms of drug use and abuse. The license and materials are three thousand five hundred dollars (\$3,500.00) from 2009 Funds, with an annual renewal fee of five hundred dollars (\$500.00) for continued use of the license; effective December 22, 2009 through December 21, 2014. 100% State Aid, no County levy.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

There was a motion by Mr. Fleischman, T/Java, to combine resolutions #27 through #34. A voice vote was taken and all voted aye.

#27**RESOLUTION NO. 10-33
(January 12, 2010)**

By Mr. Fleischman, Chairman of Planning Committee:

**BOARD OF SUPERVISORS APPROVES EXTENSION OF
EXISTING AGREEMENT WITH ECC TECHNOLOGIES
ON BEHALF OF PLANNING AND DEVELOPMENT**

January 12, 2010

RESOLUTION NO. 10-33**January 12, 2010****Page 2**

WHEREAS, That by Resolution Number 09-279 the Chairman of this Board was authorized to sign an agreement with ECC Technologies, 845 Fairport Office Centre, Fairport, New York 14450 to perform a Broadband/Fiber Optics Telecommunications Infrastructure Installation Study in preparation for Wyoming County to apply for federal Department of Commerce stimulus funds under the American Recovery and Reinvestment Act in an amount not to exceed thirty seven thousand five hundred dollars (\$37,500.00) to be completed by September 30, 2009; and

WHEREAS, That by Resolution Number 09-408 the Contractual Agreement was extended by thirty (30) days to expire on October 30, 2009, at no additional cost to the County; and

WHEREAS, ECC Technologies has completed the research and collection of all necessary data and information to develop and distribute the preliminary business/marketing plan model; and

WHEREAS, The Department of Commerce, National Telecommunications and Information Agency has not yet released the Notice of Funding Availability for Round 2 of the Rural Broadband Fiber Optics Technology Opportunities Installation Program which prevents ECC Technologies from completing Phase III High Level Business Model and Grant Support Task of Service costing ninety-five hundred dollars \$9,500.00; now therefore

BE IT RESOLVED, That Resolution Numbers 09-279 as amended by 09-408 be hereby amended to reflect an extension of the existing Broadband Fiber Optics Telecommunications Infrastructure Installation Study being conducted by ECC Technologies, 845 Fairport Office Centre, Fairport, New York

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RESOLUTION NO. 10-33**January 12, 2010****Page 3**

14450 until March 31, 2010 at no additional cost to the County other than rolling over ninety-five hundred dollars (\$9,500.00) already appropriated in 2009, that has yet to be spent and will not be spent until we apply for grant funds from the Department of Commerce. All other terms and conditions remain the same.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#28

RESOLUTION NO. 10-34**(January 12, 2010)**

By Mr. Fleischman, Chairman of Planning Committee:

**RESOLUTION AUTHORIZING CHAIRMAN TO SIGN
 COMMUNITY DEVELOPMENT BLOCK GRANT
 AGREEMENT**

WHEREAS, The County of Wyoming has been approved to receive a one hundred thousand dollar (\$100,000.00) 2009 NYS Economic Development Community Development Block Grant that will be used by the Wyoming County IDA to provide financial assistance to Sregnuoy Farms, Java, New York for its continued growth and expansion; and

WHEREAS, The loan repayments from Sregnuoy Farms will be used by the Wyoming County IDA to provide financial assistance to other business within its jurisdiction that will create additional job opportunities in Wyoming County; now therefore

BE IT RESOLVED, That the Chairman of this Board is hereby authorized as the official representative of Wyoming County, New York to execute the grant agreement from the NYS

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RESOLUTION NO. 10-34**January 12, 2010****Page 2**

Office of Community Renewal 38-40 State St., Hampton Plaza, 9th Floor, Albany, NY 12207 for a one hundred thousand dollar (\$100,000.00) NYS Community Development Block Grant, OCR Economic Development program; effective November 10, 2009 through November 10, 2011, and is hereby authorized and directed, upon approval of the County Attorney, to sign all documents and take all actions needed to receive the approved grant funds; and be it

FURTHER RESOLVED, That the Chairman of this Board designates Drew Shapiro, Director of the Wyoming County Department of Planning and Development to act as Certifying Officer for the purposes of carrying out an environmental review.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#29

RESOLUTION NO. 10-35**(January 12, 2010)**

By Mr. Fleischman, Chairman of 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 term of one (1) year; effective January 1, 2010 through December 31, 2010.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

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RESOLUTION NO. 10-36
(January 12, 2010)

By Mr. Fleischman, Chairman of Planning Committee:

**DREW SHAPIRO REAPPOINTED TO THE
GLOW SOLID WASTE ADVISORY 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 Advisory Committee for a term of one (1) year; effective January 1, 2010 through December 31, 2010.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#31

RESOLUTION NO. 10-37
(January 12, 2010)

By Mr. Fleischman, Chairman of Planning Committee:

**DREW SHAPIRO REAPPOINTED TO THE GLOW
REGIONAL SOLID WASTE MANAGEMENT
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 Management Committee for a term of one (1) year; effective January 1, 2010 through December 31, 2010.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
January 12, 2010

**RESOLUTION NO. 10-38
(January 12, 2010)**

By Mr. Fleischman, Chairman of Planning Committee:

**MARTY MUCHER AND DAVID RUMSEY
APPOINTED/REAPPOINTED TO THE 211 ADVISORY
BOARD**

BE IT RESOLVED, That *Marty Mucher (Community Action)* 208 State Street, Batavia, NY 14020 and *David Rumsey (Social Services)* 6436 Main St., Stafford, NY 14143 be hereby appointed/reappointed to the 211 Advisory Board *for a term of one (1) year; effective January 01, 2010 through December 31, 2010.*

**Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#33**

**RESOLUTION NO. 10-39
(January 12, 2010)**

By Mr. Fleischman, Chairman of Planning Committee:

**JAMES PIERCE REAPPOINTED TO THE
GLOW WORKFORCE INVESTMENT BOARD**

BE IT RESOLVED, That James Pierce (Wyoming County Business Development Corp.) 6470 Rt. 20A, Suite 2, Perry, NY 14530 be hereby reappointed to the GLOW Workforce Investment Board *for an indefinite term; effective January 1, 2010 as a Private Sector Member.*

**Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
Regular Session**

**RESOLUTION NO. 10-40
(January 12, 2010)**

By Mr. Fleischman, Chairman of Planning Committee:

**JOSEPH HAMM APPOINTED TO THE
GLOW WORKFORCE INVESTMENT BOARD**

BE IT RESOLVED, That Joseph Hamm (New York State Department of Labor) 276 Waring Rd., Rochester, NY be hereby appointed to the GLOW Workforce Investment Board ***for an indefinite term; effective September 15, 2009 as an At Large Member.***

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

Chairman Berwanger, T/Arcade asked County Consultant, Patrick Brennan of the Brennan Group to deliver his monthly update to the Board at this time.

**BRENNAN GROUP CONSULTING LLC
7705 SALLY RD
WATERVILLE NY 13480**

**WYOMING CO BOARD OF SUPERVISORS
January 2010 REPORT**

January 2010

Wyoming County NYS Department of State High Priority Grant Program Application to be submitted this month; work to be considered, County-wide water project study.

January 12, 2010

Dec 10, 2009

Governor Paterson signed into law Tier 5 Pension Reform. “The legislation creates a new Tier 5 pension level, the most significant reform of the State’s pension system in more than a quarter-century. This could save the state and local governments \$48.5 billion dollars over the next 30 years. The new Tier 5 legislation applies to both uniformed and non-uniformed public employees and significantly reforms the pension system”.

Key components of Tier V include:

1. raising the minimum age for most civilians from 55 to 62 and imposing a penalty of up to 38% for any civilian who retires prior to age 62.
2. requiring employees to continue contributing 3% of their salary toward pension costs, as long as they accumulate additional pension credit.
3. increasing the minimum years of service required to draw a pension from 5 to 10 years.
4. capping the amount of overtime that can be considered in the calculation of pension benefits for civilians at \$15,000 per year, and for police/firefighters at 15% of non-overtime wages.

NYS Teachers Retirement System:

1. raising the minimum age an individual can retire from 55 to 57 yrs.
2. must contribute 3.5% of their annual wages to pension costs versus 3% for non-teachers, and continue this increased contribution as long as they accumulate pension credits.
3. increasing the 2% multiplier threshold for final pension calculations from 20yrs. To 25 yrs.

The projected Tier V savings for Western New York are \$2.8 billion over the next 30 years.

Dec 15, 2009

Gov. Paterson accepted the final 2009 State Energy Plan (Plan). The Plan identifies a number of specific policy initiatives:

1. Continue to expand opportunities to improve energy efficiency.
2. Support the development of in-state energy supplies.
3. Encourage investment in, and identify future needs for energy infrastructure.
4. Stimulate innovation in the clean energy economy and help the existing manufacturing base transition to a low-carbon future.
5. Improve coordination between the State, other governments and communities.

Gov. Paterson will be proposing in 2010, the following legislative initiatives:

1. Improving coordination and expanding energy efficiency and renewable energy programs across the State in support of the Governor's '45 by 15' clean energy goal.
2. Submit legislation that will establish a power-plant siting process that will provide greater certainty to developers and greater opportunities for public involvement.
3. Submit legislation to establish a long-term Power for Jobs program and develop new criteria that encourage energy efficiency.
4. Work with the New York Power Authority (NYPA) to procure another 100 megawatts of solar energy statewide.
5. Work with NYPA to develop an off-shore wind project in the Great Lakes.
6. Ensure stringent environmental safeguards are in place for natural gas drilling in the Marcellus Shale gas reserves.

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7. Release a Climate Action Plan that will identify strategies to achieve an 80% reduction in greenhouse gas emissions by 2050
8. Establish incentives to repower existing power plants to reduce emissions and increase power output.

Dec 22, 2009

NYSERDA announces Implementation Funding for Small Municipalities
 \$24 million available from the American Recovery and Reinvestment Act (ARRA)
 Request for Proposals (RFP) 10.

This RFP provides statewide funding for the implementation of energy conservation measures by small municipalities including: energy efficiency improvements, renewable energy improvements, efficient transportation system implementation, material conservation, and energy management personnel.

Application deadline is Feb 17, 2010 at 5pm EST.
 Jan 6, 2010

Gov. Paterson delivers his second State of the State address, “A Time to Rebuild”. The Governor “outlined a plan for an era of reform and recommitment by rebuilding state economy and restoring trust and confidence in government”.

The Governor discussed the following initiatives.

Fiscal reform:

1. Enact real and lasting cuts to our bureaucracy.
2. Merge agencies to improve efficiency and save money.
3. Begin public tracking of agency performance.
4. Develop a long-term (4 yr.) strategy for fiscal planning.

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Ethics reform: Reform Albany agenda

1. Drastically reduce campaign contributions.
2. Require disclosure of outside income.
3. Strip the pension from any public official convicted of a felony.
4. Phase in public financing of campaigns.
5. Impose term limits on all State office holders through a Constitutional amendment.

The Governor also highlighted the ‘Excelsior Jobs Program’, a replacement for the ‘Empire Zone Program.’ The Governor also discussed creating a \$25 million dollar “New Technology Seed Fund,” to bring together higher education/research and development sector/business community, to support entrepreneurial activity.

Although Gov. Paterson attempted to deliver a positive message on the State of the State, the overriding sentiment was one of deep concern regarding the fiscal crisis and there was a sense of, little support from the Governor’s own party to assist him on his policy objectives.

There was a brief discussion about the ECC Technologies Board Band Study. The Board asked Mr. Brennan if he wouldn’t mind reviewing ECC’s findings. He agreed.

There was a motion by Mr. Gozelski, T/Castile, to combine resolutions #35 through #37. A voice vote was taken and all voted aye.

#35

**RESOLUTION NO. 10-41
(January 12, 2010)**

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RESOLUTION NO. 10-41**January 12, 2010****Page 2**

By Mr. Gozelski, Chairman of Agriculture Committee:

**GREGORY MCKURTH REAPPOINTED TO THE SENECA
TRAIL RESOURCE CONSERVATION & DEVELOPMENT
COUNCIL**

BE IT RESOLVED, That **Gregory McKurth** (Wyoming County Soil & Water) 31 Duncan St. Ext., Warsaw, NY 14569 be hereby reappointed to the Seneca Trail Resource Conservation & Development Council *for a term of three (3) years; effective January 01, 2010 through December 31, 2012 as the Soil & Water Representative.*

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#36

**RESOLUTION NO. 10-42
(January 12, 2010)**

By Mr. Gozelski, Chairman of Agriculture Committee:

ORDER OF PROTECTION FOR DEER APPROVED

WHEREAS, The Wyoming County Department of Animal Control has indicated that there is a potential for unnecessary loss to the white tailed deer population within the County of Wyoming due to anticipated weather conditions; now therefore

BE IT RESOLVED, That this Board hereby orders and requires that all dogs in the County of Wyoming shall be securely confined for the period of November 1, 2009 through April 1, 2010, under Article 7, Section 122 of the New York State Agriculture and Markets Law; and be it

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RESOLUTION NO. 10-42**January 12, 2010****Page 2**

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: 1596 Noes: Absent: Abstain:
#37

**RESOLUTION NO. 10-43
(January 12, 2010)**

By Mr. Gozelski, Chairman of 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, 2010 through Midnight, December 31, 2010, under Article 7, Section 122 of the New York State Agriculture and Markets Law; and be it

January 12, 2010

RESOLUTION NO. 10-43**January 12, 2010****Page 2**

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: 1596 Noes: Absent: Abstain:

Prior to the reading of resolutions numbered 38 through 46 Chairman Berwanger, T/Arcade invited County Clerk Pierce to the podium to explain the importance of registering your vehicle through your local DMV.

County Clerk Pierce informed everyone that when you register on-line or when you send your registration directly to the state, Wyoming County doesn't get any of the revenue for those registrations. However, when you register your vehicles through your local DMV a portion of those dollars remain within that county reducing county tax dollars!!

There was a motion by Mr. Davis, T/Covington, to combine resolutions #38 through #46. A voice vote was taken and all voted aye.

#38

**RESOLUTION NO. 10-44
(January 12, 2010)**

By Mr. Davis, Chairman of Finance Committee:

**DISABILITY INSURANCE RATE WITH
HARTFORD LIFE INSURANCE COMPANY APPROVED**

BE IT RESOLVED, That rates for statutory New York State Disability Insurance coverage with Hartford Life Insurance Company, P.O. Box 2999, Hartford, CT 06104 for CSEA Hospital Supervisory Group be hereby approved at the quarterly rate of \$7.47 per male and \$15.24 per female (which is a decrease in premium of \$3.18 per male and \$6.51 per female); effective January 1, 2010 through December 31, 2010.

**Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#39**

**RESOLUTION NO. 10-45
(January 12, 2010)**

By Mr. Davis, Chairman of 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:

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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.

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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:

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

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

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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

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RESOLUTION NO. 10-45**January 12, 2010****Page 6**

local government a perfected interest in the securities.

X. PERMITTED INVESTMENTS

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

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

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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 depositories, trading partners and custodians. Such listings shall be evaluated at least annually.

XII. PURCHASE OF INVESTMENTS

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

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

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

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

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

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

XIII. REPURCHASE AGREEMENTS

Repurchase agreements are authorized subject to the following restrictions:

- All repurchase agreements must be entered into subject to a Master Repurchase Agreement.
- Trading partners are limited to banks or trust companies authorized to do business in New York State and primary reporting dealers.
- Obligations shall be limited to obligations of the United States of America and obligations guaranteed by agencies of the United States of America.
- No substitution of securities will be allowed.
- The custodian shall be a party other than the trading partner.

APPENDIX A

Schedule of Eligible Securities

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

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

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

ESOLUTION NO. 10-45**January 12, 2010****Page 10**

___ (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.

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___ (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: 1596 Noes: Absent: Abstain:
#40

RESOLUTION NO. 10-46**(January 12, 2010)**

By Mr. Davis, Chairman of Finance Committee:

**DATE OF FEBRUARY 2010 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

January 12, 2010

RESOLUTION NO. 10-46**January 12, 2010****Page 2**

BE IT RESOLVED, That the Regular Session of the Wyoming County Board of Supervisors will be held on ***Friday, February 5th, 2010 at 2:30 PM*** at the ***Wyoming County Government Center, Warsaw, New York.***

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#41

RESOLUTION NO. 10-47**(January 12, 2010)**

By Mr. Davis, Chairman of Finance Committee:

POSITION CREATION(S) APPROVED

BE IT RESOLVED, That the following position(s) is hereby created within the various Wyoming County Departments:

Probation:

- One (1) position of Probation Officer (1.00 fte) (Temporary) from mid-April 1, 2010 to October 31, 2010. CSEA Grade XV, 35 hours per week.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#42

RESOLUTION NO. 10-48**(January 12, 2010)**

By Mr. Davis, Chairman of Finance Committee:

Regular Session

RESOLUTION NO. 10-48**January 12, 2010****Page 2****MEMBERS REAPPOINTED TO INTER-COUNTY
OF WESTERN NEW YORK**

BE IT RESOLVED, That the following members are hereby reappointed to **Inter-County of Western New York**:

Member

One (1) year term; effective January 01, 2010 through December 31, 2010

- Jerry Davis, 7414 Court Rd, PO Box 445, Pavilion, NY 14525
- Larry Rogers, PO Box 82, Pike, NY 14130-0082
- John Knab, 2246 Thomas Rd., Varysburg, NY 14167

Alternate Member

One (1) year term; effective January 01, 2010 through December 31, 2010

- A. Douglas Berwanger, 6608 E. Arcade Rd., Arcade, NY 14009

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

#43**RESOLUTION NO. 10-49****(January 12, 2010)**

By Mr. Davis, Chairman of Finance Committee:

HIPAA OFFICERS REAPPOINTED

BE IT RESOLVED, That the following persons are hereby reappointed to the following HIPAA Officer Positions, ***for a term of one (1) year to expire December 31, 2010:***

January 12, 2010

RESOLUTION NO. 10-49**January 12, 2010****Page 2**

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

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#44

RESOLUTION NO. 10-50**(January 12, 2010)**

By Mr. Davis, Chairman of 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, 2010 through December 31,
2011.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#45

RESOLUTION NO. 10-51**(January 12, 2010)**

By Mr. Davis, Chairman of Finance Committee:

Regular Session

RESOLUTION NO. 10-51**January 12, 2010****Page 2****MEMBERS REAPPOINTED TO THE WYOMING COUNTY
COMMUNITY HOSPITAL BOARD OF MANAGERS**

BE IT RESOLVED, That the following members are hereby reappointed *as Town Representative Members to the Wyoming County Community Hospital Board of Managers for a term of five (5) years; effective January 01, 2010 through December 31, 2014:*

- **Dr. James Wawrzyniak**, (Town of Bennington Rep.) 727 Getman Dr., Alden, NY 14004,
- **Michael Medden** (Town of Arcade Rep.) 28 Decan Dr., Arcade, NY 14009

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#46

RESOLUTION NO. 10-52**(January 12, 2010)**

By Mr. Davis, Chairman of Finance Committee:

**JOSEPH KUSHNER REAPPOINTED TO THE WYOMING
COUNTY COMMUNITY HOSPITAL BOARD OF
MANAGERS**

BE IT RESOLVED, That *Joseph Kushner* (T/Eagle) 3468 E. Main St., Bliss, NY 14024 be hereby reappointed to the Wyoming County Community Hospital Board of Managers *as the Supervisor Member for a term of one (1) year; effective January 1, 2010 through December 31, 2010.*

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
January 12, 2010

Public Comment:

None

Motion made by Supervisor Gozelski, T/Castile to close the public hearing. Seconded by Supervisor Knab, T/Sheldon. Carried

Close Public Hearing:

**Public Hearing
#47**

**RESOLUTION NO. 10-53
(January 12, 2010)**

By Mr. Davis, Chairman of Finance Committee:

**LOCAL LAW NO. 1, YEAR 2010 (INTRODUCTORY D,
YEAR 2009) entitled, “A Local Law of the County of Wyoming,
Providing Salaries for Certain County Officers for the year
2010,” ADOPTED**

WHEREAS, There was duly presented and introduced at a meeting of this Board, held on the 8th day of December, 2009, a proposed local law of the County, designated as Local Law Introductory No. D, for the year 2009, entitled, **A Local Law of the County of Wyoming, Providing Salaries for Certain County Officers for the year 2010**; and

WHEREAS, In accordance with the provisions of Resolution No. 09-495, there was a public hearing held by this Board of Supervisors on this 12th day of January, 2010 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 local law having laid on the desks of the members of this Board of

Regular Session

RESOLUTION NO. 10-53**January 12, 2010****Page 2**

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 ENACTED, That Local Law Introductory No. D, Year 2009, County of Wyoming, New York, as presented to this Board on the 12th day of January, 2010, be hereby adopted, enacted and passed by this Board in its present form as follows:

LOCAL LAW NO. 1 - YEAR 2010**County of Wyoming, Providing Salaries for Certain County Officers for the year 2010**

Section 1. Effective as hereafter provided, the annual salary of the County Treasurer shall be increased by \$1,020.00.

Section 2. Effective as hereafter provided, the annual salary of the County Sheriff shall be increased by \$2,349.00.

Section 3. Effective as hereafter provided, the annual salary of the District Attorney shall be increased by \$2,444.00.

Section 4. Effective as hereafter provided, the annual salary of the County Clerk shall be increased by \$900.00.

Section 5. Effective as hereafter provided, the annual salary of the Commissioner of Elections (2) shall be increased by \$273.00.

Section 6. Effective as hereafter provided, the annual salary of the Clerk to the Board of Supervisors shall be increased by \$900.00.

January 12, 2010

RESOLUTION NO. 10-53**January 12, 2010****Page 3**

Section 7. Effective as hereafter provided, the annual salary of the County Attorney, PT shall be increased by \$1,109.00.

Section 8. Effective as hereafter provided, the annual salary of the County Highway Superintendent shall be increased by \$1,530.00.

Section 9. Effective as hereafter provided, the annual salary of the Director of Community Services shall be increased by \$1,237.00.

Section 10. Effective as hereafter provided, the annual salary of the Public Defender, PT shall be increased by \$1,028.00.

Section 11. Effective as hereafter provided, the annual salary of the Commissioner of Public Health shall be increased by \$1,374.00.

Section 12. Effective as hereafter provided, the annual salary of the Director of Real Property Tax Service shall be increased by \$1,177.00.

Section 13. Effective as hereafter provided, the annual salary of the Director of Veteran's Services shall be increased by \$428.00.

Section 14. Effective as hereafter provided, the annual salary of the Director of Aging and Youth shall be increased by \$1,034.00.

Section 15. All salaries set forth above shall be effective as of January 01, 2010.

Section 16. 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.

RESOLUTION NO. 10-53**January 12, 2010****Page 4**

Section 17. This Local Law is subject to permissive referendum.

DATED at Warsaw, New York
December 8, 2009 (Introduced)
January 12, 2010 (Adopted)
Cheryl J. Ketchum, Clerk

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

Prior to the adjournment of this Board Meeting Chairman Berwanger, T/ Arcade updated the Board on the letter dated January 4, 2010 which was signed by all of the Wyoming County Supervisors to Governor Paterson with copies going to Speaker of the Assembly, Sheldon Silver and Temporary President of the Senate, Malcolm Smith. Chairman Berwanger, T/Arcade stated that the letters have all been delivered registered mail and signed for.

*Because of the above mentioned actions Chairman Berwanger, T/Arcade has asked that a new segment be added to the end of every Regular Session Board Meeting called, **“The Janis Report.”** This report will address reimbursements by the state that were outlined in the letter to Governor Paterson on January 04, 2010.*

Budget Officer Cook reported the following receipt of reimbursements:

January 12, 2010

State Marcheselli		\$ 75,500.00		\$ 75,500.00
Court Security	4/1/09 - 11/2009	\$ 188,897.00		\$ 188,897.00
	Est. 4 Mos	\$ 96,000.00		\$ 96,000.00
Indigent Parole Program	3/1/09 - 11/09	\$ 100,193.00		\$ 100,193.00
Public Health State Aid	1/1/09 - 9/30/09	\$ 395,000.00	(126,283.00)	\$ 268,717.00
	Est. 4th Qtr	\$ 135,000.00		\$ 135,000.00
Mental Health	2008 Federal Salary Sharing	\$ 81,000.00		\$ 81,000.00
Pre-School		\$ 103,125.94		\$ 103,125.94
	Est. 4th Qtr	\$ 115,000.00		\$ 115,000.00
Parole Violators	Billed 3/31/09	\$ 9,738.40		\$ 9,738.40
DA Salary Supplement		\$ 43,867.00	(43,867.00)	\$ -
		\$ 1,343,321.34		\$ 1,173,171.34

There being no further business to come before this Board, Senior Supervisor Bush, T/Gainesville, adjourned the meeting at 3:40 PM with a rap on his desk.

Respectfully submitted,

Cheryl J. Ketchum

Cheryl J. Ketchum, Board Clerk

REGULAR SESSION

(February 5, 2010)

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, Jamie Welch; Budget Officer, Janis Cook; Clerk to the Board of Supervisors, Cheryl Ketchum and Deputy Clerk to the Board, Brenda Ferrell.

At 2:40 PM Chairman Berwanger, T/Arcade, called the meeting to order.

The Veteran(s) leading the Pledge of Allegiance this month was:

DAVID HERMAN VINCENT

Mr. Vincent's Service to his country comes while serving during the Korean War. He joined Company "I" of the 174th Infantry of the National Guard in March of 1949. On June 30 of 1950 he was called to active duty and chose to enlist in the United States Air Force. Mr. Vincent completed his Basic Training at Lackland AFB in San Antonio, Texas. His Advanced Training consisted of "On the Job Training" (O.J.T.) in food service with the Officers Candidate School at Lackland AFB. After spending 3 years with Food Service at Lackland, he was then shipped to Korea and assigned to the 3rd Bomb Wing Squadron at KunSan and again worked as a Mess Sergeant with the 3rd Medical Battalion. During his tour with the 3rd Bomb Wing Squadron he held the position of Temporary First Sergeant. Mr. Vincent returned to the United States and completed his active duty at West Palm Beach Air Base in Food Service until his Honorable Discharge on July 12, 1954.

February 05, 2010

For His Service to his country, Mr. Vincent was awarded:

The National Defense Service Medal

The Good Conduct Medal

The United Nations Service Medal

The Korean Service Medal

Mr. Vincent returned to this area and went to work in engineering with the Durez Engineering firm which dealt with food service and restaurants. He then worked for a year at Plastics Tonawanda as a blueprint draftsman. Mr. Vincent moved to Olean for 5 years where he worked as a Detailed Draftsman for Clark Brothers dealing with design of compressors.

Next, he went to work for Daystrum Furniture in Olean and became Chief Draftsman for 6 years in their Engineering Department. He then spent 10 years with Art Metal in Jamestown as Project Engineer designing office furniture. After this, he went to work in York, Pennsylvania with Simons Furniture in engineering design as project engineer.

Mr. Vincent relocated to Castile and went to work for the Robeson Company, starting in Customer Service and eventually his way to Plant Manager until their closing. During this time, he also ran his own business in small appliance repair. He then went to work for Champion in Perry as foreman in the screening department and then in the lab for the next 7 years until his retirement in 1979.

Mr. Vincent kept his small appliance repair business going until 1995, when he sold his business, his home, really retired, and moved into Crestview Terrace in Warsaw.

Mr. Vincent enjoys woodworking, photography, and art. He is presently doing research on the Genesee Valley Canal and hopes to publish a book entitled "The Genesee Valley Canal Revisited".

The pledge was said by all.

Chairman Berwanger, T/Arcade thanked Mr. Vincent for leading in the pledge today and presented him with a certificate of appreciation. The Chairman explained to Mr. Vincent that traditionally the Board allows the veteran an opportunity to address the Board about anything he so chooses. Mr. Vincent thanked the Board for allowing him the opportunity to lead the Board in the pledge to the flag and presented the following prepared statement:

ELIMINATION OF “ROCKING CHAIR SYNDROME” FROM RETIREMENT

We should endeavor to eliminate the “Rocking Chair Syndrome” from retirement, regardless of the age. “Rocking Chair Syndrome” is the loss or lack of a desire to continue our contribution to society and the well being of others. This attitude is likened to sitting in a rocking chair and rocking, rocking, and making not progress.

Indications of this syndrome are evidenced by one or more of the following five symptoms:

Boredom

Listlessness

Habitual, unfounded complaints

Illness (medical and /or self imposed)

Isolation (medical or self imposed)

These are the major items that are readily apparent.

The presumed causes could be related to or resulting from numerous different conditions such as:

Illness (medical and/or self imposed)

Handicapped (infirmities)

Financial (that would be lack of availability)

Motivation – absence

Direction – absence

Any or all of the above can lead to the creation of this syndrome, which can be debilitating to an individual. A few of these can be self-inflicted, others through environmental conditions or situations.

Some individuals require external motivation or direction to become involved.

Everyone has a potential for unknown accomplishment within themselves. These accomplishments are contained in the individual's:

Skills (training)

Abilities

Memory

Imagination

The foregoing four abilities sometimes requires, deep extensive

A solution to the "Rocking Chair Syndrome" can be accomplished by close consideration of the following points:

Self analysis of the foregoing comments

Motivation installation

Direction provision (through rapport)

Direct encouragement

Availability access

Careful consideration to the foregoing would extensively improve the quality of life for our Senior Citizens and provide improvement to the surrounding communities.

Genesee Valley Canal – Revisited.

Chairman Berwanger, T/Arcade informed Mr. Vincent that the Director and Deputy Director of the Office for the Aging are attending today's meeting and he was certain that someone would be contacting him regarding a cure for "Rocking Chair Syndrome."

Regular Session

**Communications by Clerk Ketchum:
None for the Month of February**

#1

**RESOLUTION NO. 10-54
(February 5, 2010)**

By Mr. Davis, Chairman of the Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2009 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2009 accounts as follows:

Worker's Compensation			
To: 05.58.1720.4.41601 Medical Benefits 05.58.1720.4.41602 Indemnity Pymts w/05.04.1720.2222 Participant Rest. 05.05.1710.2401 Interest/Earnings 05.08.1720.2680 Rec. Special Funds 05.599.0000 Approp. Fund Balance Reason: To cover overdrawn 2009 line items	\$168,371.37 262,385.73	\$952.39 25,779.49 150,987.34 253,037.88	
Worker's Compensation Total			\$430,757.10
Tourism			
To: 01.42.6420.4.40901 Bed Tax-Tourism w/01.02.1000.1113 Bed Tax/Hotel Room Rev Reason: Bed Tax expenditure to Tourism less 5% Administrative fee (Last quarter 2009) per <i>Local Law 1, Year 2006</i>	\$10,984.22	\$10,984.22	
Tourism Total			\$10,984.22

February 05, 2010

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Wyoming County Community Health System			
To: 01.52.9950.9.99008 Trans to Hospital <i>From any funds available</i> Reason: To appropriate funds for partial funding of 3 rd Floor WCCH “Dress for Success” renovations. <i>(on behalf of Hospital)</i>	\$120,000.00	\$120,000.00	
To: 02.56.4510.4.42501 Contractual/Hosp. w/02.04.4510.163501 Hosp. Income/IGT Reason: To cover year end payables and accruals relating to 2009 hospital expenditures. <i>(on behalf of Hospital)</i>	\$704,000.00	\$704,000.00	
To: 02.56.9950.9.99001 Interfund Transfer PH-WCCH <i>(Reduction)</i> w/02.04.4510.1635 Hospital Income Reason: To reflect actual reimbursement/disbursement amount relating to PH-WCCH payment arrangement.	(\$431.01)	(\$431.01)	
Wyoming County Community Health System Total			\$823,568.99
Public Health			
To: 01.38.4189.8.81001 Retirement/PH/WCCH <i>(Reduction)</i> w/01.13.4189.5031 Interfund Transfer Reason: To reflect actual reimbursement/disbursement amount relating to PH-WCCH payment arrangement.	(\$431.01)	(\$431.01)	
Public Health Total			(\$431.01)

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

**RESOLUTION NO. 10-55
(February 5, 2010)**

By Mr. Davis, Chairman of the Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2010 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2010 accounts as follows:

Snowmobiles Federation			
To: 01.47.7989.4.40918 Other Recreation – Snowmobile (<i>Reduction</i>) w/01.11.7989.3317 State Aid Snowmobiles	(\$20,995.00)		
Reason: To reflect actual reimbursement/ disbursement amount relating to snowmobile activity for 2010.		(\$20,995.00)	
Snowmobiles Total			(\$20,995.00)
Planning & Development			
To: 01.42.6421.4.40301 Professional Svc Contract <i>From any funds available</i>	\$20,000.00		
Reason: Grant writing services specifically for broadband/fiber optics installation American Recovery and Reinvestment Act stimulus funds designated for rural areas through the Department of Commerce/National Telecommunications Information Agency		\$20,000.00	
Planning & Development Total			\$20,000.00

February 05, 2010

RESOLUTION NO. 10-55**February 5, 2010****Page 2**

Youth Bureau			
To: 01.45.7310.4.42479 ABC's of Parenting w/01.04.7310.1601 Community Health Foundation Revenue Reason: funding for the administration, improvement and expansion of the ABC's of Parenting Program.	\$15,000.00	\$15,000.00	
Youth Bureau Total			\$15,000.00
District Attorney			
To: 01.32.1165.1.10601 Unused Benefit Time 01.32.1165.8.83001 FICA 01.32.1165.8.85001 Medicare – FICA 01.32.1165.8.81001 Retirement <i>From any funds available</i> Reason: In order to pay for new Schedule S vacation buy back program.	\$3,618.35 225.00 53.00 435.00	4,331.35	
District Attorney Total			\$4,331.35
Sheriff			
To: 01.37.3110.4.41410 Software Purchase <i>From any funds available</i> Reason: purchase of the Civil Applicant Processing Software for Live Scan to do pistol permit fingerprinting.	\$6,800.00	\$6,800.00	
Sheriff Total			\$6,800.00

RESOLUTION NO. 10-55**February 5, 2010****Page 3**

Buildings and Grounds			
To: 01.34.1620.4.40809 Pavement Maintenance County Buildings	\$16,125.00		
01.38.4010.4.40809 Pavement Maintenance Public Health	2,700.00		
01.38.4050.4.40809 Pavement Maintenance P. Health/Home Care	1,050.00		
From any funds available		\$19,875.00	
Reason: To cover cost of sealing and striping parking lots at the Courthouse, Jail secured lot and Health Department.			
Buildings and Grounds Total			\$19,875.00

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

Mr. Bush, T/Gainesville, Chairman of the Audit Committee,
presented bills totaling **\$2,249,077.77** for the month of **January 2010**.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

There was a motion by Mrs. Totsline, T/Genesee Falls, to combine resolutions #3 through #11. A voice vote was taken and all voted aye.

**RESOLUTION NO. 10-56
(February 05, 2010)**

By Mrs. Totsline, Chairman of Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
WITH WYOMING COUNTY COMMUNITY ACTION'S
ANGEL ACTION 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 contract with Wyoming County Community Action's Angel Action, 6470 State Rt. 20A, Perry, NY 14530 on behalf of Veteran Services. Said grant is to provide funding reimbursement of medical transportation for veterans in a minimum amount of three thousand dollars (\$3,000.00); effective January 1, 2010 through September 30, 2010.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#4

**RESOLUTION NO. 10-57
(February 05, 2010)**

By Mrs. Totsline, Chairman of Human Services Committee:

**2010 PROCLAIMED 65TH ANNIVERSARY OF THE
WYOMING COUNTY VETERANS SERVICES AGENCY**

WHEREAS, The United States of America has honored and taken care of those Veterans and families who have served to

RESOLUTION NO. 10-57**February 5, 2010****Page 2**

protect and defend the freedoms born with our Declaration of Independence; and

WHEREAS, Care of Veterans and their families prior to 1887 was done by Grand Army of the Republic (GAR), and Women's Groups; and

WHEREAS, The GAR finally persuaded legislatures to use public funds to care for Veterans and families and then only through local Town Laws and Veteran Organizations, and

WHEREAS, In 1930 the birth of the United States Veterans Administration under President Hoover combined 3 agencies that had previously helped Veterans; and

WHEREAS, The Wyoming County Board of Supervisors, passed by resolution, creating the first permanent paid position of a Veterans Service Office, which became effective 1 January 1945, with the first Director being Arthur Lockwood of Silver Springs; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors do hereby acknowledge and proclaim the year of 2010 as the 65th Anniversary of the Wyoming County Veterans Services Agency; and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors will continue to support the programs helping its Veterans and their families.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

February 05, 2010

**RESOLUTION NO. 10-58
(February 05, 2010)**

By Mrs. Totslin, Chairman of Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
WITH GRANDPA'S GROCERY 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 Grandpa's Grocery, 3391 Main Street, Bliss, NY 14024 on behalf of the Office for the Aging. Said contract is to provide for Congregate Meals for Seniors 60 and over. Based on Need. Not to exceed 2010 budget; effective March 01, 2010 through December 31, 2010. (To be held once a month on the 3rd Wednesday. Grand Opening scheduled for March 18th.)

Contingent upon the availability of funds.

**Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#6**

**RESOLUTION NO. 10-59
(February 05, 2010)**

By Mrs. Totslin, Chairman of Human Services Committee:

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

RESOLUTION NO. 10-59**February 5, 2010****Page 2**

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

Supervisor Member

One (1) year term effective January 1, 2010 through December 31, 2010

- Jean Totslin (Town of Genesee Falls), 6940 River Road, Portageville, NY 14536

Town Representative

Three (3) year term effective January 1, 2010 through December 31, 2012

- Walter Lawton (Town of Bennington), 1938 Rt. 77, Strykersville, NY 14145

Carried: XXX Ayes: 1596 Noes: Absent: Abstain: #7

RESOLUTION NO. 10-60**(February 05, 2010)**

By Mrs. Totslin, Chairman of Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
WITH JESSICA SCHEIDT 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 Jessica Scheidt, 5957 Bauer Rd., Warsaw, NY 14569 on behalf of the Youth Bureau. Said contract is to provide for Early Intervention Services in Wyoming County.

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Contract not to exceed 2010-2012 budget. Variable depending on number of services provided; effective January 01, 2010 to June 30, 2012.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain: #8

RESOLUTION NO. 10-61**(February 05, 2010)**

By Mrs. Totslie, Chairman of Human Services Committee:

**RACHEL WEBSTER APPOINTED TO THE WYOMING
COUNTY YOUTH BOARD**

BE IT RESOLVED, That *Rachel Webster* (Town of Perry) 2584 Coe Rd Perry, NY 14530 is hereby appointed to the Wyoming County Youth Board *as a Community Member for a term of three(3) years; effective January 1, 2010 through December 31, 2012.*

Carried: XXX Ayes: 1596 Noes: Absent: Abstain: #9

RESOLUTION NO. 10-62**(February 05, 2010)**

By Mrs. Totslie, Chairman of Human Services Committee:

RESOLUTION NO. 10-62**February 5, 2010****Page 2****RESOLUTION NUMBER 10-25 AMENDED**

WHEREAS, Resolution Number 10-25 entitled, **“CHAIRMAN / COMMISSIONER OF SOCIAL SERVICES AUTHORIZED TO SIGN VARIOUS CONTRACTS ON BEHALF OF THE DEPARTMENT OF SOCIAL SERVICES,”** passed by this Board of Supervisors on January 12, 2010 and provides for various contract on behalf of the Department of Social Services, Contingent upon the availability of funds; now therefore

BE IT RESOLVED, That Resolution Number 10-25 be hereby amended to reflect a correction in vendor from ***Eric T. Dadd*** to the ***Wyoming County Attorney’s Office***. All else remains unchanged.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#10

RESOLUTION NO. 10-63
(February 05, 2010)

By Mrs. Totsline, Chairman of Human Services Committee:

**CHAIRMAN / COMMISSIONER OF SOCIAL SERVICES
AUTHORIZED TO SIGN AN AGREEMENT WITH
ALLEGANY REHABILITATON ASSOCIATES 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 is hereby authorized and directed to sign an agreement with Allegany Rehabilitation Associates, Inc, 4222

February 05, 2010

RESOLUTION NO. 10-63**February 5, 2010****Page 2**

Bolivar Road, Wellsville NY 14895 on behalf of the Department of Social Services. Said contract to provide for court ordered mental health evaluations & counseling, chemical abuse and day treatment sessions for mental health recipients and anger management program in an amount not to exceed six thousand eight hundred fifteen dollars (\$6,815.00); effective January 01, 2010 through June 30, 2010.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#11

RESOLUTION NO. 10-64**(February 05, 2010)**

By Mrs. Totslie, Chairman of Human Services Committee:

**JAMES FLEISCHMAN REAPPOINTED TO THE 2-1-1
BOARD**

BE IT RESOLVED, That *James Fleischman* (Town of Java), 5824 Java Lake Road, Arcade, NY 14009 be hereby reappointed to the 2-1-1 Board *as the Supervisor Member for a term of one (1) year; effective January 1, 2010 through December 31, 2010.*

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

After the passage of resolution numbers 3 through 11 Chairman Berwanger invited Supervisor Totslie, T/Genesee Falls and Chairman to the Human Services Committee to the podium to

Regular Session

present the proclamation entitled, “2010 Proclaimed 65th Anniversary of the Wyoming County Veteran Services Agency.” Supervisor Totslin, T/Genesee Falls thanked Chairman Berwanger, T/Arcade and explained that with the absence of a Veterans Services representative, Supervisor Rogers, T/Pike has graciously accepted the invitation to read the proclamation for her as a veteran of the Navy.

Supervisor Totslin, T/Genesee Falls explained that she would make sure Director Cousins received the proclamation.

There was a motion by Mr. Kushner, T/Eagle, to combine resolutions #12 through #18. A voice vote was taken and all voted aye.

#12

**RESOLUTION NO. 10-65
(February 05, 2010)**

By Mr. Kushner, Chairman of Public Health Committee:

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

BE IT RESOLVED, That *Jean Totslin* (Town of Genesee Falls) 6940 River Road, Portageville, NY 14536 be hereby reappointed to the Wyoming County Board of Health *as the Supervisor Member for a term of One (1) year; effective January 1, 2010 through December 31, 2010.*

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

**RESOLUTION NO. 10-66
(February 05, 2010)**

By Mr. Kushner, Chairman of Public Health Committee:

RESOLUTION NUMBER 09-209 AMENDED

WHEREAS, Resolution Number 09-209 entitled, **“CHAIRMAN / COMMISSIONER OF HEALTH AUTHORIZED TO SIGN A GRANT APPLICATION AND ACCEPTANCE AWARD WITH THE NEW YORK STATE DEPARTMENT OF HEALTH, CENTER FOR ENVIRONMENTAL HEALTH ON BEHALF OF THE COUNTY HEALTH DEPARTMENT,”** passed by this Board of Supervisors on May 12, 2009 and provides funding for the Drinking Water Enhancement Program in a minimum amount of eighty-eight thousand four hundred thirty-five dollars (\$88,435.00); effective April 1, 2009 through March 31, 2010; now therefore

BE IT RESOLVED, That Resolution Number 09-209 be hereby amended to reflect a revised award amount of seventy-seven thousand three hundred eighty-one dollars (\$77,381.00) which is a reduction of eleven thousand fifty-one dollars (\$11,051.00) or 12.5% due to Governor Paterson’s Deficit Reduction Program notice received 12/21/09. All else remains unchanged.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

**RESOLUTION NO. 10-67
(February 05, 2010)**

By Mr. Kushner, Chairman of Public Health Committee:

**CHAIRMAN / COMMISSIONER OF HEALTH
AUTHORIZED TO SIGN A GRANT APPLICATION AND
ACCEPTANCE AWARD WITH THE NEW YORK STATE
DEPARTMENT OF HEALTH 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 a grant application and acceptance award with the New York State Department of Health, Bureau of Immunization, Corning Tower, ESP, Albany, NY 12237-0627 on behalf of the County Health Department. Said grant is to provide funding for ARRA Immunization activities in a minimum amount of twenty thousand dollars (\$20,000.00); effective October 01, 2009 through March 31, 2011.

**Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#15**

**RESOLUTION NO. 10-68
(February 05, 2010)**

By Mr. Kushner, Chairman of Public Health Committee:

RESOLUTION NUMBER 08-341 AMENDED

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RESOLUTION NO. 10-68**February 5, 2010****Page 2**

WHEREAS, Resolution Number 08-341 entitled, **“CHAIRMAN / COMMISSIONER OF HEALTH AUTHORIZED TO SIGN A CONTRACT WITH RESEARCH & MARKETING STRATEGIES, INC. ON BEHALF OF THE COUNTY HEALTH DEPARTMENT,”** passed by this Board of Supervisors on September 09, 2008 provides 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; and

WHEREAS, On June 09, 2009 the Wyoming County Board of Supervisors passed Resolution Number 09-234, entitled **“RESOLUTION NUMBER 08-341 AMENDED,”** to reflect an increase of deliverables to include a Dementia Feasibility Study; total additional expense not to exceed twelve thousand five hundred dollars (\$12,500.00) through September 30, 2009. Additional expense is fully reimbursable by the NY Connects Grant Point of Entry held by the Department of Social Services on behalf of the County Health Department; and

WHEREAS, On October 13, 2009 the Wyoming County Board of Supervisors passed Resolution Number 09-404, entitled **“RESOLUTION NUMBER 08-341 AMENDED,”** to reflect a contract extension through December 31, 2009; all other terms and conditions remain unchanged; now therefore

BE IT RESOLVED, That Resolution Number 08-341 as amended by Resolution Numbers 09-234 and 09-404 be hereby further amended to reflect a contract extension through January 31, 2010; all other terms and conditions remain unchanged.

RESOLUTION NO. 10-68

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Page 3

**Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#16**

RESOLUTION NO. 10-69

(February 05, 2010)

By Mr. Kushner, Chairman of Public Health Committee:

**CHAIRMAN / COMMISSIONER OF HEALTH
AUTHORIZED TO SIGN AN AGREEMENT WITH
WYOMING OB/GYN 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 Wyoming OB/GYN, 121 North Main Street, Warsaw, NY 14569 on behalf of the County Health Department. Said agreement will provide for mid-level practitioner services in Men's & Women's Reproductive Health Services at a rate not to exceed \$50.00/hour, not to exceed amount budgeted, effective January 01, 2010 through December 31, 2010.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

February 05, 2010

RESOLUTION NO. 10-70
(February 05, 2010)

By Mr. Kushner, Chairman of Public Health Committee:

RESOLUTION NUMBER 09-489 AMENDED

WHEREAS, Resolution Number 09-489 entitled, **“CHAIRMAN AUTHORIZED TO SIGN 2010 RENEWAL CONTRACTS ON BEHALF OF MENTAL HEALTH,”** passed by this Board of Supervisors on December 08, 2009 and provides for various Mental Health Contracts for 2010; now therefore

BE IT RESOLVED, That Resolution Number 09-489 be hereby amended to reflect the following corrections:

(2) Suburban Adult Services, Inc., 960 West Maple Court, Elma, NY 14059, renewal contract for the period of January 1, 2010 through December 31, 2010 for \$130,540.00. (Sheltered Work - \$42,176.00; Supported Employment - \$88,364.00)

(7) Allegany Rehabilitation Associates, 4222 Bolivar Road, Wellsville, NY 14895 contract for the period of January 1, 2010 through April 30, 2010: (\$29,418.00)

- A. Mental Health Clinic and Crisis: \$7,469.00
- B. Co-Occurring Disorder Program & Case Management
\$4,261.00
- C. Child & Family Clinic Plus - \$17,688.00
- D. POEMS —CSP
- E. CSS Programs Continuing Day Tx., CSS Case Management,
CSS Transportation – COPS

RESOLUTION NO. 10-70**February 5, 2010****Page 2**

For the period of January 1, 2010 through June 30, 2010:

F. Chemical Abuse Treatment and Prevention Staffing & Men's Group for \$217,883.00

- (8) Living Opportunities of DePaul, 2240 Old Union Road, Cheektowaga, NY 14227-2728, renewal contract for the period of January 1, 2010 through December 31, 2010 for: \$174,068.00.

A. Four-bed treatment apartments - \$ 5,000.00

B. Supported Housing (20 SLOTS) - \$169,068.00

All else remains unchanged.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#18

RESOLUTION NO. 10-71**(February 05, 2010)**

By Mr. Kushner, Chairman of Public Health Committee:

**JEAN TOTSLINE REAPPOINTED TO VARIOUS
MENTAL HEALTH COMMUNITY SERVICES BOARDS**

BE IT RESOLVED, That Jean Totslin (Town of Genesee Falls) 6940 River Rd., Portageville, NY 14536 be hereby appointed to the following Mental Health Boards:

February 05, 2010

RESOLUTION NO. 10-71**February 5, 2010****Page 2****Mental Health Community Services Board**

Supervisor Member

One (1) year term effective January 01, 2010 through December 31, 2010**Mental Health Subcommittee**

Supervisor Member

One (1) year term effective January 01, 2010 through December 31, 2010**Carried: XXX Ayes: 1596 Noes: Absent: Abstain:**

There was a motion by Mrs. Meeder, T/Middlebury, to combine resolutions #19 through #22. A voice vote was taken and all voted aye.

#19**RESOLUTION NO. 10-72****(February 05, 2010)**

By Mrs. Meeder, Chairman of Human Resource Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
WITH ERIC T. DADD 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 sign a contract with Eric Dadd, 11 Exchange Street, Attica, NY 14011 on behalf of the County Attorney's office. Said contract is to provide for the lease of office space for the County Attorney in an amount not to exceed four thousand eight hundred

RESOLUTION NO. 10-72**February 5, 2010****Page 2**

dollars (\$4,800.00); effective January 01, 2010 through December 31, 2010.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

#20**RESOLUTION NO. 10-73****(February 05, 2010)**

By Mrs. Meeder, Chairman of Human Resource Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
EXTENSION WITH NEW YORK STATE BOARD OF
ELECTIONS ON BEHALF OF WYOMING COUNTY
BOARD OF ELECTIONS**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract extension with New York State Board of Elections, 40 Steuben St, Albany, NY 12207 on behalf of Wyoming County Board of Elections. Said contract is for funding of Voter Education and Poll Worker Training (**grant contract #TOO2582**) in the minimum amount of twenty-four thousand two hundred thirteen dollars (\$24,213.00) (5%match); effective April 01, 2010 through March 31, 2011.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

February 05, 2010

**RESOLUTION NO. 10-74
(February 05, 2010)**

By Mrs. Meeder, Chairman of Human Resource Committee:

**CHAIRMAN AUTHORIZED TO SIGN A GRANT
APPLICATION AND ACCEPTANCE AWARD IN
PARTNERSHIP WITH THE BEST CENTER, GENESEE
COMMUNITY COLLEGE ON BEHALF OF WYOMING
COUNTY HUMAN RESOURCES**

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 in partnership with The Best Center, Genesee Community College, One College Road, Batavia, NY 14020 on behalf of Wyoming County Human Services. Said agreement is as a Co-Applicant for a New York State Department of Labor grant with 25 other participants including Genesee Community College (lead agency) to provide funding for safety training for employees in a minimum amount of two hundred twelve thousand dollars (\$212,000.00) (Wyoming County's share being twelve thousand dollars (\$12,000.00); effective August 1, 2010 through July 31, 2011.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

**RESOLUTION NO. 10-75
(February 05, 2010)**

By Mrs. Meeder, Chairman of Human Resource Committee:

**COUNTY CLERK ANNUAL MORTGAGE TAX
RETENTION FEE**

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

WHEREAS, The County Clerk wishes to receive an annual expense of one hundred fifty-seven thousand one hundred ninety-five dollars (\$157,195.00) 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 allow the Wyoming County Clerk the sum of one hundred fifty-seven thousand one hundred ninety-five dollars (\$157,195.00) annually, April 2010 through March 2011, for necessary expenses in carrying out the provisions of Article 11 of the New York State Tax Law.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

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There was a motion by Mr. Fleischman, T/Java, to combine resolutions #23 through #33. A voice vote was taken and all voted aye.

#23

**RESOLUTION NO. 10-76
(February 05, 2010)**

By Mr. Fleischman, Chairman of Planning Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
WITH TVGA CONSULTANTS ON BEHALF OF
WYOMING COUNTY 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 TVGA Consultants, One Thousand Maple Road, Elma, New York 14059-9530 on behalf of Planning & Development. Said contract to provide for grant writing services associated with writing the National Telecommunications and Information Administration Broadband Technology Opportunities Program grant in an amount not to exceed \$82.50 per hour not to exceed twenty thousand dollars (\$20,000.00); effective February 01, 2010 through September 30, 2010.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

**RESOLUTION NO. 10-77
(February 05, 2010)**

By Mr. Fleischman, Chairman of Planning Committee:

**CHAIRMAN AUTHORIZED TO SIGN VARIOUS GRANT
WRITING SERVICES CONTRACTS ON BEHALF OF
WYOMING COUNTY 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 the following grant writing services contracts:

- **Ann McDonnell**, 121 Woodside Drive, Elma, New York for countywide grant writing services in an amount not to exceed \$75.00 per hour and \$15,000.00 annually; effective March 01, 2010 through February 28, 2011.
- **J. O'Connell & Associates**, 10646 Main Street, Clarence, New York for countywide grant writing services in an amount not to exceed \$80.00 per hour and \$15,000.00 annually; effective March 01, 2010 through February 28, 2011.
- **TVGA Consultants**, One thousand Maple Road, Elma, New York for countywide grant writing services in an amount not to exceed \$75.00 per hour and \$15,000.00 annually; effective March 01, 2010 through February 28, 2011.
- **Stuart L. Brown & Associates**, 300 State Street, Suite 200, Rochester, New York for countywide grant writing services in

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an amount not to exceed \$80.00 per hour and \$15,000.00 annually; effective March 01, 2010 through February 28, 2011.

- **Rick Hauser, d.b.a. “In. Site: Architecture, LLP”** 2 Borden Avenue, Suite 202, Perry, NY 14530 for the provision of grant writing services in an amount not to exceed \$75.00 per hour and \$15,000.00; effective March 01, 2010 through February 28, 2011.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#25

RESOLUTION NO. 10-78
(February 05, 2010)

By Mr. Fleischman, Chairman of Planning Committee:

**JAMES BRICK APPOINTED TO THE ARTS COUNCIL
BOARD OF DIRECTORS**

BE IT RESOLVED, That *Jim Brick* (Town Perry) 7618 Route 20A, Perry NY 14530 be hereby appointed to the Arts Council Board of Directors *as the Supervisor Member for a one (1) year term; effective January 1, 2010, through December 31, 2010.*

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

**RESOLUTION NO. 10-79
(February 05, 2010)**

By Mr. Fleischman, Chairman of Planning Committee:

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

WHEREAS, The County of Wyoming has appropriated the sum of six thousand six hundred forty-seven dollars (\$6,647.00) as its share of the Year 2010 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

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RESOLUTION NO. 10-79**February 5, 2010****Page 2**

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: 1596 Noes: Absent: Abstain:
#27

RESOLUTION NO. 10-80**(February 05, 2010)**

By Mr. Fleischman, Chairman of Planning Committee:

**BRUCE CAMP REAPPOINTED TO THE
WYOMING COUNTY INDUSTRIAL DEVELOPMENT
AGENCY**

BE IT RESOLVED, That Bruce Camp, 3837 Fullington Rd., Attica, NY 14011 is hereby reappointed to the Wyoming County Industrial Development Agency Board *for a term of three (3) years; effective February 08, 2010 through February 07, 2013.*

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#28

RESOLUTION NO. 10-81**(February 05, 2010)**

By Mr. Fleischman, Chairman of Planning Committee:

RESOLUTION NO. 10-81

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Page 2

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

BE IT RESOLVED, That ***E. Joseph Gozelski*** (Town of Castile) 6175 E Lake Rd., Silver Springs, NY 14550 be hereby reappointed to the Business Education Council ***as the Supervisor Member for a term of one (1) year; effective January 1, 2010 through December 31, 2010.***

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#29

RESOLUTION NO. 10-82

(February 05, 2010)

By Mr. Fleischman, Chairman of Planning Committee:

**E. JOSEPH GOZELSKI REAPPOINTED TO THE
AGRICULTURAL FARMLAND PROTECTION BOARD**

BE IT RESOLVED, That ***E. Joseph Gozelski*** (Town of Castile) 6175 East Lake Road, P.O. Box 331, Silver Springs, NY 14550 be hereby reappointed to the Agriculture and Farmland Protection Board ***as the Supervisor Member for a term of one (1) year; effective January 1, 2010, through December 31, 2010.***

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

February 05, 2010

**RESOLUTION NO. 10-83
(February 05, 2010)**

By Mr. Fleischman, Chairman of Planning Committee:

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

BE IT RESOLVED, That the following members are hereby appointed / reappointed to the Genesee / Finger Lakes Regional Planning Council ***for a term of one (1) year; effective January 1, 2010 through December 31, 2010:***

Chairman Member

- A.D. Berwanger (Town of Arcade) 6608 E Arcade Rd., Arcade, NY 14009

Chairman Member / Alternate

- E. Joseph Gozelski (Town of Castile) 6175 East Lake Road, P.O. Box 331, Silver Springs, NY 14550

Supervisor Member

- Jerry Davis (Town of Covington) 7414 Court Rd, POBox445, Pavilion, NY 14525

Executive Committee

- Jerry Davis (Town of Covington) 7414 Court Rd, POBox445, Pavilion, NY 14525

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

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**RESOLUTION NO. 10-84
(February 05, 2010)**

By Mr. Fleischman, Chairman of Planning Committee:

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

BE IT RESOLVED, That the following members are hereby appointed / reappointed to the Wyoming County Tourist Promotion Agency *for a term of one(1) year; effective January 1, 2010 through December 31, 2010:*

Supervisor Member

- Rebecca Ryan (Town of Warsaw) 172 West Buffalo Street, Warsaw, NY 14569

Supervisor Member Alternate

- John Copeland (Town of Wethersfield), 5888 Sheppard Rd., Bliss NY 14024

**Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#32**

**RESOLUTION NO. 10-85
(February 05, 2010)**

By Mr. Fleischman, Chairman of Planning Committee:

**LARRY ROGERS REAPPOINTED TO THE
GLOW SOLID WASTE ADVISORY COMMITTEE
February 05, 2010**

RESOLUTION NO. 10-85**February 5, 2010****Page 2**

BE IT RESOLVED, That **Larry Rogers** (Town of Pike) 14 East Koy Road, Pike, NY 14130 be hereby reappointed to the GLOW Solid Waste Advisory Committee ***as the Supervisor Member for a term of one (1) year; effective January 1, 2010, through December 31, 2010.***

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#33

RESOLUTION NO. 10-86**(February 05, 2010)**

By Mr. Fleischman, Chairman of Planning Committee:

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

BE IT RESOLVED, That the following members are hereby appointed / reappointed to the GLOW Regional Solid Waste Management Committee ***for a term of one (1) year; effective January 1, 2010 through December 31, 2010:***

Supervisor Members:

- Larry Rogers, (Town of Pike) 14 East Koy Road, Pike, NY 14130
- E. Joseph Gozelski, (Town of Castile) 6175 East Lake Road, P. O. Box 331, Silver Springs, NY 14550

RESOLUTION NO. 10-86**February 5, 2010****Page 2****Supervisor Member Alternate:**

- Sue May, (Town of Orangeville) 2916 Orangeville Center Rd.
Warsaw, NY 14569.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

There was a motion by Mr. Gozelski, T/Castile, to combine resolutions #34 through #39. A voice vote was taken and all voted aye.

#34**RESOLUTION NO. 10-87****(February 05, 2010)**

By Mr. Gozelski, Chairman of Agriculture Committee:

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

BE IT RESOLVED, That *James Brick* (Town of Perry), 7618 Route 20A, Perry NY 14530 be hereby reappointed to the Cornell Cooperative Extension's Board of Directors ***as the Supervisor Member for a term of one (1) year term effective January 01, 2010 through December 31, 2010.***

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#35

RESOLUTION NO. 10-88**(February 05, 2010)**

By Mr. Gozelski, Chairman of Agriculture Committee:

February 05, 2010

RESOLUTION NO. 10-88**February 5, 2010****Page 2****MEMBERS REAPPOINTED TO THE REGION 9
FISH AND WILDLIFE MANAGEMENT BOARD**

BE IT RESOLVED, That the following members are hereby reappointed to the Region 9 - Fish & Wildlife Management Board *for a term of one (1) year; effective January 01, 2010 through December 31, 2010:*

Supervisor Member

- Jerry Davis (Town of Covington) 7414 Court Rd., P.O. Box 445, Pavilion, NY 14525

Supervisor Member/Alternate

Ellen Grant (Town of Bennington) 134 Clinton St., Alden, NY 14004

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#36

RESOLUTION NO. 10-89
(February 05, 2010)

By Mr. Gozelski, Chairman of Agriculture Committee:

**E. JOSEPH GOZELSKI REAPPOINTED TO THE
REGION 9 FOREST PRACTICE BOARD**

BE IT RESOLVED, That E. Joseph Gozelski (Town of Castile), 6175 E. Lake Rd., P.O. Box 331, Silver Springs, NY 14550 be hereby reappointed to the Region 9 - Forest Practice Board - Forest or Farm Woodlands *as the Supervisor Member for a term of one (1) year; effective January 01, 2010 through December 31, 2010:*

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
Regular Session

**RESOLUTION NO. 10-90
(February 05, 2010)**

By Mr. Gozelski, Chairman of Agriculture Committee:

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

BE IT RESOLVED, That the following members are hereby reappointed to the New York State Department of Environmental Conservation Advisory Committee *for a term of one (1) year; effective January 01, 2010 through December 31, 2010:*

Supervisor Member

- John Copeland (Town of Wethersfield), 5888 Sheppard Rd., Bliss NY 14024

Supervisor Member/Alternate

- Larry Rogers (Town of Pike), PO Box 82, Pike, NY 14130-0082

**Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#38**

**RESOLUTION NO. 10-91
(February 05, 2010)**

By Mr. Gozelski, Chairman of Agriculture Committee:

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RESOLUTION NO. 10-91**February 5, 2010****Page 2**

**MEMBERS REAPPOINTED TO THE SENECA
TRAIL RESOURCE CONSERVATION & DEVELOPMENT
COUNCIL**

BE IT RESOLVED, That the following members are hereby reappointed to the Seneca Trail Resource Conservation and Development Council ***for a term of one (1) year; effective January 01, 2010 through December 31, 2010:***

Supervisor Member

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

Member at Large/Alternate

- John Copeland (Town of Wethersfield) 5888 Sheppard Road, Bliss, NY 14024

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#39

**RESOLUTION NO. 10-92
(February 05, 2010)**

By Mr. Gozelski, Chairman of Agriculture Committee:

**MEMBERS REAPPOINTED TO THE SOIL & WATER
CONSERVATION DISTRICT BOARD**

BE IT RESOLVED, That the following members are hereby reappointed to the Soil & Water Conservation District Board ***for a term of one (1) year term effective January 01, 2010 through December 31, 2010:***

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RESOLUTION NO. 10-92**February 5, 2010****Page 2****Supervisor Member**

- E. Joseph Gozelski (Town of Castile), 6175 E. Lake Rd., P.O. Box 331, Silver Springs, NY 14550
- Sally Meeder (Town of Middlebury), 1230 Dale Rd., Dale, NY 14039

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

There was a motion by Mr. Rogers, T/Pike, to combine resolutions #40 through #50. A voice vote was taken and all voted aye.

Supervisor Rogers, T/Pike also asked that Supervisor Copeland, T/Wethersfield speak to Resolution Office Number 44, explaining that Wyoming County is very fortunate to be hosting this year's North American Police Equestrian Championships (NAPEC), which is a national competition). The competition is open to any mounted Sheriff's patrol throughout the United States and Canada. Contestants come from as far away as New Mexico and Texas. The competition will be held in the brand new Showplex in Erie County during mid September 2010. Sheriff to M.C. opening ceremonies.

#40**RESOLUTION NO. 10-93****(February 05, 2010)**

By Mr. Rogers, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN AN AGREEMENT
WITH THE STATE OF NEW YORK UNIFIED COURT
SYSTEM, 8TH JUDICIAL DISTRICT ON BEHALF OF THE
SHERIFF'S DEPARTMENT**

February 05, 2010

RESOLUTION NO. 10-93**February 5, 2010****Page 2**

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 State of New York; Unified Court System; 8th Judicial District, 92 Franklin St, 3rd Floor, Buffalo NY 14202 on behalf of the Sheriff's Department. Said agreement will provide for funding Court Security in a minimum amount of two hundred eighty-six thousand dollars (\$286,000.00); effective April 01, 2009 through March 31, 2010.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#41

RESOLUTION NO. 10-94**(February 05, 2010)**

By Mr. Rogers, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
WITH EM SYSTEMS, 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 EM Systems Inc, 4043 Maple Rd, Ste 211, Amherst NY 14226 on behalf of the Sheriff's Department. Said contract will provide for LEMS software maintenance in an amount not to exceed eight thousand five hundred dollars (\$8,500.00); effective January 1, 2010 through December 31, 2010.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

Regular Session

**RESOLUTION NO. 10-95
(February 05, 2010)**

By Mr. Rogers, Chairman of Public Safety Committee:

RESOLUTION NUMBER 08-89 AMENDED

WHEREAS, Resolution Number 08-89 entitled, **“CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH UNITED UNIFORM COMPANY, INC. ON BEHALF OF THE SHERIFF’S DEPARTMENT,”** passed by this Board of Supervisors on February 12, 2008 and provides for uniforms for Sheriff and Jail personnel at listed prices; effective March 01, 2008 through February 28, 2009; Contingent upon the availability of funds; and

WHEREAS, Resolution Number 09-86 entitled, **“CHAIRMAN AUTHORIZED TO SIGN CONTRACT EXTENSION WITH UNITED UNIFORM ON BEHALF OF THE SHERIFF’S DEPARTMENT AND COUNTY JAIL,”** passed by this Board of Supervisors on February 06, 2009 and provides for an extension of the same agreement as adopted in resolution number 08-89; Contingent upon the availability of funds; now therefore

BE IT RESOLVED, That Resolution Number 08-89 as extended by resolution number 09-89 be hereby amended to reflect an extension of this contract to provide uniforms for the Sheriff and Jail personnel at the current level of pricing or below; effective March 1, 2010 through February 28, 2011. All else remains unchanged.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

February 05, 2010

**RESOLUTION NO. 10-96
(February 05, 2010)**

By Mr. Rogers, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN AN AGREEMENT
WITH THE COUNTY OF MONROE, PUBLIC SAFETY
LABORATORY ON BEHALF OF THE SHERIFF'S
DEPARTMENT**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign an agreement with the County of Monroe, Public Safety Laboratory, 150 S Plymouth Ave, 5th Floor, Rochester NY 14614 for the provision of funding for forensic laboratory service in an amount not to exceed twenty-two thousand five hundred fifty dollars (\$22,550.00); effective January 1, 2010 through December 31, 2010.

Contingent upon the availability of funds.

**Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#44**

**RESOLUTION NO. 10-97
(February 05, 2010)**

By Mr. Rogers, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A LEASE
AGREEMENT WITH ERIE COUNTY AGRICULTURAL
SOCIETY ON BEHALF OF THE SHERIFF'S MOUNTED
PATROL**

RESOLUTION NO. 10-97**February 5, 2010****Page 2**

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 Erie County Agricultural Society, 5600 McKinley Parkway, Hamburg NY 14075 on behalf of the Sheriff's Mounted Patrol. Said agreement is for funding of the Showplex for The North American Police Equestrian Championships (NAPEC) 2010 which Wyoming County is the host agency in an amount not to exceed two thousand five hundred fifty dollars (\$2,550.00); effective September 16, 2010 through September 20, 2010.

Contingent upon the availability of funds.

***Opening Ceremonies will be done by Sheriff Heimann on
September 18, 2010.***

**Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#45**

**RESOLUTION NO. 10-98
(February 05, 2010)**

By Mr. Rogers, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN AN 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 an agreement with EM Systems Inc, 4043 Maple Rd, Ste 211, Amherst NY 14226 on behalf of the County Jail. Said agreement is to provide for JMS software maintenance in an

February 05, 2010

RESOLUTION NO. 10-98**February 5, 2010****Page 2**

amount not to exceed eight thousand dollars (\$8,000.00); effective April 01, 2010 through March 31, 2011.

Contingent upon the availability of funds.

**Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#46**

RESOLUTION NO. 10-99**(February 05, 2010)**

By Mr. Rogers, Chairman of Public Safety Committee:

**ONE (1) POSITION OF CONTROL ROOM OPERATOR
ABOLISHED WITH IN THE COUNTY JAIL PURSUANT
TO NEW YORK STATE CIVIL SERVICE**

BE IT RESOLVED, That one (1) position of Control Room Operator in the County Jail (that was held by Pam Buckley) be hereby abolished as per New York State Civil Service; effective January 4, 2010.

**Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#47**

RESOLUTION NO. 10-100**(February 05, 2010)**

By Mr. Rogers, Chairman of Public Safety Committee:

RESOLUTION NUMBER 09-413 AMENDED

Regular Session

RESOLUTION NO. 10-100**February 5, 2010****Page 2**

WHEREAS, Resolution Number 09-413 entitled, **“CHAIRMAN AUTHORIZED TO SIGN AN AGREEMENT WITH NEW YORK STATE DEPARTMENT OF STATE ON BEHALF OF EMERGENCY SERVICES,”** passed by this Board of Supervisors on October 13, 2009 and provides for reimbursement of costs associated with the provision of Wireless 911 services for the Local Enhanced Wireless 911 Program in a minimum amount of twenty-three thousand five hundred eighty-nine dollars (\$23,589.00); effective April 1, 2009 through March 31, 2012; now therefore

BE IT RESOLVED, That Resolution Number 09-413 be hereby amended to reflect a revised award amount of twenty thousand six hundred forty-one dollars (\$20,641.00) which is a reduction of two thousand nine hundred forty-eight dollars (\$2,948.00). All else remains unchanged.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#48

RESOLUTION NO. 10-101**(February 05, 2010)**

By Mr. Rogers, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN AN AGREEMENT
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 an agreement with Saia Communications, Inc., 100 Stradtman St., Buffalo, NY 14206 on behalf of Emergency

February 05, 2010

RESOLUTION NO. 10-101**February 5, 2010****Page 2**

Services. Said agreement will provide for the preparation of an application for the Radio Frequency License in an amount not to exceed fifteen thousand dollars (\$15,000.00); effective through the completion of the licensing process.

**Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#49**

RESOLUTION NO. 10-102**(February 05, 2010)**

By Mr. Rogers, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A GRANT
PARTICIPATION AGREEMENT WITH NEW YORK
STATE EMERGENCY MANAGEMENT OFFICE ON
BEHALF OF EMERGENCY SERVICES**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a grant participation agreement with New York State Emergency Management Office, 1220 Washington Ave., Bldg. 22, Suite 101, Albany, NY 12226-2251 on behalf of Emergency Services. Said grant is to provide funding of the Local Emergency Management Performance for Federal Fiscal Year 2009 (FFY09) in a minimum amount of eighteen thousand eight hundred thirty-nine dollars (\$18,839.00).

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

**RESOLUTION NO. 10-103
(February 05, 2010)**

By Mr. Rogers, Chairman of Public Safety Committee:

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

BE IT RESOLVED, That *Larry Rogers* (Town of Pike), PO Box 82, Pike, NY 14130-0082 be hereby reappointed to the Mercy Flight Citizens Advisory Committee *as the Supervisor Member for a term of one (1) year; effective January 1, 2010 through December 31, 2010.*

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

There was a motion by Mr. Patti, T/Attica, to combine resolutions #51 through #55. A voice vote was taken and all voted aye.

#51

**RESOLUTION NO. 10-104
(February 05, 2010)**

By Mr. Patti, Chairman of Public Works Committee:

HIGHWAY EQUIPMENT BID AWARDED

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 two (2) 2010 John Deere 6230 Tractor w/ Tiger Side Rotary and Flail Mowers from Z&M Ag & Turf, 3517 Railroad Ave., Alexander, NY 14005 on

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RESOLUTION NO. 10-104**February 5, 2010****Page 2**

behalf of County Highway. Base price is seventy-one thousand six hundred thirty-nine dollars and forty cents (\$71,639.40) each.

With the trade-in of unit #31, the cost will be fifty-five thousand three hundred eighty-nine dollars and forty cents (\$55,389.40) and with trade-in of #38, the cost will be fifty-four thousand one hundred thirty-nine dollars and forty cents (\$54,139.40) for a total cost of one hundred nine thousand five hundred twenty-eight dollars and eighty cents (\$109,528.80) for both tractors with mowers. These are budgeted for in 2010.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#52

RESOLUTION NO. 10-105
(February 05, 2010)

By Mr. Patti, Chairman of Public Works Committee:

NEW YORK STATE DEPARTMENT OF
TRANSPORTATION PROPOSED DETOUR APPROVED

WHEREAS, The New York State Department of Transportation proposes to replace Route 19 bridge over Oatka Creek, BIN 1015110, in the Town of Gainesville, Wyoming County, P.1.N. 4019.36; and

WHEREAS, In conformance with Section 10, Subdivision 19 and Section 42 of the New York State Highway Law, the New York State Department of Transportation proposes to utilize the following County of Wyoming roads and streets as detours during the period necessity:

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RESOLUTION NO. 10-105**February 5, 2010****Page 2**

County Road 4 (Hermitage Road) between NYS Rt 20A and NYS Rt 78; now therefore;

WHEREAS, The New York State Department of Transportation will provide traffic control devices and make improvements or repairs when necessary to the above mentioned roads and streets to make them adequate to handle additional detour traffic; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors does hereby authorize the New York State Department of Transportation to utilize the above mentioned roads and streets as detours and maintain traffic on them in accordance with Subsection 619 of its Standard Specification during the period of necessity; and be it

FURTHER RESOLVED, That the County of Wyoming will continue to provide routine maintenance and snow and ice control for the above mentioned roads and streets; and be it

FURTHER RESOLVED, That the Clerk of this Board is hereby directed to transmit four (4) certified copies of the resolution to New York State Department of Transportation.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

RESOLUTION NO. 10-106
(February 05, 2010)

By Mr. Patti, Chairman of Public Works Committee:

RESOLUTION NUMBER 09-245 AMENDED

WHEREAS, Resolution Number 09-245 entitled, **“CHAIRMAN AUTHORIZED TO SIGN AN AGREEMENT WITH DEWBERRY-GOODKIND, INC. ON BEHALF OF COUNTY HIGHWAY,”** passed by this Board of Supervisors on June 09, 2009 and provides for construction and inspection of the rehabilitation of Bixby Hill Road (CR#59), Town of Arcade. PIN 4LS.79 in an amount not to exceed fifty thousand dollars (\$50,000.00); effective through the completion of the project and contingent upon the availability of funds; now therefore

BE IT RESOLVED, That Resolution Number 09-245 be hereby amended to reflect an additional amount not to exceed one thousand six hundred thirty-four dollars and twenty-one cents (\$1,634.21). All else remains unchanged.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#54

RESOLUTION NO. 10-107
(February 05, 2010)

By Mr. Patti, Chairman of Public Works Committee:

**CHAIRMAN AUTHORIZED TO SIGN PURCHASE
CONTRACT, RE: RIGHT OF WAY FOR ORANGEVILLE
BRIDGE**

Regular Session

RESOLUTION NO. 10-107**February 5, 2010****Page 2**

WHEREAS, That the real property purchase contracts in the Town of Arcade, obtained by the Public Works Committee on January 29, 2010, needed for the replacement of Orangeville Bridge #10, BIN #3320020 Snyder Road over the Stony Brook, as described on maps on file in the Office of the Wyoming County Superintendent of Highways is hereby ratified and accepted; now therefore

BE IT RESOLVED, That the chairman of this Board of Supervisors, with the approval of the County Attorney and on behalf of the County of Wyoming, is hereby authorized and directed to sign purchase contracts regarding the aforementioned acquisition of lands and land improvement projects; and be it

FURTHER RESOLVED, That the County of Wyoming Superintendent of Highways and the Wyoming County Treasurer are hereby authorized to make payment for said conveyance upon advice from the County Attorney has acquired titles to the same as follows:

Timothy R. Glor	Map #1 Parcel #1 PE 4232sf	Fee \$500.00
Bruce J. Glor	Land Improvements	<u>1,000.00</u>
Christopher D. Glor	Total Costs	\$1,500.00
Gary S. Glor		

Gerald Von Langen	Map #2 Parcel #2 PE 3078sf	Fee \$350.00
	Land Improvements	<u>750.00</u>
	Total Costs	\$1,100.00

Christ J. Consiglio	Map #3 Parcel #3 TE 1481sf	Fee \$100.00
Vincent J. Consiglio	Land Improvements	<u>550.00</u>
Anthony F. Consiglio	Total Costs	\$650.00
Patrick S. Consiglio		
Edith Withey		

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RESOLUTION NO. 10-107**February 5, 2010****Page 2**

Richard L. and	Map #4	Parcel #	TE	847sf	Fee	\$100.00
Mary Ann Kotecki					Land Improvements	<u>300.00</u>
					Total Costs	\$400.00

Grand Total**\$3,650.00**

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#55

RESOLUTION NO. 10-108**(February 05, 2010)**

By Mr. Patti, Chairman of Public Works Committee:

**HARRY PANKOW APPOINTED TO THE
 TRAFFIC SAFETY BOARD**

BE IT RESOLVED, That Harry Pankow (Town of Castile) 5878 Glen Iris Rd., Castile, NY 14427 be hereby appointed to the Traffic Safety Board ***to fill the unexpired vacant three (3) year term (created with the passing of Burdette Randall) effective through November 13, 2012.***

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

There was a motion by Mr. Davis, T/Covington, to combine resolutions #56 through #60. A voice vote was taken and all voted aye.

#56**RESOLUTION NO. 10-109****(February 05, 2010)**

Regular Session

RESOLUTION NO. 10-109**February 5, 2010****Page 2**

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# 201 Paul R Moore and Susan D Moore, 7727 Dewitt Road, Bliss, NY 14024 has offered Sixty-Five Hundred Dollars (\$6,500.00) for property located in the Town of Pike, 7770 Dewitt Road, 188.-2-15.1; 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 2010 Town and County taxes are received by him on or before May 1, 2010.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#57

RESOLUTION NO. 10-110
(February 05, 2010)

By Mr. Davis, Chairman of Finance Committee:

February 05, 2010

RESOLUTION NO. 10-110**February 5, 2010****Page 2****CHAIRMAN AUTHORIZED TO SIGN EXTENSION
CONTRACT WITH SOUTER & SONS PRINTING 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 extend the current Printing Bid and sign an extension contract with Souter & Sons Printing, 56 Park St., Arcade, NY 14009 on behalf of all Wyoming County Departments. Said contract is in an amount per the language of the contract; March 11, 2010 through March 10, 2011 (year 1 of 3).

Contingent upon the availability of funds.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#58

**RESOLUTION NO. 10-111
(February 05, 2010)**

By Mr. Davis, Chairman of Finance Committee:

RESOLUTION NUMBER 09-253 AMENDED

WHEREAS, Resolution Number 09-253 entitled, **“POSITION CREATIONS APPROVED**, passed by this Board of Supervisors on June 09, 2009 and provides for the creation of various positions throughout Wyoming County Departments; now therefore

BE IT RESOLVED, That Resolution Number 09-253 be hereby amended to reflect an extended expiration date of the Student Aide (Seasonal) (.6 FTE) position within the Board of

Regular Session

RESOLUTION NO. 10-111**February 5, 2010****Page 2**

Supervisors' office through December 31, 2010. All else remains unchanged.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#59

RESOLUTION NO. 10-112
(February 05, 2010)

By Mr. Davis, Chairman of Finance Committee:

REAL PROPERTY TAX SERVICES 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: 1596 Noes: Absent: Abstain:

February 05, 2010

RESOLUTION NO. 10-113
(February 05, 2010)

By Mr. Davis, Chairman of Finance Committee:

POSITION CREATION(S) APPROVED

BE IT RESOLVED, That the following positions are hereby created within the various Wyoming County Departments:

Public Health Certified Home Health Agency:

- One (1) position of LPN (Public Health) (per diem) placed on the appropriate step and grade of the current CSEA agreement.

County Jail:

- One (1) position of Correction Officer to replace the Control Room Operator abolished position per New York State Civil Service to be placed on the appropriate step and grade of the current Sheriff Employees' Association agreement.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#61

RESOLUTION NO. 10-114
(February 05, 2010)

By Mr. Davis, Chairman of Finance Committee:

RESOLUTION NO. 10-114**February 5, 2010****Page 2**

A RESOLUTION AUTHORIZING THE RECONSTRUCTION OF THE COUNTY NURSING HOME (PHASE I) IN AND FOR THE COUNTY OF WYOMING, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$2,000,000, AND AUTHORIZING THE ISSUANCE OF \$2,000,000 BONDS OF SAID COUNTY TO PAY THE COST THEREOF

WHEREAS, All conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act, have been performed; and

WHEREAS, It is now desired to authorize the financing of such capital project; now therefore

BE IT RESOLVED, By the affirmative vote of not less than two-thirds of the total voting strength of the Board of Supervisors of the County of Wyoming, New York, as follows:

Section 1. The reconstruction of the County Nursing Home (Phase I) in and for the County of Wyoming, New York, including original furnishings, equipment, machinery, apparatus, appurtenances and incidental improvements and expenses in connection therewith, is hereby authorized at a maximum estimated cost of \$2,000,000.

Section 2. It is hereby determined that the aforesaid purpose constitutes a Type II action as defined under the SEQR regulations of the State of New York which, by definition, will not have a significant adverse impact upon the environment.

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RESOLUTION NO. 10-114**February 5, 2010****Page 2**

Section 3. It is hereby determined that the plan for the financing of the aforesaid maximum estimated cost is by the issuance of \$2,000,000 bonds of said County hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 4. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is twenty-five years, pursuant to subdivision 12(a)(1) of paragraph a of Section 11.00 of the Local Finance Law.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the County Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said County Treasurer, consistent with the provisions of the Local Finance Law.

Section 6. The faith and credit of said County of Wyoming, New York, are hereby irrevocably pledged to the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. To the extent not paid from other sources, there shall annually be levied on all the taxable real property in said County a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the County Treasurer, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such

RESOLUTION NO. 10-114**February 05, 2009****Page 3**

manner as the County Treasurer shall deem best for the interests of the County.

Section 8. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the County by the facsimile signature of the County Treasurer, providing for the manual countersignature of a fiscal agent or of a designated official of the County), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the County Treasurer. It is hereby determined that it is to the financial advantage of the County not to impose and collect from registered owners of such serial bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the County Treasurer shall determine.

Section 9. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long- term

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RESOLUTION NO. 10-114**February 05, 2009****Page 4**

basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 10. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 11. This resolution, which takes effect immediately, shall be published in summary form in the official newspaper, together with a notice of the Clerk of the Board of Supervisors in substantially the form provided in Section 81.00 of the Local Finance Law.

**Carried: XXX Ayes: 1470 Noes: Absent: Abstain:
Non-Consent #62**

**RESOLUTION NO. 10-115
(February 05, 2010)**

By Mr. Davis, Chairman of Finance Committee:

**CORRECTION OF ERRORS IN THE TOWN OF PERRY
APPROVED REFUND ISSUED**

Regular Session

RESOLUTION NO. 10-115**February 05, 2009****Page 2**

WHEREAS, Pursuant to the Real Property Tax Law, application has been made for refund 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 issue the appropriate refunds and shall charge back and apportion the various amounts thereof, as and if applicable, to the appropriate taxing authorities to the extent to which each has been benefited thereby:

PARCEL ONE: Town of Perry
Tax Map # 64.-1-20.1

LOCATION: 7428 Burke Hill Rd

ASSESSED TO: Sunny Knoll Real Estate, LLC
7428 Burke Hill Rd.
Perry, NY 14530

ERROR TYPE: Court Order – Settlement Agreement

AUTHORITY: **RPTL §720.1(b)** “If the court determines that the assessment being reviewed is excessive or unequal, it shall order a revised assessment of the real property of the petitioner or the correction of the assessment upon the roll”]

ACTION: Correct 2009 Town/County Tax Bill –
Issue Refund

Original Bill	\$ 7,562.63
Corrected Bill	<u>\$ 4,976.72</u>
Refund	\$ 2,585.9

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

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Chairman Berwanger asked if there was any Supervisor who objected to the presentation of unanimous consent resolution #63 and 64. Hearing none, the Chairman asked the Clerk to read unanimous consent resolution #63 and 64 prior to the roll call vote.

Prior to the roll call vote of Unanimous Consent Resolution #63 Chairman Berwanger, T/Arcade asked Supervisor Kushner, T/Eagle as the Board of Supervisors Representative to the Wyoming County Board of Managers to speak to this resolution.

Supervisor Kushner, T/Eagle stated that the funds are to be used for much needed renovations to the 3rd floor nurses station.

WCCH CEO, Ron Krawiec also thanked the Board of Supervisors for their continued financial support of the Health Care Facility.

Chairman Berwanger, T/Arcade stated that in addition to the “Janis” report at the end of the Board meetings there will be an update by Commissioner Rumsey as well as others on the Department of Social Services renovations and the either Mr. Krawiec or Supervisor Kushner for Hospital renovations. The Chairman continued by stated that the county is closing in on eight times the biggest capital improvement project the county has ever under taken.

UC#63

**RESOLUTION NO. 10-116
(February 05, 2010)**

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

FUNDS APPROPRIATED TO VARIOUS 2010 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2010 accounts as follows:

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RESOLUTION NO. 10-116**February 5, 2010****Page 2**

Wyoming County Community Hospital			
To: 01.52.9950.9.99008 Transfer to Hospital <i>From any funds available</i>	\$25,000.00	\$25,000.00	
Reason: For additional expenses related to 3 rd floor WCCH “Dress for Success” nurses station renovations. Nurses Station			
To: 02.56.4510.4.42501 Contractual WCCH w/02.13.4510.5031 Interfund Transfer	\$25,000.00	\$25,000.00	
Reason: For additional expenses related to 3rd floor WCCH “Dress for Success” nurses station renovations. Nurses Station			
Wyoming County Community Hospital Total			\$25,000.00

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

Prior to the passage of Unanimous Consent Resolution Number 64 Chairman Berwanger informed the Board of the re-emergence of this bill by downstate State Representatives. New York State Association of Counties Executive Director, Steve Acquario asked New York State Counties to revisit this issue and pass a new resolution opposing the amended bill numbers in the Senate and the Assembly.

UC#64**RESOLUTION NO. 10-117****(February 05, 2010)**

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

**OPPOSING NEW YORK STATE LEGISLATURE BILL
NUMBERS S.2247-B AND A.1867-A, ENTITLED, “AN ACT
TO AMEND THE LABOR LAW, REQUIRING
COLLECTIVE BARGAINING, OVERTIME,
UNEMPLOYMENT, & DISABILITY FOR FARM
EMPLOYEES**

February 05, 2010

RESOLUTION NO. 10-117**February 5, 2010****Page 2**

WHEREAS, Wyoming County enjoys a large and diverse farming community including the designation of being the largest dairy farming County in New York State; and

WHEREAS, The farms in Wyoming County span a wide range of sizes, production methods, and products and are presently experiencing historically low prices for their products; and

WHEREAS, Farmers can do little to influence the prices that they receive for their farm products; and

WHEREAS, The adage “make hay while the sun shines” stems from the fact that the business of farming is different than other businesses; crops must be harvested when the crop is ready, weeds must be eliminated before they overtake the crop, dairy cows must be milked daily, flocks of sheep all produce lambs in a short period, with weather factors complicating the work schedule. Particular seasons require more hours of work than others and is crucial to the success of any farm; and

WHEREAS, Many farm workers become a part of the farm, working hard for long hours on certain days while enjoying a less stressful, more relaxed, and enjoyable work life found only on the farm; and

WHEREAS, Senate Bill S.2247-B and Assembly Bill A.1867-A would subject local farmers to the mandatory payment of overtime to farm workers and other requirements that would place them in precarious financial positions that would put many farm jobs in jeopardy; and

BE IT RESOLVED, That the Wyoming County Board of Supervisors urge the New York State Legislature to reject Bills S.2247, S.5212, and A.1867, and be it

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RESOLUTION NO. 10-117**February 5, 2010****Page 3**

FURTHER RESOLVED, That the Clerk of this Board be hereby directed to send a copy of this resolution to Governor David Paterson; Senator Dale Volker; New York State Assembly Member Daniel Burling, and the New York State Association of Counties.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

Chairman Berwanger asked Commissioner Rumsey to give a brief update of the Social Services renovations.

Chairman Berwanger asked Supervisor Patti, Chairman of the Public Works Committee to give a brief update on 408 North Main Street renovations. He stated that it is going well and that the Certificate of Need has been received and renovations will be started on the 1st floor...

Chairman Berwanger introduced Budget Officer Cook, Director of Aging and Youth, Andrea Aldinger, and Public Health Administrator, Laura Paolucci to give a report on the Early Intervention / Pre-School Handicapped programs and Public Health reimbursements. Budget Officer Cook provided a spreadsheet of the payments received from New York State by Wyoming County (attached).

Public Health Administrator Paolucci commented on the great impact Chairman Berwanger's letter to the Governor made toward shaking monies loose that were owed to the Public Health Dept. Director Aldinger gave a brief overview of the Early Intervention / Pre-School Handicapped programs. The director commented on changes that are in the making by the state. She stated that parents can expect to start paying a co-pay. More information to come as it becomes available to the department.

Supervisor Fleischman asked Ms. Paolucci how many other counties say their reimbursement. Ms. Paolucci stated that they reached out to their peers in surrounding counties and to their knowledge only Wyoming County started seeing money.

The Janis report provided a balance of only \$176,000.00 from the \$1.3 million due.

Budget Officer Cook reported the following receipt of reimbursements:

		Estimated Amts.	Actual Amt.	Amts. Rec.	Balance
State Marcheselli		\$75,500.00	\$75,500.00	(11,700.00)	\$63,800.00
Court Security	4/1/09 - 11/2009	\$188,897.00	\$211,212.01		\$211,212.01
	Est. 4 Mos	\$96,000.00	\$73,684.99		\$73,684.99
Indigent Parole Program	3/1/09 - 11/09	\$100,193.00	\$100,193.00		\$100,193.00
Public Health State Aid	1/1/09 - 9/30/09	\$395,000.00	\$395,000.00	(163,378.16)	\$228,098.72
	Est. 4th Qtr	\$135,000.00	\$135,000.00		\$135,000.00
Mental Health	2008 Fed. Salary Sharing	\$81,000.00	\$81,000.00	(81,322.00)	\$(322.00)
Pre-School		\$103,125.94	\$103,125.94		\$103,125.94
	Est. 4th Qtr	\$115,000.00	\$115,000.00		\$115,000.00
Parole Violators	Billed 3/31/09	\$9,738.40	\$9,738.40		\$9,738.40
DA Salary Supplement		\$43,867.00	\$43,867.00	(43,867.00)	\$ -
Sub Total		\$1,343,321.34	\$1,343,321.34	\$ (300,267.16)	\$615,653.07
Indigent Parole Program	03/01/09 - 12/31/09	not billed but provided service			\$112,033.47
Total					\$727,686.54

Chairman Berwanger stated that Budget Officer Cook will be making a presentation to County Executives during the upcoming NYSAC Conference.

In closing, Chairman Berwanger reviewed the Pro-Act initiative report since its inception a few months ago in Wyoming County (attached).

There being no further business to come before this Board, Senior Supervisor Bush, T/Gainesville, adjourned the meeting at 3:55 PM with a rap on his desk.

Respectfully submitted,

Cheryl J. Ketchum

Cheryl J. Ketchum, Board Clerk

REGULAR SESSION

(March 09, 2010)

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 2:40 PM Chairman Berwanger, T/Arcade, called the meeting to order.

The Veteran(s) leading the Pledge of Allegiance this month was:

FRANK J. HOLLISTER JR.

Mr. Hollister's service to his country comes while serving during the Iraq/Afghanistan War.

Frank Hollister Jr. was born and raised in Warsaw. He graduated from Warsaw Central in 1990 and joined the Air Force shortly thereafter. After serving for a short period of time, he was medically discharged and returned home to Warsaw and married his wife Roxanne Ongjoco of Perry, in 1993.

They relocated to Pennsylvania, where Frank graduated from Paramedic School in 1994 as a Nationally Registered Paramedic and began working at the Williamsport Hospital. In 1995, they moved to Fort Wayne Indiana where Frank worked for American Medical Response as a Paramedic Supervisor. He developed and commanded the Disaster Response Team, specializing in Anti-Terrorism, Hazardous Materials, Mass Casualty and Mass Fatality response. He also developed the SWAT and Bomb Squad medic

Regular Session

programs with the City of Fort Wayne Police Dept, serving on both of those teams until returning to Wyoming County in December of 2003.

Frank worked for Rural Metro in Rochester, Monroe Ambulance in Wyoming County and Mercy Flight out of Buffalo. In 2005 he re-enlisted in the military as a Navy Combat Corpsman. Upon completion of his training, he was assigned to India Company, 3rd Battalion, 25th Marines in Buffalo which is an infantry company. Also in 2005, Frank became the Bioterrorism Coordinator for the Wyoming County Health Department.

During his tenure at the Wyoming County Health Department, Frank has worked with staff, community partners, and other County Departments, creating a Public Health Emergency Preparedness program to effectively respond to the needs of Wyoming County residents during various emergencies. Over the last several years, the Health Department has effectively and efficiently responded to several events including most recently the H1N1 influenza vaccination campaign.

Frank is currently a Petty Officer Second Class in the Marine Corp Reserves.

For his service to his country he has earned:

The National Defense Service Ribbon

The Good Conduct Ribbon

The Global War on Terrorism Medal

The Navy & Marine Corp Achievement Medal

The Military Outstanding Volunteer Service Medal

(for his many years of coaching football, wrestling, & baseball in Perry & Warsaw)

A Navy & Marine Corp Commendation Medal will be presented for:

(being selected as the “Sailor of the Year in 2009 for the 4th Marine Corp Div. as well

“Sailor of the Year” for the entire Marine Corp Reserves)

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This will also make him eligible for a ‘Meritorious Promotion’

After 4-1/2 years of service to Wyoming County, Frank has resigned from the Health Department, as India Company and the rest of 3rd Battalion 25th Marines has been activated and will be leaving soon to join the fight in Afghanistan.

Frank currently lives in Perry, with his wife Roxanne and their three boys Corey, Christian, and Andrew.

The pledge was said by all.

Mr. Hollister was joined by his wife, parents and many members of the Public Health Department who wished to show their admiration and friendship as he embarks on his military assignment in Afghanistan.

As a show of gratitude, admiration, and respect the entire Board of Supervisors presented Mr. Hollister with a standing ovation. The many visitors, guests and on lookers joined the Board’s gesture.

Chairman Berwanger, T/Arcade thanked Mr. Hollister for leading today’s pledge and presented him with a certificate of appreciation. Chairman Berwanger explained that traditionally the Board allows the veteran an opportunity to address the Board about anything he so chooses. Mr. Hollister took the opportunity to thank his many friends at the Public Health Department stating that the Public Health Department is one of the best places to work and he thanked the Board for their continued support.

**Communications by Clerk Ketchum:
None for the Month of March**

**RESOLUTION NO. 10-118
(March 09, 2010)**

By Mr. Davis, Chairman of the Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2010 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2010 accounts as follows:

Economic Development			
To: 01.42.6421.4.42477 Small Cities Grant w/ 01.12.6421.408916 Federal Aid Reason: To re-appropriate unspent funds for Small Cities (CDBG) Grant project, McCormick Farms Inc.	\$9,429.00	\$9,429.00	
To: 01.42.6421.4.42477 Small Cities Grant w/ 01.12.6421.408916 Federal Aid Reason: To re-appropriate unspent funds for Small Cities (CDBG) Grant project, Marquart Brothers Farms.	\$256,000.00	\$256,000.00	
To: 01.42.6421.4.42477 Small Cities Grant w/ 01.12.6421.408916 Federal Aid Reason: To appropriate funds for Small Cities (CDBG) Grant project, Sregnuoy Farms.	\$100,000.00	\$100,000.00	
Economic Development Total			\$365,429.00
Sheriff Department			
To: 01.37.3110.2.23001 Cars w/ 01.13.3110.5031 Interfund Revenue Reason: To allow for CIP funds to be transferred to purchase new patrol cars.	\$105,000.00	\$105,000.00	
To: 01.37.3110.1.10301 Overtime w/01.03.3110.128901 STOP-DWI Reason: STOP-DWI per Res 09-442 to cover salary expenses for patrols	\$5,000.00	\$5,000.00	
To: 01.37.3110.1.10301 Overtime w/01.12.3110.438902 Federal Grants Reason: Buckle Up New York (BUNY) per Res 09-443 to cover salary expenses for patrols.	\$2,380.00	\$2,380.00	

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RESOLUTION NO. 10-118**March 09, 2010****Page 2**

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 17	\$2,983.06	\$2,983.06	
Sheriff Total			\$115,363.06
Board of Supervisors/Legislature			
To: 01.31.1010.1.10202 Temporary 01.31.1010.8.81001 Retirement 01.31.1010.8.83001 FICA 01.31.1010.8.85001 Medicare <i>From Any Funds Available</i> Reason: To cover Student Aide position through the end of the year.	\$12,800.00 1,408.00 793.60 185.60	\$15,187.20	
Board of Supv./Legis. Total			\$15,187.20
Veterans Services			
To: 01.43.6510.4.40411 Volunteer Mileage w/01.03.6510.1289 Other Departmental Income Reason: Volunteer mileage expense made possible through funding from Angel Action/Community Action.	\$3,000.00	\$3,000.00	
Veterans Services Total			\$3,000.00
Highway			
To: 04.53.5112.4.40948 NYSDOT Project <i>From any funds available</i> Reason: In order to pay NYSDOT for the County's share of the construction of Exchange Street (CR#31)	\$318,001.02	\$318,001.02	
Highway Total			\$318,001.02

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

Mr. Bush, T/Gainesville, Chairman of the Audit Committee, presented bills totaling **\$2,348,426.90** for the month of **February 2010**.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

There was a motion by Mr. Kushner, T/Eagle, to combine resolutions #2 through #7. A voice vote was taken and all voted aye.

#2

**RESOLUTION NO. 10-119
(March 09, 2010)**

By Mr. Kushner, Chairman of Public Health Committee:

**CHAIRMAN / COMMISSIONER OF HEALTH
AUTHORIZED TO SIGN A LEASE WITH FORD MOTOR
CREDIT COMPANY 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 a lease agreement with Ford Motor Credit Company (Municipal Finance), The American Road, POB 1739, Dearborn, MI, 48121 on behalf of the County Health Department. Said lease is for three (3) 2010 Ford Focus for a thirty-six (36) month term with twelve (12) quarterly payments of three thousand six hundred thirty-nine dollars (\$3,639.00) and a one dollar (\$1.00) each buyout at lease end.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

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RESOLUTION NO. 10-120
(March 09, 2010)

By Mr. Kushner, Chairman of Public Health Committee:

**CHAIRMAN / COMMISSIONER OF HEALTH
AUTHORIZED AND DIRECTED TO SIGN AN
AGREEMENT WITH PLANNED PARENTHOOD OF
WESTERN NEW YORK 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 Planned Parenthood of WNY, 2697 Main Street, Buffalo, NY 14214 on behalf of the County Health Department. Said agreement is for the provision of Outreach and Community Education in an amount not to exceed twelve thousand dollars (\$12,000.00); effective February 01, 2010 through December 31, 2010. Reimbursed by NYSDOH Title X grant and MWHS receivables, funds budgeted.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

**RESOLUTION NO. 10-121
(March 09, 2010)**

By Mr. Kushner, Chairman of Public Health Committee:

**NATIONAL GAMBLING AWARENESS WEEK
PROCLAIMED**

WHEREAS, Problem gambling is a public health issue affecting millions of Americans of all ages, race and ethnic backgrounds in all communities and has a significant societal and economic cost; and

WHEREAS, Promoting the awareness week provides Health Care Professionals in the problem gambling community an opportunity to educate the public and policymakers about the social and financial effectiveness of services available for problem gambling including prevention; and

WHEREAS, Problem gambling is treatable and treatment is effective in minimizing harm to both individuals and society as a whole; and

WHEREAS, Numerous individuals, professionals and organizations have dedicated their efforts to the education of the public about problem gambling and the availability and effectiveness of treatment and prevention; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors does hereby proclaim March 7th through March 13th as:

April 13, 2010

RESOLUTION NO. 10-121**March 09, 2010****Page 2****NATIONAL PROBLEM GRAMBLING
AWARENESS WEEK**

And be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors, along with Partners For Prevention, invites all residents of the County of Wyoming and beyond to participate in National Gambling Awareness Week.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#5

**RESOLUTION NO. 10-122
(March 09, 2010)**

By Mr. Kushner, Chairman of Public Health Committee:

**CHAIRMAN AUTHORIZED TO SIGN A GRANT
APPLICATION AND ACCEPTANCE AWARD WITH THE
US DEPARTMENT OF HEALTH AND HUMAN SERVICES
/ OFFICE OF NATIONAL DRUG CONTROL POLICY 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 with the US Department of Health and Human Services / Office of National Drug Control Policy (ONDCP) and the Substance Abuse and Mental Health Services Administration (SAMHSA), Division of Grants Management, 1 Choke Cherry Road – Room 7-1091, Rockville, MD 20850 on behalf of Wyoming County Mental Health for the Drug Free Communities Grant for Year 8 in a

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RESOLUTION NO. 10-122**March 09, 2010****Page 2**

minimum amount of one hundred twenty-five thousand dollars (\$125,000.00); effective October 1, 2010 through September 30, 2011.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain: #6

RESOLUTION NO. 10-123**(March 09, 2010)**

By Mr. Kushner, Chairman of Public Health Committee:

CHAIRMAN AUTHORIZED TO SIGN A GRANT APPLICATION AND ACCEPTANCE AWARD WITH THE US DEPARTMENT OF HEALTH AND HUMAN SERVICES / SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION 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 with the US Department of Health and Human Services/ Substance Abuse and Mental Health Services Administration (SAMHSA), 1 Choke Cherry Road – Room 7-1901, Rockville, MD 20850 on behalf of Mental Health. Said grant is for the STOP Act (Sober Truth on Preventing Underage Drinking) in a minimum amount of fifty thousand dollars (\$50,000.00) for Year 3 of a four year grant; effective October 1, 2010 through September 30, 2011.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

April 13, 2010

**RESOLUTION NO. 10-124
(March 09, 2010)**

By Mr. Kushner, Chairman of Public Health Committee:

RESOLUTION NUMBER 09-489 AMENDED

WHEREAS, Resolution Number 09-489 entitled, **“CHAIRMAN AUTHORIZED TO SIGN 2010 RENEWAL CONTRACTS ON BEHALF OF MENTAL HEALTH,”** passed by this Board of Supervisors on December 08, 2009 and provides for various 2010 contracts on behalf of the Mental Health Department, including a contract with Hillside Children’s Center in an amount not to exceed \$1,500.00, Contingent upon the availability of funds; now therefore

BE IT RESOLVED, That Resolution Number 09-489 be hereby amended to reflect an increase in the Hillside Children’s Center contract for customized children’s mental health services by \$8,000.00 for a total contract amount of nine thousand five hundred (\$9,500.00) for 2010 services. 100% State Aid. No County Levy. All else remains unchanged.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

Chairman Berwanger, T/Arcade invited Supervisor Kushner, T/Eagle (Chairman, Public Health Committee) to the podium for the presentation of the National Problem Gambling Awareness Month proclamation. Supervisor Kushner, T/Eagle invited Supervisor Bush, T/Gainesville to the podium to make the presentation.

There was a motion by Mr. Fleischman, T/Java, to combine resolutions #8 through #10. A voice vote was taken and all voted aye.

Prior to the roll call vote being taken, Chairman Berwanger, T/Arcade asked Supervisor Fleischman, T/Java if he cares to comment on resolution number 8. Supervisor Fleischman responded with an explanation of what the fee imposed by the state would do to Wyoming County Economic Development as well as IDA's across the state.

#8

**RESOLUTION NO. 10-125
(March 09, 2010)**

By Mr. Fleischman, Chairman of Planning Committee:

**RESOLUTION IN OPPOSITION TO THE IDA TAX
IMPOSED ON ALL LOCAL INDUSTRIAL
DEVELOPMENT AGENCIES BY NEW YORK STATE AS A
MEANS TO HELP CLOSE THE STATE'S BUDGET
DEFICIT**

WHEREAS, Local Industrial Development Agencies (IDAs) serve as the primary vehicle for the implementation of economic development programs in counties and local communities across New York State; and

WHEREAS, The primary mission of local IDAs is the creation and retention of jobs for New York's residents, through innovative, locally-driven and developed programs to make counties and local communities better places in which to invest, grow productive business enterprises and create better business atmospheres to generate new economic activity, job creation and tax revenue producers; and

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RESOLUTION NO. 10-125**March 09, 2010****Page 2**

WHEREAS, The 2009-2010 State budget contained a maximum statewide “cost recovery” tax of \$5 million to “reimburse New York State and allocable share of state governmental costs attributable to the provisions of services to industrial development agencies;” and

WHEREAS, The State Department of Taxation and Finance has sent Tax bills to every IDA in the state, for amounts corresponding to 4.7% of the gross revenue received by an IDA in the 2008 calendar year, payable by March 31, 2010; and

WHEREAS, Wyoming County’s bill arrived in the amount of one hundred forty thousand five hundred ninety dollars (\$140,590.00); and

WHEREAS, The tax bills received by local IDAs were received long after local IDA budgets were developed and implemented, without the inclusion of this new unanticipated tax in their adopted budgets; and

WHEREAS, The revenue received by IDAs subject to this tax includes payments in lieu of taxes collected for local governments and school districts, state and federal grants and local taxpayer funded appropriations; and

WHEREAS, Imposing a state gross receipts tax on revenues from 2008 that include tax generated resources from the state and federal government is redundant, punitive and will lead to these resources and those appropriated by counties for local job creation to be used instead to help bail out the State during its time of financial crisis; now therefore

RESOLUTION NO. 10-125**March 09, 2010****Page 3**

BE IT RESOLVED, That the Wyoming County Board of Supervisors along with the New York State Association of Counties (NYSAC) strongly opposes the imposition of the new tax on the gross revenues of local Industrial Development Agencies as a means to help eliminate the state budget deficit; and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors calls upon the Governor and the State Legislature to repeal this onerous tax on the primary economic development organizations of New York's counties and other local government; a tax which will take local resources that could better be used to create jobs in our communities in this time of economic crisis; and be it

FURTHER RESOLVED, That the Clerk to this Board is hereby instructed to forward copies of this resolution to Governor David A. Paterson, New York State Senator Dale Volker, Assemblyman Daniel Burling, New York State Association of Counties, and Western New York Inter-County and all others deemed necessary and proper.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

April 13, 2010

**RESOLUTION NO. 10-126
(March 09, 2010)**

By Mr. Fleischman, Chairman of Planning Committee:

**DOUGLAS PATTI APPOINTED TO THE BUSINESS
EDUCATION COUNCIL**

BE IT RESOLVED, That *Douglas Patti* (T/Attica) 333 E. Main St., Attica NY 14011 be hereby appointed to the *Business Education Council* as the *Supervisor Member/Alternate* for a term of *one (1) year; effective January 1, 2010 through December 31, 2010.*

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#10

**RESOLUTION NO. 10-127
(March 09, 2010)**

By Mr. Fleischman, Chairman of Planning Committee:

**DOUGLAS PATTI APPOINTED TO THE WYOMING
COUNTY TOURIST PROMOTION AGENCY**

BE IT RESOLVED, That *Douglas Patti* (T/Attica) 333 E. Main St., Attica NY 14011 be hereby appointed to the *Wyoming County Tourist Promotion Agency* as the *Supervisor Member/Alternate* for a term of *one (1) year; effective January 1, 2010 through December 31, 2010.*

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

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

Prior to the Roll Call vote, Chairman Berwanger, T/Arcade asked the Board if there were any questions regarding resolutions #11 or #12. Supervisor Davis, T/Covington and Supervisor Rogers, T/Pike both requested that resolution #11 be voted on separately. Supervisor Davis, T/Covington stated that he has mixed emotions and will vote against resolution #11.

Supervisor Brick, T/Perry reminded the Board that this is not the first time this issue came before the Board for consideration. He wondered how many times it will resurface if defeated today. Chairman Berwanger explained that the issue will come before the entire Board of Supervisors as many times as the Agriculture Committee approves it for consideration to the floor.

Chairman Berwanger, T/Arcade asked Scott Gardner, Assemblyman Burling's District Representative. Mr. Gardner stated that the Assemblyman would support the Board's decision. Wyoming County Wildlife Federation representatives stated that Senator Volker would support any decision of the Board of Supervisors.

#11

**RESOLUTION NO. 10-128
(March 09, 2010)**

By Mr. Gozelski, Chairman of Agriculture Committee:

**SUPPORTING WYOMING COUNTY WILDLIFE
FEDERATION REQUEST FOR STATE LEGISLATION
REGARDING THE TAKING OF DEER BY RIFLE**

April 13, 2010

RESOLUTION NO. 10-128**March 09, 2010****Page 2**

WHEREAS, The Wyoming County Wildlife Federation is seeking state legislation to amend the Environmental Conservation Law to allow the taking of deer by use of rifle in Wyoming County which would include a trial period that would sunset one (1) year from the effective date; and

WHEREAS, The Wyoming County Wildlife Federation is requesting that the Wyoming County Board of Supervisors support their request for such legislation; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors supports the Wyoming County Wildlife Federation in their request for state legislation amending section 11-0907 of the Environmental Conservation Law to authorize the taking of deer by rifle in Wyoming County; and be it

FURTHER RESOLVED, That the Clerk to this Board is hereby directed to send certified copies of this resolution to Senator Dale M. Volker, Assemblyman Daniel J. Burling, and the Wyoming County Wildlife Federation.

Carried: XXX Ayes: 924 Noes: 154 (Attica) Absent: Abstain:
57 (Covington)
96 (Gainesville)
92 (Java)
63 (Middlebury)
210 (Warsaw)
672 Total

**RESOLUTION NO. 10-129
(March 09, 2010)**

By Mr. Gozelski, Chairman of Agriculture Committee:

**JOAN PETZEN APPOINTED TO THE
GLOW SOLID WASTE ADVISORY COMMITTEE**

BE IT RESOLVED, That *Joan Petzen*, (Cornell Cooperative Extension of Wyoming County), 401 North Main Street, Warsaw, NY 14569 be hereby appointed to the **GLOW Solid Waste Advisory Committee** for a term of one *(1) year*; *effective January 1, 2010 through December 31, 2010.*

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

~~**Pioneer Central FFA presentation on “Docking”**~~
Mary Lou Genoway, Pioneer FFA Advisor described briefly what the students will be presenting. She explained competition requirements the students must meet prior to State and National Competition.

The students presented Pros and Cons to tail docking of dairy cattle. Once the presentation was over the students had an opportunity to answer questions from the Board of Supervisors regarding their presentation.

Chairman Berwanger, T/Arcade presented the Pioneer Chapter of the FFA with a Certificate of Recognition in regards to their Chapter of the Year Award presented to Pioneer FFA Chapter Students this past January in Syracuse at the Annual Ag. Society meeting.

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**~~Certificate of Recognition presented to original
members of the “Warsaw Kitchen Konference”~~**

Chairman Berwanger, T/Arcade invited Supervisor Ryan, T/Warsaw to present the Certificates of Recognition to members of the Warsaw Kitchen Konference. Supervisor Ryan read aloud the letter Jerome Smith provided Chairman Berwanger encouraging him to acknowledge the groups personal dedication to agriculture and rural living.

Four certificates were prepared for the original four couples to the Konference. The members included: Edwin & Marian Fisher, Clayton & Lucille Carlson, Gertrude Meyer and Jerome & Carol Smith

Jerome and Carol Smith and Clayton and Lucille Carlson were on hand to receive their certificates.

Mr. Smith offered his very heart felt appreciation for the Veteran that lead in today’s pledge to the flag. He also shared a brief story about one of the first meetings of the Warsaw Kitchen Konference that took place on a snowy day about 50 years ago...

There was a motion by Mr. Rogers, T/Pike, to combine resolutions #13 and #14. A voice vote was taken and all voted aye.

#13

**RESOLUTION NO. 10-130
(March 09, 2010)**

By Mr. Rogers, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
WITH ATTICA LEGAL AID ON BEHALF
OF THE PUBLIC DEFENDER’S OFFICE**

RESOLUTION NO. 10-130**March 09, 2010****Page 2**

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 agreement is to provide funding for representation of indigent inmates at the Attica and Wyoming Correctional Facilities on Administrative parole appeals as well as Wyoming County residents in parole revocation matters in the local jail for the Indigent Parole Program in an amount not to exceed one hundred eighty thousand dollars (\$180,000.00); effective January 01, 2009 through December 31, 2009.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#14

RESOLUTION NO. 10-131**(March 09, 2010)**

By Mr. Rogers, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
 WITH ATTICA LEGAL AID 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 agreement is to provide funding for representation of indigent inmates at the Attica and Wyoming Correctional Facilities on Administrative parole

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appeals as well as Wyoming County residents in parole revocation matters in the local jail for the Indigent Parole Program in an amount not to exceed one hundred eighty thousand dollars (\$180,000.00); effective January 01, 2010 through December 31, 2010.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

There was a motion by Mr. Patti, T/Attica, to combine resolutions #15 and #20. A voice vote was taken and all voted aye.

#15

**RESOLUTION NO. 10-132
(March 09, 2010)**

By Mr. Patti, Chairman of Public Works Committee:

**RESOLUTION URGING THE GOVERNOR AND THE
LEGISLATURE OF THE STATE OF NEW YORK TO
CREATE A STATE AID TO LOCAL BRIDGE PROGRAM
TO INCREASE BRIDGE SAFETY AND FURTHER
STIMULATE THE STATE'S ECONOMY**

WHEREAS, Local governments are responsible for an increasing proportion of the statewide highway and bridge system; 85% of the State's 110,000 miles of roadways, and 50% of the State's 18,000 bridges; and

RESOLUTION NO. 10-132**March 09, 2010****Page 2**

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 traveling tourists visiting New York State; and

WHEREAS, Roughly one-third of the 8,535 bridges maintained by New York's local governments are structurally deficient or functionally obsolete. As an indication of a dangerous trend, this number actually increased between 2002 and 2007, from 2,966 to 3,006 bridges. NYSDOT indicates that the number of deficient bridges will increase by another 1,500 in the next few years; and

WHEREAS, The Comptroller's August 2009 report entitled "Cracks in the Foundation: Local Government Infrastructure and Capital Planning Needs" identified that New York will need to invest \$175.2 billion for transportation infrastructure needs over the next 20 years; and

WHEREAS, The DOT proposed Five-Year Capital Plan for transportation released in December proposes the establishment of a \$150 million State Aid to Local Bridge Program and \$150 million for Local Touring Route Investments but these initiatives are not included in the Executive Budget; and

WHEREAS, Highway, bridge and culvert construction and maintenance projects are vital to extending the life of local bridge inventory and maintaining the system in a safe and structurally sound condition, so any bridge program must also include funds for culverts as well; and

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RESOLUTION NO. 10-132**March 09, 2010****Page 3**

WHEREAS, The State Aid to Local Bridge Program is a proven method of funding improvements to local bridge infrastructure in a way that will help further stimulate the economy of the State and help secure the safety of the traveling public; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors urge the Governor and the Legislature of the State of New York to establish a new State Aid funding stream in the amount of \$300 million to Local Bridge Program and other local transportation investments in accordance with the DOT proposed Five-Year Capital Plan to insure the safety of the local transportation system, improve the State's economy and improve the livelihoods of the millions of citizens who rely on local roads every day; and be it

FURTHER RESOLVED, That the Clerk to this Board be hereby directed to forward copies of this resolution to Governor David A. Paterson, New York State Senator Dale M. Volker, Assemblyman Daniel J. Burling, the New York State Association of Counties, Inter-County of Western New York all others deemed necessary and proper.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#16

RESOLUTION NO. 10-133
(March 09, 2010)

By Mr. Patti, Chairman of Public Works Committee:

RESOLUTION NO. 10-133**March 09, 2010****Page 2****RESOLUTION URGING INVESTMENT IN THE STATE'S
CONSOLIDATED HIGHWAY IMPROVEMENT
PROGRAM (CHIPS)**

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 purchase necessary highway equipment and materials; and

WHEREAS, The Marchiselli Program is the State component of a successful Federal, State, and Local partnership, delivering transportation improvements to federal aid eligible local highway projects; and

WHEREAS, Local governments are responsible for an increasing proportion of the statewide highway and bridge system; 85% 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, job creation and retention, schools, businesses, health and hospital facilities, emergency responders, as well as the general traveling public; and

WHEREAS, The current budget appropriation for CHIPS and Marchiselli represents the last year of the Five Year Capital Plan; and

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RESOLUTION NO. 10-133**March 09, 2010****Page 3**

WHEREAS, The New York State Department of Transportation has proposed a new Five-Year Capital plan that calls for a level of CHIPS (\$420 million) and Marchiselli (\$56 million) to simply maintain the current condition of our local transportation system far in excess of what is being proposed in the Executive Budget (\$363 million, \$39 million); and

WHEREAS, Highway capital expenditures by local governments outside of New York City are in excess of \$1.12 billion annually, yet an additional \$1.2 billion is required annually in local pavement and bridge investment to reverse the deterioration process;

WHEREAS, The level of CHIPS and Marchiselli funding scheduled for this fiscal year and in the proposed future Five-Year Capital Plan falls well short of what will be needed to simply maintain the current condition of our local transportation system; and

WHEREAS, In an audit entitled, “The Dedicated Highway and Bridge Trust Fund: Where Did the Money Go?” Comptroller DiNapoli reveals that since 1991 just 34.9% of the money in the state’s DHBTF went directly toward the repair and improvement of the State’s deteriorating roads and bridges; now therefore

BE IT RESOLVED, that the Wyoming County Board of Supervisors urge the Governor and the Legislature of the State of New York to recognize the unfunded need of over \$1.2 billion annually; to insure that the CHIPS and Marchiselli programs are funded at least at the level proposed by the 5 Year Capital Plan; and to reform the DHBTF so that the bulk of the state revenues dedicated to the highway and bridge fund are used primarily for capital projects and insure the safety of the traveling public; and

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FURTHER RESOLVED, That the Clerk to this Board be hereby directed to forward copies of this resolution to Governor David A. Paterson, New York State Senator Dale M. Volker, Assemblyman Daniel J. Burling, the New York State Association of Counties, Inter-County of Western New York all others deemed necessary and proper.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#17

RESOLUTION NO. 10-134**(March 09, 2010)**

By Mr. Patti, Chairman of Public Works Committee:

A RESOLUTION AUTHORIZING THE STATE OF NEW YORK TO INCORPORATE THE CONSTRUCTION OF EXCHANGE STREET (C.R. 31) RECONSTRUCTION WORK FOR WYOMING COUNTY IN THE CONTRACT FOR THE REHABILITATION AND IMPROVEMENT OF ROUTES 98 AND 238 AND REPLACEMENT OF ROUTE 238 BRIDGE OVER STEVENS BROOK IN THE VILLAGE AND TOWN OF ATTICA, S.H. 9224, 1267, 58-10, 8260 AND 8022, WYOMING COUNTY.

WHEREAS, Section 10, Subdivision 27 of the New York Highway Law provides, in part, that the Commissioner of Transportation shall have power, upon the request of the municipality, to perform for and at the expense of such municipality, any work of construction or reconstruction, including the removal and relocation of facilities, provided the Commissioner of Transportation deems it practicable to perform

April 13, 2010

RESOLUTION NO. 10-134**March 09, 2010****Page 2**

such work in connection with the performance of any work of construction, reconstruction, or improvement; and

WHEREAS, The State of New York is presently preparing contract plans for the construction, reconstruction, or improvement of Routes 98 and 238 and Replacement of Route 238 Bridge over Stevens Brook in the Village and Town of Attica, which involves construction within the route which the County of Wyoming contemplated using for the construction of Exchange Street (C.R. 31) reconstruction work, and

WHEREAS, Said construction, reconstruction, or improvement can be undertaken in conjunction with the construction of the aforesaid Exchange Street (C.R. 31) reconstruction work at a substantial ultimate savings to Wyoming County, now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors in regular meeting convened, petitions the New York State Department of Transportation as follows:

Petition 1. The State of New York is hereby authorized to proceed with the necessary arrangements to incorporate the proposed Exchange Street (C.R. 31) reconstruction work in the contract for the Rehabilitation and Improvement of Routes 98 and 238 and Replacement of Route 238 Bridge over Stevens Brook in the Village and Town of Attica, S.H. 9224, 1267, 58-10, 8260 and 8022, Wyoming County with the cost of said construction and necessary work in connection therewith to be borne by Wyoming County.

Petition 2. Wyoming County will maintain said Exchange Street (C.R. 31) reconstruction subsequent to the construction thereof.

RESOLUTION NO. 10-134**March 09, 2010****Page 3**

Petition 3. This resolution shall take effect immediately; and be it

FURTHER RESOLVED, That the Clerk of this County Board is hereby directed to transmit five (5) certified copies of the foregoing resolution to the State Department of Transportation.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#18

RESOLUTION NO. 10-135**(March 09, 2010)**

By Mr. Patti, Chairman of Public Works Committee:

**AUTHORIZING PAYMENT TO THE STATE FOR
 REQUESTED WORK FOR THE REHABILITATION AND
 IMPROVEMENT OF ROUTES 98 AND 238 AND
 REPLACEMENT OF THE ROUTE 238 BRIDGE OVER
 STEVENS BROOK IN THE VILLAGE AND TOWN OF
 ATTICA**

WHEREAS, In connection with Contract No. D261351, for the construction of Rehabilitation and Improvement of Routes 98 and 238 and Replacement of Route 238 Bridge over Stevens Brook in the Village and Town of Attica, S.H. 9224, 1267, 58-10, 8260 and 8022, Wyoming County, the County of Wyoming by Resolution No. **10-134**, adopted March 09, 2010, requested and authorized the State Department of Transportation to proceed with the necessary arrangements to incorporate a proposed betterment in the contract for the construction of pavement reconstruction work on Exchange Street (C.R. 31), with the cost of said pavement reconstruction and necessary work in connection therewith to be borne by Wyoming County, and

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RESOLUTION NO. 10-135**March 09, 2010****Page 2**

WHEREAS, The Wyoming County Board of Supervisors desires that the said reconstruction work on Exchange Street (C.R. 31), the County share of which based upon the “additional cost” method is estimated to cost \$318,001.02, be constructed at the sole expense of

Wyoming County, in connection with the above mentioned State contract, as set forth in the plans for said project; now therefore

BE IT RESOLVED, That pursuant to Subdivision 27 of Section 10 of the Highway Law, the sum of \$318,001.02 is hereby appropriated to cover the cost of the Exchange Street (C.R. 31) reconstruction work, and the County Treasurer is hereby authorized and directed to deposit such sum with the State Comptroller within seven (7) days following passage of this resolution, and be it

FURTHER RESOLVED, That a copy of this resolution be filed with the State Comptroller and with the State Commissioner of Transportation; it being understood that upon completion of the said Exchange Street (C.R. 31) reconstruction work, in the Village of Attica, the Commissioner of Transportation of the State of New York shall transmit to this County Board of Supervisors a statement showing the actual costs and expenses of such work and shall notify the County Treasurer of the amount due from or to be returned to the County, as the case may be, and that any sum due the State of New York shall be paid by Wyoming County within ninety (90) days after the date of transmittal of said statement, and the funds therefore shall be raised according to the statutes in such cases made and provided; and be it

FURTHER RESOLVED, that Wyoming County will maintain said Exchange Street (C.R. 31) after construction thereof

RESOLUTION NO. 10-135**March 09, 2010****Page 3**

as set forth above and will make ample provision each year for such maintenance, and

BE IT FURTHER RESOLVED, that the Clerk of this County Board is hereby directed to transmit five (5) certified copies of the foregoing resolution to the State Department of Transportation.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain: #19

**RESOLUTION NO. 10-136
(March 09, 2010)**

By Mr. Patti, Chairman of Public Works Committee:

**AUTHORIZING TRANSFER OF OWNERSHIP OF THE
HISTORIC WEST STREET BRIDGE TO THE VILLAGE
OF ARCADE TO BE REUSED ON BEHALF OF COUNTY
HIGHWAY**

WHEREAS, Wyoming County has committed to a Federal/State-Aid Bridge Replacement Project (PIN 4754.06), West Street Bridge over Cattaraugus Creek (BIN 3319440), Village of Arcade; and

WHEREAS, Replacement of the bridge is necessary to provide unrestricted access for emergency, municipal, agricultural, delivery and school vehicle use; and

WHEREAS, The existing Pony truss bridge was constructed in 1937 and is of historical significance and is worthy of preservation, which has been determined eligible for listing on

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RESOLUTION NO. 10-136**March 09, 2010****Page 2**

the State and National Registers of Historic Places as part of the New York State Bridge Survey; now therefore

BE IT RESOLVED, That as part of this Federal/State-Aid bridge replacement project, Wyoming County is willing to commit to the historical preservation of the West Street Bridge by providing an appropriate site and setting for relocation by transferring ownership of the bridge to the Village of Arcade for re-use of the bridge.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain: #20

**RESOLUTION NO. 10-137
(March 09, 2010)**

By Mr. Patti, Chairman of Public Works Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
WITH CLARK PATTERSON LEE ON BEHALF OF THE
HOSPITAL RENOVATIONS CAPITAL IMPROVEMENT
PROJECT AND 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, 205 St. Paul Street, Suite 500, Rochester, NY 14604 on behalf of Buildings and Grounds. Said contract is for the provision of engineering costs associated with the Wyoming County Community Hospital Renovations Capital Improvement Project in an amount not to exceed \$1,300,000.00:

RESOLUTION NO. 10-137**March 09, 2010****Page 2**

• Conceptual Design	\$120,000.00
• Schematic Design	180,000.00
• Design Development	300,000.00
• Construction Documents	650,000.00
• Bidding Services	<u>50,000.00</u>
Total	\$1,300,000.00

Contingent upon the availability of funds.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

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

Prior to the roll call vote being taken, Chairman Berwanger, T/Arcade asked if there were any questions on resolutions #21 through #24. Supervisor Kushner, T/Eagle stated that for clarification the \$24 million dollar renovation project will begin as soon as the Certificate of Need is acquired. He briefly described that areas such as the entrance to the hospital, parking lots and the emergency room will see major upgrades. Dr. Collins offered additional comments on the importance of renovations and what they will mean to the Wyoming County's Medical Community. WCCH CEO offered additional comments on the outstanding results of the Hospital Foundation's fund raising efforts. He stated that 80% of the pledges have been received with the balances arriving as scheduled.

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RESOLUTION NO. 10-138
(March 09, 2010)

By Mr. Davis, Chairman of Finance Committee:

**WYOMING COUNTY COMMUNITY HOSPITAL
RENOVATIONS CAPITAL IMPROVEMENT PROJECT
ESTABLISHED**

WHEREAS, The Wyoming County Public Works Committee, Finance Committee, Wyoming County Community Hospital Board of Managers and this Board of Supervisors have met on numerous occasion in order to identify the need for renovations to the Wyoming County Community Health Care Facility located at 400 North Main Street, Warsaw New York. Said renovations are necessary in order to provide Wyoming County residents with state of the art health care and to see the facility well into the future; and

WHEREAS, Since its construction in 1953 the hospital has become a leading employer of Wyoming County residents, committed to providing quality health care to the residents of Wyoming County and beyond; and

WHEREAS, Project plans have been reviewed by the Public Works and Finance Committees of the Wyoming County Board of Supervisors; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors, on the recommendation of the above mentioned committees hereby establishes the Wyoming County Community Hospital Renovations Capital Improvement Project in an amount

RESOLUTION NO. 10-138**March 09, 2010****Page 2**

not to exceed twenty-four million dollars (\$24,000,000.00); 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: 1596 Noes: Absent: Abstain: #22

**RESOLUTION NO. 10-139
(March 09, 2010)**

By Mr. Davis, Chairman of Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
WITH PHILLIPS LYTLE, LLP ON BEHALF OF THE
COUNTY TREASURER'S OFFICE**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign an agreement with Phillips Lytle LLP, 1400 First Federal Plaza, Rochester, NY 14614 for the provision of legal service in connection with 2008 REM proceedings in an amount not to exceed \$275.00 per parcel; effective January 1, 2010 through December 31, 2010. Expenses are offset through redemption of properties or auction revenues.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

April 13, 2010

RESOLUTION NO. 10-140
(March 09, 2010)

By Mr. Davis, Chairman of Finance Committee:

RESOLUTION NUMBER 09-253 AMENDED

WHEREAS, Resolution Number 09-253 entitled, **“POSITION CREATIONS APPROVED,”** passed by this Board of Supervisors on June 09, 2009 and provides for the creation of various positions throughout Wyoming County including a Student Aide (Seasonal) (.6 FTE); and

WHEREAS, Resolution Number 10-111, entitled **“Resolution Number 09-253 Amended,”** passed by this Board of Supervisors on February 5, 2010 extended the Student Aide (Seasonal) (.6 FTE) position to December 31, 2010; now therefore

BE IT RESOLVED, That Resolution Number 09-253 as amended by Resolution Number 10-111 be hereby further amended to reflect an increase to the position of Student Aide (Seasonal) (.6 FTE) to (1.00 FTE) within the Board of Supervisors’ Office at a rate of \$8.00/hr. with only those benefits mandated by law.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#24

RESOLUTION NO. 10-141
(March 09, 2010)

By Mr. Davis, Chairman of Finance Committee:

Regular Session

RESOLUTION NO. 10-141**March 09, 2010****Page 2**

**JAMES FOLEY APPOINTED TO THE WESTERN REGION
OFF-TRACK BETTING CORPORATION BOARD OF
DIRECTORS**

BE IT RESOLVED, That *James Foley*, 2766 Blackhouse Road, Warsaw, NY 14569 is hereby appointed as the **Wyoming County Director** of the **Western Region Off-Track Betting Corporation** to fill a vacancy created with the resignation of Carol Butler *for the remainder of a two (2) year term effective through December 31, 2010.*

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

Prior to the roll call vote of 2/3 majority resolutions #25 and #26 Supervisor Kushner with the assistance of CEO Krawiec explained the necessity for the purchase of a new computer system. The current system is obsolete and the new system offers better clinical service. Besides the CEO added the Federal Government will require the ability to process clinicals in this manner within the next two years.

2/3 Majority #25

**RESOLUTION NO. 10-142
(March 09, 2010)**

By Mr. Davis, Chairman of Finance Committee:

**A RESOLUTION AUTHORIZING THE PURCHASE OF A
NEW CPSI COMPUTER SYSTEM AT THE WYOMING
COUNTY COMMUNITY HOSPITAL IN AND FOR THE
COUNTY OF WYOMING, NEW YORK, AT A MAXIMUM
ESTIMATED COST OF \$1,000,000, AND AUTHORIZING
THE ISSUANCE OF \$1,000,000 BONDS OF SAID COUNTY
TO PAY THE COST THEREOF**

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RESOLUTION NO. 10-142**March 09, 2010****Page 2**

WHEREAS, All conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act, have been performed; and

WHEREAS, It is now desired to authorize the financing of such capital project; now therefore

BE IT RESOLVED, By the affirmative vote of not less than two-thirds of the total voting strength of the Board of Supervisors of the County of Wyoming, New York, as follows:

Section 1. The purchase of a new CPSI Computer System in and for the County of Wyoming, New York, Wyoming County Community Hospital is hereby authorized at a maximum estimated cost of \$1,000,000.00.

Section 2. It is hereby determined that the aforesaid purpose constitutes a Type II action as defined under the SEQR regulations of the State of New York which, by definition, will not have a significant adverse impact upon the environment.

Section 3. It is hereby determined that the plan for the financing of the aforesaid maximum estimated cost is by the issuance of \$1,000,000.00 bonds of said County hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 4. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is five years, pursuant to subdivision 12(a)(1) of paragraph a of Section 11.00 of the Local Finance Law.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell
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RESOLUTION NO. 10-142**March 09, 2010****Page 3**

bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the County Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said County Treasurer, consistent with the provisions of the Local Finance Law.

Section 6. The faith and credit of said County of Wyoming, New York, are hereby irrevocably pledged to the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. To the extent not paid from other sources, there shall annually be levied on all the taxable real property in said County a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the County Treasurer, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as the County Treasurer shall deem best for the interests of the County.

Section 8. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the

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RESOLUTION NO. 10-142**March 09, 2010****Page 4**

name of the County by the facsimile signature of the County for the manual countersignature of a fiscal agent or of a designated official of the County), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the County Treasurer. It is hereby determined that it is to the financial advantage of the County not to impose and collect from registered owners of such serial bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the County Treasurer shall determine.

Section 9. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 10. The validity of such bonds and bond anticipation notes may be contested only if:

1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or

2) The provisions of law which should be complied with at the date of publication of this resolution are not proceeding contesting such validity is commenced within twenty days after the date of such publication, or

RESOLUTION NO. 10-142**March 09, 2010****Page 5**

3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 11. This resolution, which takes effect immediately, shall be published in summary form in the official newspaper, together with a notice of the Clerk of the Board of Supervisors in substantially the form provided in Section 81.00 of the Local Finance Law.

Carried: XXX Ayes: 1470 Noes: Absent: Abstain:
2/3 majority #26

RESOLUTION NO. 10-143**(March 09, 2010)**

By Mr. Davis, Chairman of Finance Committee:

**AUTHORIZING AN INCREASE TO THE WYOMING
COUNTY COMMUNITY HOSPITAL FIVE STAR BANK
CREDIT CARD LINE OF CREDIT**

WHEREAS, It has been determined that it is necessary for the Wyoming County Community Hospital to have a credit card for its day-to-day operations; now therefore

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney be hereby authorized and directed to sign whatever documents necessary to increase the Wyoming County Community Hospital Five Star Bank Credit Card line of credit from nine thousand dollars (\$9,000.00) to fifteen thousand dollars (\$15,000.00); and be it

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RESOLUTION NO. 10-143**March 09, 2010****Page 2**

FURTHER RESOLVED, That the Chairman of this Board is hereby designated as the contact person relating to said credit card.

Carried: XXX Ayes: 1470 Noes: Absent: Abstain:

Chairman Berwanger asked if there was any Supervisor who objected to the presentation of unanimous consent resolution #27 through 29. Hearing none, the Chairman asked the Clerk to read unanimous consent resolution #27 through 29 prior to the roll call vote.

**Unanimous Consent
#27**

**RESOLUTION NO. 10-144
(March 09, 2010)**

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

FUNDS APPROPRIATED TO VARIOUS 2010 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2010 accounts as follows:

Buildings & Grounds			
To: 01.34.1681.2.20201 Computer Equip.	\$5,000.00		
01.34.1620.4.40802 Bldg Repair -Private	24,545.00		
01.38.4010.4.40802 Bldg Repair -Private	<u>4,310.00</u>		
From Any Funds Available		\$33,855.00	
Reason: To cover the cost of replacing the existing Andover Controls energy management and Control system. Includes Andover Controls equipment & labor, as well as the necessary computer equipment.			
Building & Grounds Total			\$33,855.00

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

Regular Session

RESOLUTION NO. 10-145
(March 09, 2010)

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

**MEMBERS APPOINTED TO THE GLOW WORKFORCE
INVESTMENT BOARD**

BE IT RESOLVED, That the following members are hereby appointed to the GLOW Workforce Investment Board as ***Private Sector Reps.*** for an indefinite term; effective immediately:

- ***Kathy Pinter*** (Adecco), 230 East Main Street, Arcade, NY 14009 (replacing Susan White /JN White Design)
- ***Norb Fuest*** (Morton Salt), 2039 Church Rd., Darien, NY 14040 (replacing William Maddison / Cornell Cooperative Extension)

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
UC #29

RESOLUTION NO. 10-146
(March 09, 2010)

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

**RESOLUTION URGING THE NEW YORK STATE
LEGISLATURE TO SUPPORT THE STATE'S FARMLAND
PROTECTION PROGRAM AND ENVIRONMENTAL
PROTECTION FUND**

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RESOLUTION NO. 10-146**March 09, 2010****Page 2**

WHEREAS, Agriculture is a significant contributor to New York's economy; and

WHEREAS, Farms provide jobs, support local businesses and are part of industry sectors that have a \$23 billion economic impact annually in New York; and

WHEREAS, Farms comprise 7 million acres of land in New York, roughly 25% of the state's land base; and

WHEREAS, Farmers have a strong track record of proactive environmental stewardship in New York; and

WHEREAS, Rapidly changing economic conditions threaten the future viability of New York's agricultural industry; and

WHEREAS, 26,000 acres of farmland are developed each year in New York; and

WHEREAS, The State of New York established a Farmland Protection Program in 1992 to assist towns and counties in developing and implementing local agricultural and farmland protection plans; and

WHEREAS, Over \$3 million has been awarded by the Farmland Protection Program to 50 counties and 52 towns to assist in the development of local agricultural and farmland protection plans; and

WHEREAS, The Farmland Protection program has awarded more than \$173 million to help farmer, local governments and land trusts permanently protect 74,000 acres on 303 farms; and

RESOLUTION NO. 10-146**March 09, 2010****Page 3**

WHEREAS, Demand for Farmland Protection Program funding has been strong due to the program's popularity, with a record 181 farms seeking \$156 million in state funding to protect 49,500 acres in 2008; and

WHEREAS, Funding for the Farmland Protection Program is allocated from the state's Environmental Protection Fund (EPF), a dedicated fund whose principle funding source is a state Real Estate Transfer Tax (RETT); and

WHEREAS, The Governor and State Legislature must take steps this year to protect New York's valuable farmland and strengthen the future for farms across New York; now therefore

BE IT RESOLVED, That the County of Wyoming does hereby urge state lawmakers to support New York's farmers, the state's agricultural economy and protection of valuable farmland by supporting funding for the Farmland Protection Program and Environmental Protection Fund; and be it

FURTHER RESOLVED, That the County of Wyoming does hereby oppose drastic cuts to the Farmland Protection Program and Environmental Protection Fund, as outlined in the Governor's FY 2010-11 Budget Proposal; and be it

FURTHER RESOLVED, That the Clerk to this Board be hereby directed to forward copies of this resolution to Governor David A. Paterson, New York State Senator Dale M. Volker, Assemblyman Daniel J. Burling, the New York State Association of Counties, Inter-County of Western New York and the American Farmland Trust and all others deemed necessary and proper.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

April 13, 2010

The Janis Report:

Budget Officer Cook reported the following receipt of reimbursements:

		Estimated Amts.	Actual Amts.	Amts. Rec.	Balance
State Marcheselli		\$75,500.00	\$75,500.00	\$(11,700.00)	\$63,800.00
Court Security	4/1/09 - 11/2009	\$188,897.00	\$232,734.05		\$232,734.05
	Est. 4 Mos	\$96,000.00	\$52,162.95		
<i>Indigent Parole Program</i>	030/1/09 – 11/30/09	\$100,193.00			
	03/01/09 – 12/31/09		\$112,033.47		\$112,033.47
Public Health State Aid	1/1/09 - 9/30/09	\$395,000.00	\$391,879.88	(391,809.15)	\$70.73
	Est. 4th Qtr	\$135,000.00	\$135,000.00		
Mental Health	2008 Fed. Salary Sharing	\$81,000.00	\$81,000.00	(81,322.00)	\$(322.00)
Pre-School		\$103,125.94	\$103,125.94		\$103,125.94
	Est. 4th Qtr	\$115,000.00	\$115,000.00		
Parole Violators	Billed 3/31/09	\$9,738.40	\$9,738.40		\$9,738.40
DA Salary Supplement		\$43,867.00	\$43,867.00	(43,867.00)	\$ -
Sub Total		\$1,343,321.34	\$1,352,041.69	\$(528,698.15)	\$409,147.12
Total	<i>With Indigent Parole Program from above</i>				\$521,180.59

Budget Officer Cook has spoken with the State's Deputy Budget Officer with arrangements being made for her to speak directly to the State's Budget Officer in the near future.

Following Budget Officer Cook's report Chairman Berwanger, T/Arcade asked Supervisor Patti, Chairman of the Public Works committee to comment quickly on capital improvement projects.

Supervisor Patti stated that Wyoming Road and Weaver Road are scheduled for paving this year.

Middle Reservation Road paving will be put on hold because of its federal funding, the water line location from Letchworth Park and the Castile Water project. The County will not pay for paving only to have it dug up.

408 North Main building renovations will be done the on or about June 15th, 2010. The facility picked up 96 parking spaces with the purchase of this property.

The Dept. of Social Services renovations are coming along. Anticipated overall date of completion will be June 11th of 2011. Clark Patterson Lee helped to develop the project budget and with the utilization of county workforces the County will save an estimated \$1 million to \$1.5 million.

There being no further business to come before this Board, Senior Supervisor Bush, T/Gainesville, adjourned the meeting at 3:45 PM with a rap on his desk.

Respectfully submitted,
Cheryl J. Ketchum
 Cheryl J. Ketchum, Board Clerk

REGULAR SESSION

(April 13, 2010)

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 2:41 PM Chairman Berwanger, T/Arcade, called the meeting to order.

The Veteran(s) leading the Pledge of Allegiance this month was:

02/11/13 Veteran requested non-disclosure of personal information

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

The pledge was said by all.

April 13, 2010

Chairman Berwanger, T/Arcade thanked Mr. Schwab for leading today's pledge and presented him with a certificate of appreciation. Chairman Berwanger explained that traditionally the Board allows the veteran an opportunity to address the Board about anything he so chooses. Mr. Schwab shared a recent experience he had at the Audubon Nature Center recently and where he video taped a bald eagle and encouraged all to attend.

Chairman Berwanger next offered the next resolution at the request of Bill Callahan, Division 3 Staff Officer Public Affairs:

In Recognition of Their 50th Anniversary The Eight Counties of Western New York Proclaim the Week of May 2nd to May 8th 2010 Western New York Armed Forces Week.

WHEREAS, We ask the question “What is a Veteran?” A “Veteran” – whether active duty, reserve, discharged, or retired – is someone who, at one point in his or her life, wrote a blank check, made payable to the United States of America, for the amount of “up to and including his or her Life.”

WHEREAS, We recognize the Men and Women of Our Armed Forces for their Honor, Courage, Devotion to Duty and their Personal Sacrifices for “Our Freedom.”

WHEREAS, We the People do recognize their individual Sacrifices and at times giving their last full measure to sustain “Our Freedom.”

WHEREAS, “Freedom Isn’t Free”

WHEREAS, We thank them for our way of Life, Liberty and the Freedom of Choice they have guaranteed to all of us by their service in our Armed Forces – Army, Navy, Marines, Air Force and Coast Guard. We Honor them and will “Never Forget” what they have done for us.

Regular Session

THEREFORE, We the County Executives and Supervisors of the 8 Great Western New York Counties ~ Allegany, Cattaraugus, Chautauqua, Erie, Genesee, Niagara, Orleans and Wyoming, do set forth our Hand to Proclaim and Recognize

***The 50th Anniversary of Western New York Armed Forces Week
Sunday, May 2nd through Saturday, May 8th, 2010
To remember Our Veterans for their Sacrifices for the “Freedom
We Enjoy Today.”***

Chairman Berwanger, T/Arcade presented the proclamation to Director Cousins who promised to display the proclamation in the department’s entryway. Chairman Berwanger informed the Director of another Proclamation being presented at today’s Board Meeting regarding Armed Forces Day.

Next Chairman Berwanger announced the presentation of the Wyoming County Community Hospital’s 2009 Employee of the Year and asked the Hospital CEO, Ron Krawiec come forward to make that presentation.

Mr. Krawiec stated that each year the hospital chooses an “Employee of the Year.” He continued by explaining that throughout the year employees are chosen by the entire Hospital Workforce as “Employee of the Month.” It is from this group of designees that the “Employee of the Year” is chosen. This year’s recipient is a Licensed Practical Nurse working on the 3rd floor, which is the MS unit where most of the patients are cared for when coming from surgery. She became a EMT in the Town of Bliss in 2003. After working with her husband in the logging, lumber, and hardwood business for a number of years, Mr. Krawiec continued by stating that this is a testament to coming from any background and helping to fill the vacancies created by a shortage of nurses. In 2006 she became an LPN through the BOCES program here in Warsaw. She was recommended as “Employee of the Month”

April 13, 2010

because she is always kind and considerate to her co-workers and cares very deeply about the care she provides to her patients. Mr. Krawiec continued by stating that when staff is short she is always willing to come into work. When asked what she enjoys most about her job she said always the patients, the laughing, the crying, the joking, the holding of their hand. She said she enjoys being their advocate. When she's not working she enjoys bow hunting. She also does scrap booking and makes cards. She loves sitting on the back porch watching the sun go down. She and her husband, Sam of 31 years have three children and two grandchildren. The employee of the Month for 2009 is Merry Sampson.

Mr. Krawiec congratulated Merry on this designation. He also asked if Merry wanted to comment on how the spelling of her name came about. She explained that she was born the day before Christmas. Wyoming County Community Hospital Director of Nursing, Lori Roche stated that reason nurses go to college is to help people and make their communities better and sometimes along the way some may loose sight of that. Merry, however, has not. Director Roche continued by saying that Merry can always be found with her patients. The Director stated that she would love a whole staff of Merrys.

Merry thanked the Board and commented on some of the nice things that have transpired with her family as a result of her receiving Employee of the Year.

Communications by Clerk Ketchum:

C1: from Assemblyman Burling dated March 16th:

Dear Honorable Members of the Board of Supervisors:

Thank you for sending me a copy of five resolutions that were adopted by your Honorable Body on March 9, 2010.

Resolution 10-125 opposes the IDA tax imposed on all local Industrial Development Agencies by New York State as a means to help close the State's budget deficit.

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I have joined Assemblyman Steve Hawley and Senator Mike Ranzenhofer as a sponsor of Assembly Bill A.10099/Senate Bill S.7073 which would repeal Part UU of Chapter 59 of the Laws of 2009 regarding the cost recovery assessment placed on IDA's. I opposed and voted against this assessment in last year's budget which will tax Allegany, Livingston, Genesee, and Wyoming Counties approximately \$320,000. Our state's unemployment rate is at a 26 year high and this is not the time to tax our local IDAs who create jobs and opportunities in our local communities. I have attached a recent press release regarding my thoughts on this issue.

Resolution 10-128 supports Wyoming County Wildlife Federation's request for state legislation regarding the taking of deer by rifle.

Resolution 10-132 urges the Governor and Legislature of the State of New York to create a state aid to local bridge program to increase bridge safety and further stimulate the state's economy.

Resolution 10-133 urges investment in the State's Consolidated Highway Improvement Program (CHIPS).

Like you, I understand how important this funding is in maintaining local roads and bridges in our communities. You can rest assured of my continued support and advocacy on behalf of our localities and their residents.

Resolution 10-146 urges the New York State Legislature to support the State's Farmland Protection Program and Environmental Protection Fund.

Farming is very important in my Assembly District and to the economy of New York State. The Environmental Protection Fund provides programs and services to protect our family farms and preserve the future of agriculture in our state. I also do not support the raiding of dedicated funds to pay for the state's out-of-control spending. I have also joined Assemblyman Steve Hawley and Senator George Maziarz as a sponsor of legislation, Assembly Bill A.989/Senate bill S.3207, to prevent the transfer of funds from accounts that are specifically supported with a dedicated fee.

I appreciate receiving your position on these resolutions and thank you for forwarding this important information to me.

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C2: from Assemblyman Burling dated February 12, 2010:

Dear Honorable Members of the Board of Supervisors:

Thank you for sending me a copy of a resolution that was adopted by your Honorable Body on February 5, 2010.

Resolution 10-117 opposes New York State Legislature Bill Numbers S.2247-B and A.1867-A, entitled "AN ACT to amend the Labor Law, requiring collective bargaining, overtime, unemployment, & disability for farm employees.

Farming is critical to Wyoming County as well as to our state's economy and this legislation would be devastating to our family farms. I have voted against the Farmworkers Fair Labor Practices Act in the past and you can be assured of my continued vocal opposition to these bills if they should come before me this year.

I appreciate receiving your position on these resolutions and thank you for forwarding this important information to me.

C3: from Senator Volker dated March 22nd:

Dear ~~Ms. Ketchum~~ Cheryl:

I am in receipt of the Wyoming County Board of Supervisors' Resolutions dated March 9th, 2010 regarding the following issues:

- (1) Opposition to the "cost recovery" tax on Industrial Development Agencies adopted in last year's Budget.*
- (2) Support legislation to allow the taking of deer by rifle in Wyoming County.*
- (3) Creation of a \$300 million Local Bridge Program.*
- (4) Reform of state funding for highway, road and bridge repair.*

I appreciate the Board's thoughts on these important matters. You can be assured that I will be further examining these issues, and keep the Board's recommendations close in mind for the ongoing Senate Session. Please do not hesitate to contact me with any other concerns.

C4: from Senator Volker dated April 7th:

Dear ~~Ms. Ketchum~~ Cheryl:

I am in receipt of the Wyoming County Board of Supervisors' Resolution dated March 9th, 2010 supporting funding for the New York State Farmland Protection Program (FPP) and Environmental Protection Fund (EPF).

I appreciate the Board's input on these important matters. As you know, I have been a firm supporter of both the EPF and FPP. I know firsthand the problems that the nearly \$80 million backlog in FPP funding is causing throughout our region. You can be assured I will do my utmost to ensure that the Governor's proposals affecting these budget areas as contained in his 2010-11 Executive Budget are not made into law.

Again, I want to thank you for your communication. Please do not hesitate to contact me with any other concerns, or if you feel I can be of further help in this or any other matter.

C5: from Governor Paterson dated March 25th:

Dear Ms. Ketchum:

Thank you for sending me a copy of Resolution Numbers 10-125, 10-132, 10-133, and 10-146, which were recently adopted by the Wyoming County Board of Supervisors.

My staff and I will evaluate your correspondence and, further, follow up with you should we require any further

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information or clarification. Please be assured that we will keep these comments in mind during any discussions we may have on this matter.

Once again, thank you, and warmest regards.

C6: from Governor Paterson dated February 11th:

Dear Ms. Ketchum:

Thank you for sending me a copy of Resolution Number 10-117, which was recently adopted by the Wyoming County Board of Supervisors.

My staff and I will evaluate your correspondence and, further, follow up with you should we require any further information or clarification. Please be assured that we will keep these comments in mind during any discussions we may have on this matter.

Once again, thank you, and warmest regards.

#1

**RESOLUTION NO. 10-147
(April 13, 2010)**

By Mr. Davis, Chairman of the Finance Committee:

FUNDS TRANSFERRED TO VARIOUS 2010 ACCOUNTS

BE IT RESOLVED, That funds are hereby transferred to the various 2010 accounts as follows:

RESOLUTION NO. 10-147**April 13, 2010****Page 2**

Public Health			
From: 01.38.4010.4.40802 Bldg Repair Pvt PH To: 01.38.4050.4.40802 Bldg Repair Pvt CHHA Reason: Transfer funds to properly account for CHHA portion (28%) of replacing existing Andover Controls per Resolution #10-144	\$1,206.80	\$1,206.80	
Public Health Total			\$1,206.80

Carried: XXX Ayes: 1596 Noes: Absent: Abstain: #2

**RESOLUTION NO. 10-148
(April 13, 2010)**

By Mr. Davis, Chairman of the Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2010 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2010 accounts as follows:

Wyoming County Community Hospital			
To: 02.56.9735.6.60002 BAN Principal w/ 02.10.4510.2801 Interfund Revenue Reason: To close out BAN 09-179 in full for payment from the WCCH General Fund.	\$2,000,000.00	\$2,000,000.00	
Wyoming County Community Hospital Total			\$2,000,000.00

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Buildings and Grounds			
To: 01.34.1620.1.10101 F/T CSEA	\$21,550.20		
01.34.1620.8.81001 Retirement	2,586.02		
01.34.1620.8.82002 Disability	221.00		
01.34.1620.8.83001 FICA	1,336.11		
01.34.1620.8.85001 Medicare- FICA	312.48		
01.34.1620.8.86001 Employee Assist	15.00		
01.34.1620.8.89001 Health Ins.	4,109.40		
From any funds available		\$30,130.21	
Reason: To appropriate funds to cover a Keyboard Specialist hired to assist Superintendent Halstead with the administration of Capital Projects.			
Buildings and Grounds Total			\$30,130.21
Capital Projects			
To: 08.56.4510.2.20801 Equip.	\$ 1,091,252.00		
08.56.4510.4.40301 Prof.Svc	3,021,117.00		
08.56.4510.4.42306 Misc. Other	1,747,601.00		
08.56.4510.4.42703 General Construction	16,265,500. 00		
w/08.09.4510.27701 Other Rev. – Foundation		3,000,000.00	
08.11.4510.3097 State Aid		4,200,000.00	
08.14.4510.5730 Bond Anticipation Note		14,925,470.00	
Reason: To appropriate funds to cover the cost of the WCCH Capital Project.			
Capital Projects Total			\$22,125,470.00
Fire &Building Code Enforcement			
To: 01.37.3620.2.23001 Motor Veh.	\$ 37,328.00		
01.37.3620.4.40502 Veh.Leasing	477.00		
With any funds available		\$37,805.00	
Reason: To purchase two (2) 2010 Ford Escape vehicles (\$18,664.00 ea.) and cover the cost of additional expenses associated with previous leased vehicles.			
Fire and Building Code Enforcement Total			\$37,805.00

RESOLUTION NO. 10-148**April 13, 2010****Page 3**

Social Services			
To: 01.39.6015.4.42306 Other Point of Entry w/01.11.6015.3615 State Aid Reason: To re-appropriate funds associated with Point of Entry Grant (4).	\$58,186.75	\$58,186.75	
Social Services Total			\$58,186.75
Highway			
To: 03.54.5130.2.23001 Motor Vehicle Purchase w/03.03.5130.1289 Other Dept. Income 03.11.5130.3089 Other State Aid <i>From any funds available</i> Reason: To allocate funds for Highway to purchase Boom Tractor and allocating the towns share and the Local Efficiency Grant share.	\$113,314.90	\$11,926.24 100,643.31 745.35	
Highway Total			\$113,314.90
Youth Bureau			
To: 01.45.7310.4.42434 Stars w/01.03.7310.1289 Other Dept. Income Reason: Funds will be used for Zuper Movie Program which will incorporate a drug/alcohol message to families.	\$700.00	\$700.00	
To: 01.45.7310.4.42434 Stars w/01.03.7310.1289 Other Dept. Income Reason: Funds will be used for Youth Bureau Activities for Honeycomb (R-AHEC) after school program for Perry School.	\$825.00	\$825.00	
Youth Bureau Total			\$1,525.00

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Emergency Services			
To: 01.37.3645.2.20401 Misc. Equipment	\$23,904. 00		
01.37.3645.4.40016 Internet Serv/Aircard	344. 62		
01.37.3645.4.40510 Parts & Supplies	100.00		
01.37.3645.4.42102 Safety Expenses	1,443.11		
w/01.12.3645.438901 Federal Aid		\$25,791.73	
Reason: To rollover unspent grant funds for WMD8388 from 2007 and 2008 budget year.			
Emergency Total			\$25,791.73

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

Mr. Bush, T/Gainesville, Chairman of the Audit Committee, presented bills totaling **\$3,290,244.31** for the month of **March 2010.**

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

There was a motion by Mr. Patti T/Attica, to combine resolutions #3 through #6. A voice vote was taken and all voted aye.

#3

RESOLUTION NO. 10-149
(April 13, 2010)

By Mr. Patti, Chairman of Public Works Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
WITH RON CONROY DRYWALL 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

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RESOLUTION NO. 10-149**April 13, 2010****Page 2**

to sign a contract with Ron Conroy Drywall, 81 Water St., Perry, NY 14530 on behalf of Buildings and Grounds. Said contract is to provide services as a Drywall Applicator on an as needed basis at an hourly rate not to exceed \$36.25; effective May 1, 2009 through December 31, 2009.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#4

RESOLUTION NO. 10-150**(April 13, 2010)**

By Mr. Patti, Chairman of Public Works Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
WITH SL INSTALLATIONS, 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 SL Installations, Inc. PO Box 318, Elma, NY 14059 for the purchase and installation of Hufcor accordion doors at the Department of Social Services Capital Improvement Project in an amount not to exceed thirteen thousand four hundred eighty-two dollars (\$13,482.00); effective April 13, 2010 through the completion of the project. Funds are budgeted.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

April 13, 2010

**RESOLUTION NO. 10-151
(April 13, 2010)**

By Mr. Patti, Chairman of Public Works Committee:

RESOLUTION NUMBER 09-313 AMENDED

WHEREAS, Resolution Number 09-313 entitled, **“CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH CLARK PATTERSON LEE ON BEHALF OF BUILDINGS AND GROUNDS,”** passed by this Board of Supervisors on August 18, 2009 provides Construction Administration and Observation of the Department of Social Services Renovation project with Clark Patterson Lee, 205 St. Paul St., Suite 500, Rochester, New York 14604 on behalf of Buildings and Grounds in an amount not to exceed two hundred seventeen thousand one hundred eighty dollars (\$217,180.00), Contingent upon the availability of funds; now therefore

BE IT RESOLVED, That Resolution Number 09-313 be hereby amended to reflect an increase of twenty-six thousand five hundred sixty dollars (\$26,560.00) to cover additional inspections. All else remains unchanged.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#6

**RESOLUTION NO. 10-152
(April 13, 2010)**

By Mr. Patti, Chairman of Public Works Committee:

ANNUAL HIGHWAY MATERIAL BIDS APPROVED

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RESOLUTION NO. 10-152**April 13, 2010****Page 2**

BE IT RESOLVED, That the attached yearly County Highway material bids are hereby approved effective April 02, 2010 through April 01, 2011, all ties were awarded by lot at the March 26, 2010 Public Works Committee; and be it

FURTHER RESOLVED, That the County of Wyoming reserves the right to allow all municipalities within the county to purchase any goods or services at the prices stated herein pursuant to section 103 of the General Municipal Law.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

There was a motion by Mrs. Totsline T/Genesee Falls, to combine resolutions #7 through #12. A voice vote was taken and all voted aye.

#7

RESOLUTION NO. 10-153
(April 13, 2010)

By Mrs. Totsline, Chairman of Human Services Committee:

ARMED FORCES WEEK PROCLAIMED

WHEREAS, Since our nation's founding, the U.S. Military has been dispatched all over the world to defend our freedom and the freedom 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

April 13, 2010

RESOLUTION NO. 10-153**April 13, 2010****Page 2**

WHEREAS, Many members of our Armed Forces have come from all areas within our County, to fill the ranks of: The Army, Navy, Air Force, Marines, and 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 Wyoming 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 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 do hereby designate the week of May 2 through May 8, 2010 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 Barack Obama, U.S. Senators Charles Schumer and Kirsten Gillibrand, Congressman Chris Lee, Senator Dale Volker, Assemblyman Daniel Burling, and all others deemed appropriate and necessary.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

Regular Session

**RESOLUTION NO. 10-154
(April 13, 2010)**

By Mrs. Totsline, Chairman of Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
WITH NANCY MYERS REDING 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 Nancy Myers Reding, 69 High Street, Attica, NY 14011 on behalf of the Office for the Aging. Said contract is for the provision of Certified Nutrition Services to residents 60+ in Wyoming County in an amount not to exceed ten thousand dollars (\$10,000.00); effective April 01, 2010 through December 31, 2010.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#9

**RESOLUTION NO. 10-155
(April 13, 2010)**

By Mrs. Totsline, Chairman of Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
WITH KIM ALBANESE ON BEHALF OF THE YOUTH
BUREAU**

April 13, 2010

RESOLUTION NO. 10-155**April 13, 2010****Page 2**

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 Kim Albanese, 2668 Retsof Road, Retsof, NY 14539 on behalf of the Youth Bureau. Said contract is for the provision of Early Intervention Services in an amount not to exceed 2009-2012 Budget. Variable depending on number of services rendered; effective April 01, 2010 through December 31, 2012.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#10

RESOLUTION NO. 10-156
(April 13, 2010)

By Mrs. Totslin, Chairman of Human Services Committee:

MEMBERS APPOINTED / REAPPOINTED TO
THE WYOMING COUNTY YOUTH BOARD

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

Community Representative

To fill a vacant unexpired three (3) year term effective through December 31, 2012

- Molly George, 1656 Burrough Rd., Cowlesville, NY 14037

RESOLUTION NO. 10-156

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Youth Representative

One (1) year term effective through December 31, 2010

- Kara George, 1656 Burrough Rd., Cowlesville, NY 14037

**Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#11**

**RESOLUTION NO. 10-157
(April 13, 2010)**

By Mrs. Totline, Chairman of Human Services Committee:

**CHILD ABUSE / NEGLECT PREVENTION MONTH
PROCLAIMED**

WHEREAS, Child abuse is a complex and ongoing problem in our society, affecting great numbers of children in Wyoming County; and

WHEREAS, Every child is entitled to be loved, cared for, nurtured, and secure and to be free from verbal abuse, sexual abuse, emotional and physical abuse and neglect; and

WHEREAS, Wyoming County faces a continuing need to support community-based programs to prevent child abuse and neglect; and

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

April 13, 2010

RESOLUTION NO. 10-157**April 13, 2010****Page 2**

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; That the Board of Supervisors do hereby proclaim the Month of ***April 2010*** as:

***CHILD ABUSE AND NEGLECT
PREVENTION MONTH***

in Wyoming County, and commend this observance to the citizens of this county.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

**RESOLUTION NO. 10-158
(April 13, 2010)**

By Mrs. Totstline, Chairman of Human Services Committee:

RESCINDS RESOLUTION NUMBER 78-70

WHEREAS, Resolution Number 78-70 passed by this Board of Supervisors on April 12, 1978 and provides for the establishment of a Petty Cash Fund in the Social Services Department in the amount of \$1,000.00 to be used in its trust fund account to cover the payment of uncollected checks; now therefore

BE IT RESOLVED, That Resolution Number 78-70 be hereby rescinded; effective immediately.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

Chairman Berwanger, T/Arcade invited Supervisor Totstline, T/Genesee Falls to the podium to present the Armed Forces Week Proclamation and the Child Abuse and Neglect Prevention Month Proclamation. Supervisor Totstline, T/Genesee Falls invited Supervisor Bush, T/Gainesville to join her. Supervisor Bush read the proclamation aloud. Veteran Services Director Gary Cousins accepted the proclamation and reminded everyone of the Armed Forces Week celebrations in and around the county and encouraged all to attend. Chairman Berwanger asked the Director if he would make arrangements for Laney Feraldi to present her "Voice of Democracy" presentation at next month's Board Meeting.

Next Supervisor Totstline invited Social Services Commissioner Dave Rumsey to the podium to present the Child Abuse and Neglect Prevention Month proclamation.

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Commissioner Rumsey offered a brief update on the DSS construction project

There was a motion by Mr. Kushner, T/Eagle, to combine resolutions #13 through #16. A voice vote was taken and all voted aye.

#13

**RESOLUTION NO. 10-159
(April 13, 2010)**

By Mr. Kushner, Chairman of Public Health Committee:

**CHAIRMAN / COMMISSIONER OF HEALTH
AUTHORIZED TO SIGN A GRANT APPLICATION AND
ACCEPTANCE AWARD WITH NEW YORK STATE
DEPARTMENT OF HEALTH 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 a grant application and acceptance award with New York State Department of Health, Corning Tower, ESP, Albany, NY 12237 on behalf of the County Health Department. Said grant will provide funding for the Men's & Women's Reproductive Health Services in a minimum amount of one hundred eighty-one thousand one hundred forty-one dollars (\$181,141.00) (Base \$168,453.00 + COLA \$12,688.00); effective January 01, 2010 through December 31, 2010.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

**RESOLUTION NO. 10-160
(April 13, 2010)**

By Mr. Kushner, Chairman of Public Health Committee:

**CHAIRMAN / COMMISSIONER OF HEALTH
AUTHORIZED TO SIGN A GRANT APPLICATION AND
ACCEPTANCE AWARD FOR THE CHILD PASSENGER
SAFETY PROGRAM**

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 Governor's Traffic Safety Committee on behalf of the County Health Department. Said grant is for the Child Passenger Safety Program in a minimum amount of six thousand five hundred dollars (\$6,500.00); effective October 01, 2010 through September 30, 2011.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#15

**RESOLUTION NO. 10-161
(April 13, 2010)**

By Mr. Kushner, Chairman of Public Health Committee:

ALCOHOL AWARENESS MONTH PROCLAIMED

WHEREAS, The Wyoming County Board of Supervisors and Partners For Prevention join to support National Awareness Month, which calls attention to the disease of alcoholism, and

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RESOLUTION NO. 10-161**April 13, 2010****Page 2**

promotes understanding that alcoholism is a chronic, treatable disease from which people can recover; and

WHEREAS, Alcohol abuse and addiction continue to present a major health crisis and can have serious consequences for all of society, such as increased costs in health care, welfare, insurance and criminal justice services, and alcohol dependence can also impact an individual and his or her family by affecting job performance and family relationships; and

WHEREAS, Persons with alcoholism can experience periods of sobriety and stability and periods of relapse, and as with other forms of addiction, recovery is possible through effective treatments and rehabilitation programs; and

WHEREAS, For both health and legal reasons, many people should not drink alcohol – including those who are under the age of 21, women who are pregnant or trying to become pregnant, persons taking prescriptions or over-the-counter medications, those with a serious medical condition, anyone driving a vehicle or participating in activities requiring skill, coordination and alertness, or recovering from alcoholism; and

WHEREAS, It is imperative that Wyoming County joins with other counties in advancing efforts to strengthen the enforcement of our NYS underage drinking laws, and build partnerships among local agencies, elected officials, law enforcement, businesses, schools and communities to prevent underage drinking and alcoholism; and

RESOLUTION NO. 10-161**April 13, 2010****Page 3**

WHEREAS, Wyoming County supports national efforts to prevent alcoholism among youth by responding to the Surgeon General's Call to Action to Stop and reduce underage drinking, as are 1,600 town hall meetings, that will take place across the U.S. on May 20, 2010, so as to spread new information related to the public health risks associated with alcohol; and

WHEREAS, All Wyoming County residents join to recognize credentialed alcoholism and substance abuse prevention professionals and counselors who-along with other specialists in schools, communities and workplace, serve an important role in fighting alcoholism and related problems, therefore enabling many people to recover and lead productive and healthy lives; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors do hereby proclaim April 2010 as:

ALCOHOL AWARENESS MONTH

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#16

RESOLUTION NO. 10-162**(April 13, 2010)**

By Mr. Kushner, Chairman of Public Health Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
WITH SPECTRUM HUMAN SERVICES ON BEHALF OF
WYOMING COUNTY MENTAL HEALTH**

April 13, 2010

RESOLUTION NO. 10-162**April 13, 2010****Page 2**

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 Spectrum Human Services, 227 Thorn Ave., Orchard Park, NY 14127 on behalf of Wyoming County Mental Health. Said contract is for Behavioral Health Services in an amount not to exceed ninety-two thousand two hundred ten dollars (\$92,210.00); effective May 1, through December 31, 2010.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

Supervisor Kushner, T/Eagle was asked to present the Alcohol Awareness Month Proclamation. He invited Supervisor Grant, T/Bennington and Mental Health Department employee. Ms. Grant read the proclamation aloud.

There was a motion by Mr. Fleischman, T/Java, to combine resolutions #17 and #18. A voice vote was taken and all voted aye.
#17

RESOLUTION NO. 10-163**(April 13, 2010)**

By Mr. Fleischman, Chairman of Planning Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
EXTENSION WITH NU-WAY SANITATION ON BEHALF
OF PLANNING AND DEVELOPMENT**

RESOLUTION NO. 10-163**April 13, 2010****Page 3**

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 Nu-Way Sanitation, 10 deacon Drive, Arcade, NY 14009 and applicable and appropriate Inter-Municipal Agreements on behalf of Planning and Development at the same rate of \$195.00 per eligible parcel; effective January 1, 2011 through December 31, 2012. First of four – 2 yr. optional extensions.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#18

RESOLUTION NO. 10-164
(April 13, 2010)

By Mr. Fleischman, Chairman of Planning Committee:

**CHAIRMAN AUTHORIZED TO SIGN AN AMENDED
G.L.O.W. REGION SOLID WASTE MANAGEMENT
COMMITTEE INTER-MUNICIPAL COOPERATION
CONTRACT**

WHEREAS, By Resolution Number 09-215 dated May 12, 2009, authorizing the Chairman of this Board to sign a two year Inter-Municipal Cooperation Contractual Agreement with the Genesee, Livingston and Wyoming Counties (“GLOW”) Region Solid Waste Management, 3837 West Main Street Road, Genesee County Building 2, Batavia, New York 14020 effective January 1, 2010 through December 31, 2011, to carry out pharmaceutical and household hazardous waste collection programs; and

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RESOLUTION NO. 10-164**April 13, 2010****Page 2**

WHEREAS, The State Comptrollers Office has determined that a multi county entity does not have the authority to maintain and administer a checking account to deposit revenues or pay expenses; now therefore

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to execute said amended contract on behalf of the County of Wyoming that reflects a change in Section 4.1 Fiscal Officer, designating the Genesee County Treasurer as the Fiscal Officer on behalf of “GLOW” and Section 4.9 Annual Audit, stating that the annual GLOW audit will become part of the annual Genesee County Audit and upon completion be made available to all member counties for review and inspection.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

There was a motion by Mr. Rogers, T/Pike, to combine resolutions #19 through #22. A voice vote was taken and all voted aye.

Prior to the roll call vote on resolutions #19 through #22, Supervisor Rogers commented that on resolution #22, the first whereas as it states, “WHEREAS, In late 2009 New York State enacted and passed into Legislation “Leandra’s Law” which (a) added the category of “Child In Vehicle” to DWI Offenses, that has already been implemented; and, (b) which added a section to the Vehicle & Traffic Law requiring the installation and use of an Ignition Interlock Device as part of all DWI sentences in New York State, to be implemented effective August 15, 2010.” As Chairman of the Public Safety Committee and through conversations with Probation Director Kibler and the Public Safety Committee it is felt that this unfunded mandate could result in an additional 75 – 100 cases in Wyoming County. That would mean the potential for adding additional staff to the department to oversee the cases.

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Also, offenders will have to pay for the devices. However, if they are unable to afford the device the County will be responsible for picking up the tab.

Chairman Berwanger concluded that at the direction of the Public Safety Committee, Probation Director Kibler submitted a plan of noncompliance unless the state pays for the device.

Supervisor Rogers stated that many counties across New York State are taking the same stance.

#19

**RESOLUTION NO. 10-165
(April 13, 2010)**

By Mr. Rogers, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A GRANT
APPLICATION AND ACCEPTANCE AWARD WITH THE
NEW YORK STATE DIVISION OF CRIMINAL JUSTICE
SERVICES ON BEHALF OF THE SHERIFF'S
DEPARTMENT**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a grant application and acceptance award with New York State Division of Criminal Justice Services, 4 Tower Place, Albany, NY 12203-3702 on behalf of the Sheriff's Department. Said grant is for funding towards 4 patrol cars in a minimum amount of forty thousand dollars (\$40,000.00); effective January 1, 2010 through December 31, 2010.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

April 13, 2010

RESOLUTION NO. 10-166
(April 13, 2010)

By Mr. Rogers, Chairman of Public Safety Committee:

**RESOLUTION IN OPPOSITION TO ASSEMBLY BILL
A.9706 AND SENATE BILL S.6606 WHICH ENACTS INTO
LAW MAJOR COMPONENTS OF LEGISLATION WHICH
ARE NECESSARY TO IMPLEMENT THE PUBLIC
PROTECTION AND GENERAL GOVERNMENT STATE
FISCAL PLAN FOR THE 2010/2011 STATE FISCAL YEAR**

WHEREAS, Wyoming County presently operates a county wide Advanced Life Support system that assists the county's Basic Life Support squads that need Advanced Life Support services; and

WHEREAS, This service is currently provided by an independent service provider at no direct cost to Wyoming County; and

WHEREAS, A change to General Municipal Law §209 (b) (4) is contained in Governor Paterson's proposed 2010/2011 budget with the passage of bill numbers A.9706 and S.6606, which enacts into law major components of legislation which are necessary to implement the Public Protection and General Government state fiscal plan for the 2010-2011 state fiscal year; and

WHEREAS, This change if passed into law, will instantaneously eliminate the Medicare Paramedic Advanced Life Support intercept benefits that is currently available to all Medicare recipients in Wyoming County; and

RESOLUTION NO. 10-166**April 13, 2010****Page 2**

WHEREAS, The elimination of this benefit negatively impacts Wyoming County's Medicare population fiscally and clinically; and

WHEREAS, The elimination of this benefit will require the County to provide a significant supplement to replace the lost revenue caused by this change; now therefore

WHEREAS, The Wyoming County Board of Supervisors opposes this change to §209(b)(4) as contained in the proposed in Budget Bill A. 9706 and S.6606 Public Protection General Government Article VII, Part HH, Section 8, and requests that language be removed from the Budget Bill prior to its passage; and be it

FURTHER RESOLVED, That the Clerk to this Board is hereby instructed to forward copies of this resolution to Governor David A. Paterson, New York State Senator Dale Volker, Assemblyman Daniel Burling, New York State Association of Counties, and Western New York Inter-County and all others deemed necessary and proper.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#21

RESOLUTION NO. 10-167**(April 13, 2010)**

By Mr. Rogers, Chairman of Public Safety Committee:

MASS FATALITY PLAN ADOPTED

April 13, 2010

RESOLUTION NO. 10-167**April 13, 2010****Page 2**

BE IT RESOLVED, That the **Mass Fatality Plan** as presented by Emergency Services to the Public Safety Committee on April 01, 2010 is hereby adopted and is annexed hereto.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#22

RESOLUTION NO. 10-168
(April 13, 2010)

By Mr. Rogers, Chairman of Public Safety Committee:

**TO RECOMMEND AND REQUEST THAT THE STATE OF
NEW YORK DELAY THE IMPLEMENTATION OF THE
IGNITION INTERLOCK PROVISIONS OF LEANDRA'S
LAW**

WHEREAS, In late 2009 New York State enacted and passed into Legislation "Leandra's Law" which (a) added the category of "Child In Vehicle" to DWI Offenses, that has already been implemented; and, (b) which added a section to the Vehicle & Traffic Law requiring the installation and use of an Ignition Interlock Device as part of all DWI sentences in New York State, to be implemented effective August 15, 2010; and

WHEREAS, The Legislation provided no direction or resources whereby the Ignition Interlock section of this legislation could be implemented; and

WHEREAS, In accord with the request of the Law, the NYS Division of Probation and Correctional Alternatives has prepared a Proposed Rule to direct the implementation of this law; and

RESOLUTION NO. 10-168**April 13, 2010****Page 2**

WHEREAS, The proposed Rule does not demonstrate how the Counties are to organize and/or support the implementation of this Program, and requires each County to demonstrate how the County will implement and fund this Program; and

WHEREAS, The Wyoming County Department of Probation and other agencies and departments have discussed this Program with the Public Safety Committee and no adequate solutions have been put forth; and

WHEREAS, Wyoming County, in this time of severe fiscal crises, does not have the resources to assume responsibility for an un-funded mandate of this magnitude; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors join with the New York State Association of Counties and other appropriate statewide organizations to recommend and request that the State of New York delay the implementation of the Ignition Interlock Program for two or more years until appropriate resources can be identified and made available to the Counties for the implementation of this Program; and be it

FURTHER RESOLVED, That the Clerk to this Board is hereby instructed to forward copies of this resolution to Governor David A. Paterson, New York State Senator Dale Volker, Assemblyman Daniel Burling, New York State Association of Counties, and Western New York Inter-County and all others deemed necessary and proper.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

April 13, 2010

Prior to the Finance Committee resolutions being presented, Chairman Berwanger asked Supervisor Gozelski, T/Castile and Chairman to the Agriculture Committee to join him at the podium to present Wyoming County Soil and Water Conservation District Chairman, Daryl Heiby and District Manager, Greg McKurth with a Chairman's Proclamation honoring their 30 years of dedication to the district and its programs. Chairman Berwanger also stated that Mr. Heiby has been recently honored by receiving the New York State Conservation District Employee Association District Directory Award.

Mr. Heiby and Mr. McKurth were each given the opportunity to address the Board.

They each graciously thanked the Board for their continued support of all Soil and Water Programs.

In conclusion, Supervisor Gozelski took the opportunity to recognize District Secretary/Treasurer, Sharon Boyd and Water Quality Technician, Bethany Klein and their contribution to the Soil and Water team.

There was a motion by Mr. Davis, T/Covington, to combine resolutions #23 through #25. A voice vote was taken and all voted aye.

#23

**RESOLUTION NO. 10-169
(April 13, 2010)**

By Mr. Davis, Chairman of Finance Committee:

2010 UNITED WAY CAMPAIGN SUPPORTED

RESOLUTION NO. 10-169**April 13, 2010****Page 2**

BE IT RESOLVED, 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 2010 campaign goal of one hundred seventy-five thousand dollars (\$175,000.00) for these needed services to county residents; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors do hereby endorse and support the 2010 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 **“LIVE UNITED”** we can make a real difference.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#24

RESOLUTION NO. 10-170**(April 13, 2010)**

By Mr. Davis, Chairman of Finance Committee:

**MEMORANDUM OF UNDERSTANDING BY AND
BETWEEN CSEA AND THE COUNTY OF WYOMING
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 Memorandum of Understanding by and between the Civil Service Employee's Association and the County of

April 13, 2010

RESOLUTION NO. 10-170**April 13, 2010****Page 2**

Wyoming amending the current collective bargaining agreement
“WCCH” Grade Schedule as follows:

- Move the titles of Hospital Aide Trainee and Nursing Aide Trainee to Grade 1A of Schedule WCCH; effective February 1, 2010 for all new hires of Wyoming County; and
- Create and place on Grade 1A the title of Maintenance Aide Trainee effective February 1, 2010 for all new hires of Wyoming County.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#25

RESOLUTION NO. 10-171
(April 13, 2010)

By Mr. Davis, Chairman of Finance Committee:

POSITION CREATION(S) APPROVED

BE IT RESOLVED, That the following position(s) are hereby created within the various Wyoming County Departments:

Buildings and Grounds (1620):

- One (1) position of Keyboard Specialist (1.00 FTE) to be placed on the appropriate step and grade of the current CSEA Collective Bargaining agreement; effective March 29, 2010.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

After the roll call vote was taken, Chairman Berwanger invited Supervisor Davis, T/Covington to the podium to present the United Way Proclamation. In turn, Supervisor Davis invited Don O'Geen and Linda Nash to join him.

Don O'Geen expressed his support of the United Way Campaign and expressed his appreciation for all of the support the United Way receives from the Board of Supervisors and the County Employees.

United Way Campaign Coordinator, Linda Nash asked that Department Heads who have not yet viewed that United Way video please make plans to do so in order to be eligible for the great giveaways...

Prior to the roll call vote on resolution office number 26, Supervisor Kushner, T/Eagle commented that this will be the final step in getting finances in place for the project. He continued by stating that construction can start as soon as the Certificate of Need is received.

Chairman Berwanger mentioned that this is the largest amount of money the county has ever borrowed.

2/3 Majority
#26

RESOLUTION NO. 10-172
(April 13, 2010)

By Mr. Davis, Chairman of Finance Committee:

April 13, 2010

**A RESOLUTION
AUTHORIZING RENOVATIONS TO THE
COUNTY OWNED HOSPITAL IN AND FOR
THE COUNTY OF WYOMING, NEW YORK,
AT A MAXIMUM ESTIMATED COST OF
\$24,000,000, AND AUTHORIZING THE
ISSUANCE OF \$24,000,000 BONDS OF SAID
COUNTY TO PAY THE COST THEREOF**

WHEREAS, All conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act, have been performed; and

WHEREAS, It is now desired to authorize the financing of such capital project; now therefore

BE IT RESOLVED, By the affirmative vote of not less than two-thirds of the total voting strength of the Board of Supervisors of the County of Wyoming, New York, as follows:

Section 1. Renovations to Wyoming County Community Hospital in and for the County of Wyoming, New York, is hereby authorized at a maximum estimated cost of \$24,000,000.00.

Section 2. It is hereby determined that the aforesaid purpose constitutes a Type II action as defined under the SEQR regulations of the State of New York which, by definition, will not have a significant adverse impact upon the environment.

RESOLUTION NO. 10-172**April 13, 2010****Page 2**

Section 3. It is hereby determined that the plan for the financing of the aforesaid maximum estimated cost is by the issuance of \$24,000,000.00 bonds of said County hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 4. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is twenty-five years, pursuant to subdivision 12(a)(1) of paragraph a of Section 11.00 of the Local Finance Law.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the County Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said County Treasurer, consistent with the provisions of the Local Finance Law.

Section 6. The faith and credit of said County of Wyoming, New York, are hereby irrevocably pledged to the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. To the extent not paid from other sources, there shall annually be levied on all the taxable real property in said County a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

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RESOLUTION NO. 10-172**April 13, 2010****Page 3**

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the County Treasurer, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as the County Treasurer shall deem best for the interests of the County.

Section 8. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the County by the facsimile signature of the County Treasurer, providing for the manual countersignature of a fiscal agent or of a designated official of the County), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the County Treasurer. It is hereby determined that it is to the financial advantage of the County not to impose and collect from registered owners of such serial bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the County Treasurer shall determine.

RESOLUTION NO. 10-172**April 13, 2010****Page 4**

Section 9. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this resolution, no monies

are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 10. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 11. This resolution, which takes effect immediately, shall be published in summary form in the official newspaper, together with a notice of the Clerk of the Board of Supervisors in substantially the form provided in Section 81.00 of the Local Finance Law.

Carried: XXX Ayes: 1470 Noes: Absent: Abstain:

April 13, 2010

Chairman Berwanger asked if there was any Supervisor who objected to the presentation of unanimous consent resolution #27 through 30. Hearing none, the Chairman asked the Clerk to read unanimous consent resolution #27 through 30 prior to the roll call vote for each.

Prior to the roll call vote of resolution office number 27 Chairman Berwanger explained that this is not a new tax, it is the continuance of an existing tax. Currently, there is state legislation that needs to be renewed every three years. With this resolution the Board is asking that the legislation be renewed every 5 years.

UC#27

**RESOLUTION NO. 10-173
(April 13, 2010)**

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

**A RESOLUTION REQUESTING THE NEW YORK STATE
LEGISLATURE TO ADOPT APPROPRIATE
LEGISLATION TO ENABLE THE COUNTY OF
WYOMING TO CONTINUE TO IMPOSE AND COLLECT
TAXES ON MORTGAGES IN WYOMING COUNTY**

WHEREAS, It is deemed desirable and necessary that the County of Wyoming be authorized and empowered to adopt and amend local laws imposing in such county a tax in addition to any tax authorized and imposed pursuant to Article 11 of the Tax Law on mortgages on real property in Wyoming County; and

WHEREAS, It is proposed that the rate of such tax shall be twenty-five cents (\$.25) per one hundred dollars (\$100.00) and each remaining major fraction thereof of principal debt or ligation which is, or under any contingency may be, secured at the date of execution thereof or at any time thereafter by such mortgage, which tax shall be dedicated to funding any general

RESOLUTION NO. 10-173**April 13, 2010****Page 2**

capital projects and/or the debt service for any capital projects for Wyoming County; and

WHEREAS, It is necessary that the New York State Legislature pass and adopt appropriate legislation to enable the County of Wyoming to continue to enact such local law for the imposition of such tax for a term of 5 years; and

WHEREAS, It is the understanding of this Board of Supervisors that prior to the enactment of the Home Rule Request preparatory to the enactment of such state legislation, it is necessary that such proposed legislation be reviewed and assigned the appropriate Senate and Assembly Introductory bill numbers, and that thereafter an appropriate Home Rule Request or Home Rule Message, be adopted and transmitted by this Board of Supervisors to the New York State Legislature; now therefore

BE IT RESOLVED, That this Board of Supervisors of Wyoming County do hereby respectfully requests the New York State Legislature to consider enactment of appropriate legislation to enable the County of Wyoming to impose and collect taxes on mortgages on real property in Wyoming County in addition to any tax authorized and imposed pursuant to Article 11 of the Tax Law, such legislation to authorize that the rate of such tax shall be twenty-five cents (\$.25) per one hundred dollars (\$100.00) and each remaining major fraction thereof of principal debt or obligation which is, or under any contingency may be, secured at the date of execution thereof or at any time thereafter by such mortgage, which tax shall be dedicated to funding any general capital projects and / or the debt service for any capital projects for Wyoming County; and be it

April 13, 2010

RESOLUTION NO. 10-173**April 13, 2010****Page 3**

FURTHER RESOLVED, That following review and introduction of said legislation in the Senate and Assembly of the State of New York, this County Board of Supervisors respectfully requests that the necessary information and forms be forwarded to this Board of Supervisors in order that an appropriate Home Rule Request can be acted upon by this body; and be it

FURTHER RESOLVED, that certified copies of the Resolution be forwarded by the Clerk of this Board of Supervisors to Senator Dale Volker, Assemblyman Daniel Burling, Assembly Speaker Sheldon Silver, the Clerk of the Assembly and the Clerk of the Senate, with a request that those representatives in the State legislature take the appropriate and necessary steps to process the legislation as requested herein; now therefore

BE IT RESOLVED, That this Resolution shall take effect immediately.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

UC#28

**RESOLUTION NO. 10-174
(April 13, 2010)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
WITH WYOMING COUNTY SOIL AND WATER
CONSERVATION DISTRICT FOR AGRICULTURE
DISTRICT REVIEWS**

RESOLUTION NO. 10-174**April 13, 2010****Page 2**

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, 2010 through December 31, 2010.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
UC#29

RESOLUTION NO. 10-175**(April 13, 2010)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
WITH THE BRENNAN GROUP CONSULTING, LLC ON
BEHALF OF THE WYOMING COUNTY BOARD OF
SUPERVISORS**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract extension with the Brennan Group Consulting, LLC, 7705 Sally Road, Waterville, NY 13480 on behalf of the Wyoming County Board of Supervisors. Said agreement is for providing strategic advice with regard to the status and updates on state/federal American Recovery and Reinvestment Act (“ARRA”) of 2009 and fiscal year appropriations.

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RESOLUTION NO. 10-175**April 13, 2010****Page 2**

Additionally, consultant will provide strategic advice on the development of a County-wide Water District, and the coordination of its stakeholders in the amount of two thousand five hundred (\$2,500.00) per month, not to exceed fifteen thousand (\$15,000.00); effective May 01, 2010 through October 31, 2010.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
UC#30

RESOLUTION NO. 10-176**(April 13, 2010)**

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

RESOLUTION OPPOSING VARIOUS PROPOSED ANTI-GUN OWNER LEGISLATION IN NEW YORK STATE

WHEREAS, The “right to bear arms” is guaranteed by the 2nd amendment to the U.S. Constitution; and

WHEREAS, Certain bills passed in the New York State Assembly will have a detrimental effect on hunters, sportsmen and legal gun owners as well as the health of wildlife, revenue to local municipalities and the Department of Environmental Conservation; and

WHEREAS, Passage of said legislation would curtail the rights of law-abiding citizens as guaranteed by the Constitution; now therefore

RESOLUTION NO. 10-176**April 13, 2010****Page 2**

BE IT RESOLVED, That the Wyoming County Board of Supervisors hereby urges the New York State Senate and the Governor to oppose the following onerous and misleading bills:

- a. A-801-A (Requires renewal of firearms licenses after five years; safety course requirement outside City of New York; sets expiration date and provides for a recertification schedule to be developed by the Commissioner of Criminal Justice Services)
- b. A-1093 (Requires imposition of restrictions on gun dealers; stringent record keeping and reporting to prevent gun sales to criminals; requires liability insurance of at least \$1 million; restricts premises of sales; requires employee training; prohibits straw purchases; imposes additional license conditions)
- c. A-1326 (Outlaws handguns capable of firing by a five-year old or younger, making all current handguns illegal)
- d. A-2881 (Defines possession of armor piercing, frangible or devastator ammunition as criminal possession of a weapon)
- e. A-2882A (Expanded compilation of firearm and ballistic data)
- f. A-3076 (Institution of new training requirements for issuance of firearms permits)
- g. A-3211 (Bans sale, use or possession of 50-caliber or larger weapons)

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RESOLUTION NO. 10-176**April 13, 2010****Page 3**

- h. A-5844 (Enacts “children’s weapon accident prevention act”; creates crime for failure to store weapons safely; development of a weapons safety program)
- i. A-6157 (Amends assault weapon definition to include “detachable magazine”, “muzzle break” and “muzzle compensator”)
- j. A-6468B (Requires semi-automatic pistols to be capable of micro-stamping ammunition)
- k. A-5078 (Amends definition of “disguised gun” to include weapon or device capable of being concealed on a person form which a shot can be discharged through energy of an explosive, which is designated and intended to appear to be a toy gun)

And be it

FURTHER RESOLVED, That the Clerk of this Board be hereby directed to send certified copies of this resolution to Governor David Paterson, Assembly Speaker Sheldon Silver, Senator Dale Volker, Assemblyman Daniel Burling, NYSAC, and Inter-County of Western New York.

Carried: XXX Ayes: 1504 Noes: 92 (Java) Absent: Abstain:

Chairman Berwanger thanked Asst. County Attorney, Jamie Welch for sitting in for County Attorney Dadd.

The Janis Report:

Regular Session

Budget Officer Cook reported the following receipt of reimbursements:

			<i>Received</i>	<i>Bal.</i>
State Marcheselli		\$75,500.00	(62,155.00)	\$13,345.00
Court Security	4/1/09 - 3/2010	\$278,868.64	(67,206.88)	\$31,020.14
Indigent Parole Program	3/1/09 - 12/09			
Public Health State Aid	1/1/09 - 9/30/09	\$391,879.88	(391,809.15)	\$70.73
	Est. 4th Qtr			
Mental Health	2008 Federal Salary Sharing	\$81,000.00	(81,322.00)	\$(322.00)
Pre-School	AVL #3 2008-2009 EV #3	\$103,125.94		\$103,125.94
				\$ -
Parole Violators	Billed 3/31/09	\$9,738.40		\$9,738.40
DA Salary Supplement		\$43,867.00	(43,867.00)	\$ -
				\$ -
		\$983,979.86	(646,360.03)	\$156,978.21
not billed but				
Indigent Parole Program	3/1/09 - 12/09	provided service	112,033.47	
				\$ 269,011.68

State saying that they are waiting for the budget to be passed so that they may pay outstanding contractual amounts.

Chairman Berwanger reported on a visit from Dr. Daines, NYS DoH, who met with Dr. Collins, Laura Paolucci, Sarah Matthews, Supervisor Kushner and the Chairman. He stated that their meeting lasted about an hour and Dr. Daines was able to visit one of Wyoming County's Wind Parks during his brief visit through the area. Chairman Berwanger and Ms. Matthews agreed that the letter Chairman Berwanger wrote to Governor Paterson in January was taken very seriously by the State DoH. Dr. Collins encouraged Chairman Berwanger to inform Dr. Daines of this letter and state that we would like some money. He reported that

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they are aware of the letter but the money is tied up in the State Budget Office. Chairman Berwanger also informed Dr. Daines that the mental health contracts won't get paid until the state begins to pay the county and that will be our policy from this point forward.

Thursday is the first meeting of the Marcellus Shale Gas Well Drilling Subcommittee which Supervisor Fleischman chairs. He stated to Dr. Daines that he wished he had more time to spend in Wyoming County because he would have liked to get his view on this issue as it is an environmental issue as well. They are aware of the issue. Water is a very important natural resource in Wyoming County and is worth protecting.

There being no further business to come before this Board, Senior Supervisor Bush, T/Gainesville, adjourned the meeting at 3:48 PM with a rap on his desk.

Respectfully submitted,

Cheryl J. Ketchum

Cheryl J. Ketchum, Board Clerk

REGULAR SESSION

(May 11, 2010)

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 Jerry Davis, Supervisor for the Town of Covington. Also present were 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 2:35 PM Chairman Berwanger, T/Arcade, called the meeting to order.

The Veteran(s) leading the Pledge of Allegiance this month was:

MARK E. RELYEA

Mr. Relyea's service to his country comes while serving during the Vietnam War. Mr. Relyea had received his Bachelor's Degree in Physical Education from SUNY Brockport and had been teaching Physical Education at Elba Central School when was he was called to serve in the United States Army in September of 1968. He completed his Basic Training at Ft. Dix, N.J. and then Advanced Individual Training at Ft. Polk, Louisiana and became qualified as an "11 C" heavy weapons-mortar expert.

Mr. Relyea was shipped overseas and served in Vietnam with "G" Troop, 2nd Squad, 11th Armed Cavalry with the mortar platoon. His unit held positions at Quon-Loy, Bo-Doc, and Loc-Nin. Following his tour in Vietnam, he returned to the United States and was assigned to the 3rd Army at Ft. Benning, Georgia. Mr. Relyea was able to get an "Early-Out" for Education and was Honorably Discharged on June 12, 1970 at the rank of Sgt.

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For his service to his country Mr. Relyea was awarded:

The National Defense Service Medal
The Vietnam Service Medal w/2Bronze Stars
The Vietnam Campaign Medal w/1960 Device
2 Overseas Bars
Expert Badges for: the M-14, M-16, & 81mm Mortar
Marksmanship Badge for 45cal. Pistol
The Combat Infantry Badge
The Bronze Star w/Valor Medal

Mr. Relyea returned to this area and taught Physical Education at Pioneer High School for the next 10 years. During this period, he went back to school at SUNY Brockport and completed a Master's Degree. He also attended St. Bonaventure and received a degree in School District Administration. Mr. Relyea became the Athletic Director and Assistant Principal at Pioneer High School and held this position for the next 20 years until his retirement in 2000. He has been an active Member of VFW Post 374 in Arcade for the past 36 years and has been the Jr. Vice Commander for 4 years. Mr. Relyea and his wife Valerie have coordinated the "Voice of Democracy" program in the Post for the last 20 years. During that period his post has won at the 7th District level 17 times and twice at the State level.

Mr. Relyea enjoys playing golf. He and his wife Valerie have been married 41 years and they live in the Village of Arcade.

The pledge was said by all.

Chairman Berwanger, T/Arcade thanked Mr. Relyea for leading today's pledge and presented him with a certificate of appreciation. The Chairman explained that traditionally the Board allows the veteran an opportunity to address the Board about anything he so chooses.

Mr. Relyea took the opportunity to thank the Board of Supervisors for inviting him and Laney to today's meeting as well as thanking Arcade Post 374 for their support of the "Voice of Democracy," program. The Post has contributed over \$11,000 in scholarships in their school. Many of the Arcade Post 374 members came with Mr. Relyea to show their support. In conclusion, Mr. Relyea introduced Post Winner, Laney Feraldi-Ackerman. She went on to become the District 7 winner and the New York State Department of the Voice of Democracy Representative because of this her essay went onto be judged at the National competition resulting in scholarship money and a trip to Washington, D.C., all sponsored by the VFW.

Ms. Feraldi-Ackerman's essay reads as follows:

"3,465 hostile deaths, 31,527 wounded, countless bronze and silver stars, purple hearts, and medals of honor. Yes, I'd say America still has heroes. Not the superheroes we read about or see on TV, and not the superstars we see on Monday night football. America has an abundance of heroes. Everyday heroes who do something, usually extraordinary when NOTHING is required, when doing nothing is easier than doing something, when doing nothing is the norm. While I was searching for an adequate definition of heroism, I came across the most recent Medal of Honor recipients, and the comments that were made at that ceremony. Unfortunately, Jason Dunham, a Western New York hero, was awarded his Medal of Honor posthumously. His accolades included this definition of heroism; "undaunted courage, intrepid fighting spirit, and unwavering devotion to duty."

Our military heroes not only have suffered the obvious physical injuries of service, but also are survivors of psychological and social separation from their family, careers, and daily life. Their families are also unsung heroes, who deal with financial and emotional difficulties linked to supporting their loved ones. Even while deployed, our military personnel continue to further the

May 11, 2010

education and welfare of countless lives. While in country they befriend and give hope to both children and adults in need of help, friendship, or a new start. There are countless stories of the support our servicemen and women provide both here and abroad.

My previous definition of a hero also applies to our unsung heroes-those who sacrifice personal gain for the betterment of their community. Our dedicated and motivated firefighters and police continuously put their lives on the line to “protect and serve” without regard for their own safety; and certainly not for financial gain. We expect heroic efforts from many people who serve our community, and we appreciate these daily labors of physicians, nurses, and Hospice Workers, who would say they are just simply, “doing their job.”

America has millions of heroes who “just do their job.” This could be volunteers who give up their time to mentor children, drive cancer patients to appointments, visit nursing homes, assist families who have encountered disasters, and even those who are heroes to abused and neglected animals. America is full of Good Samaritans who are willing to intervene in life threatening situations. Everyday we read in our newspapers human interest stories of some hero who provided life-saving care to a stranger-of some hero who reported a crime in progress-of some hero who donated a kidney to someone they do not even know. Another hero, who is definitely an unsung hero, are the millions of single parents struggling to provide a stable and health lifestyle for their children. For many single parents, it takes working two jobs, going without for themselves, and foregoing their own goals to fulfill their children’s needs. Even those who we look to as heroes constantly praise their grandmothers and single parents who took on the dial struggles of raising children despite tough times. We need to remember and honor these heroes, as well.

Does America still have heroes? Most definitely, without a doubt, no questions asked. Heroes who, of all shapes and sizes, of all ages and professions, and with recognition or quiet

contribution, continue to serve. With continuing efforts from all of society, our military, our schools, our churches, and our communities – America will ALWAYS have heroes.

Chairman Berwanger thanked Laney for her inspirational essay and presented her with a certificate of Recognition for representing her community well.

Communications -

C1: Letter from Lorraine A. Cortés-Vázquez from the NYS Department of State, Dated May 5, 2010 and reads as follows:

Dear Chairman Berwanger:

On behalf of Governor David A. Paterson, I am please to provide funding through the Department of State's Local Government Efficiency to Wyoming County to undertake the following project:

Wyoming County Countywide Water Feasibility Study - \$45,000.00

In the near future, the Department will forward a contract and instruction package to the contact person designated in your application. Wyoming County should complete and return the entire contract, including appendices. Christopher Grant has been assigned to work with you throughout the contract process. If you have any questions, please contact Kyle Wilber, Local Government Efficiency Program manager, in our office of Coastal, Local Government and Community Sustainability at (518) 473-3355.

I am pleased that the State of New York is able to assist your efforts to increase efficiency and reduce the cost of service delivery. Congratulations and we look forward to working with you on this special initiative.

Sincerely,

May 11, 2010

C2 Letter from Assemblyman Burling, dated April 29, 2010:

Dear Honorable Members of the Board of Supervisor:

Thank you for sending me a copy of five resolutions that were adopted by your Honorable Body on April 13, 2010.

Resolution 10-153 Proclaims Armed Forces Week.

As a Vietnam veteran myself, I join with you in recognizing our many dedicated veterans and their many sacrifices to insure our freedom.

Resolution 10-166 Opposes Assembly Bill A.9706 and Senate Bill S.6606 which Enacts into Law Major Components of Legislation which are necessary to Implement the Public Protection and General Government State Fiscal Plan for the 2010/2011 State Fiscal Year.

I appreciate you letting me know the importance of the medical Paramedic Advance Life Support intercept benefits which would be eliminated in the Governor's proposal. This benefit is currently available to all Wyoming County residents and if eliminated would negatively impact our communities. I will be sure to advocate for these benefits during budget negotiations.

Resolution 10-168 Recommends and Requests that the State of New York Delay the Implementation of the Ignition Interlock Provisions of Leandra's Law.

Many localities across the state are concerned with the cost of devices for the indigent as well as monitoring compliance contained in the provisions of Leandra's Law. I have contacted the Governor, Speaker Silver and Leader Sampson, and Assemblyman Weisenberg and Senator Dilan

Regular Session

regarding the financial impact this new law will have on county governments who must comply with full implementation by August 15, 2010. We must address this unfunded mandate during budget negotiations to assist all of our counties. A copy of my letters is attached.

Resolution 10-173 Requests the New York State Legislature Adopt Appropriate Legislation to Enable the County of Wyoming to Continue to Impose and Collect Taxes on Mortgages in Wyoming County.

I have introduced legislation today to extend this tax for two years until December 1, 2010.

Resolution 10-176 Opposes Various Proposed Anti-Gun Owner Legislation in New York State.

As an advocate for the National Rifle Association and SCOPE and avid hunter and sportsman, I strongly agree with your position. I have carried the debate in the Assembly against gun control legislation over the past few years and you can be assured of my continued vocal opposition to these proposals.

I appreciate receiving your position on these resolutions and thank you for forwarding this important information to me.

Sincerely,

May 11, 2010

RESOLUTION NO. 10-177
(May 11, 2010)

By Mr. Rogers, Vice Chairman of the Finance Committee:

FUNDS TRANSFERRED TO VARIOUS 2010 ACCOUNTS

BE IT RESOLVED, That funds are hereby transferred to the various 2010 accounts as follows:

Animal Control			
From: 01.37.3510.4.41213 Dog Control	\$500.00		
01.37.3510.4.40103 Auto Insurance	206.55		
To: 01.37.3510.1.10601 Unused Benefit time		\$706.55	
Reason: To cover unused benefit time.			
Animal Control Total			\$706.55

Carried: XXX Ayes: 1539 Noes: Absent: 57 Covington Abstain:
#2

RESOLUTION NO. 10-178
(May 11, 2010)

By Mr. Rogers, Vice Chairman of the Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2010 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2010 accounts as follows:

Capital Improvement Projects			
To: 14.63.1620.2.21002 Property Renovations	\$15,000.00		
w/14.03.1620.1289 Misc. Income		\$15,000.00	
Reason: To appropriate funds for additional expenses related to 408 N. Main Medical Building Renovation.			
Capital Improvement Projects Total			\$15,000.00

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RESOLUTION NO. 10-178**May 11, 2010****Page 2**

Board of Supervisors			
To: 01.31.1010.4.40301 Professional Service Contracts <i>From Any Funds Available</i> Reason: The Brennan Group Contract; effective 05/01/10 through 10/31/10 plus mileage and tolls.	\$16,200.00	\$16,200.00	
Board of Supervisors Total			\$16,200.00
Veteran Services			
To: 01.43.6510.4.42306 Other w/01.09.6510.2705 Gifts/Donations Reason: Expenses covering "Open House" 22 May 2010 Donations from United Church of Warsaw	\$500.00	\$500.00	
Veteran Services Total			\$500.00
Youth Bureau			
To: 01.45.7310.4.42434 Stars of Tomorrow w/01.03.7310.1289 – Other Dept. Income Reason: Purchase of two, fifty dollar savings bonds for Youth Awards.	\$50.00	\$50.00	
To: 01.45.7310.4.42436 Omega/ Youth Court w/01.03.7310.1289 – Other Dept. Income Reason: Cost of shared hotel room with Genesee County Youth Bureau.	\$55.00	\$55.00	
Youth Bureau Total			\$105.00
Public Health			
To: 01.38.4010.4.40802 Contracted Bldg Repair PVT w/01.12.4010.448915 PHEP-HRI Reason: Service contract to install generator at HD; paid by NSYDOH PHEP grant, amount. Reference resolutions #09-405 & #09-450.	\$25,500.00	\$25,500.00	

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RESOLUTION NO. 10-178**May 11, 2010****Page 3**

To: 01.38.4059.2.20401 Capital – Misc Equip 01.38.4059.4.42456 EI ARRA Exp. w/01.12.4059.4689 EI ARRA Rev. Reason: Funds will be used according to approved EI ARRA grant work plan (Reference Resolution #09-426).	\$16,533.00 2,896.00	\$19,429.00	
To: 01.38.4010.4.42435 Immunization w/01.12.4010.4689 Immunization Reason: Other than Personal Services in connection with the New York State Department of Health Bureau of Immunization American Recovery and Reinvestment Act Grant (ARRA). Resolution #10-67. CFDA #93.712.	\$20,000.00	\$20,000.00	
Public Health Total			\$64,929.00
District Attorney			
To: 01.32.1168.1.10604 Personal Svc/Salary 01.32.1168.1.10202 Temp. 01.32.1168.4.41010 Misc. Ofc/Op. Supplies 01.32.1168.4.40301 Prof Svc. Contract 01.32.1168.4.40402 Conf/ Conventions 01.32.1168.4.40405 Emp. Expenses 01.32.1168.8.83001 FICA 01.32.1168.8.81001 Retirement 01.32.1168.8.85001 Medicare w/01.11.1168.3089 Other State Aid Reason: To cover adjust the 2010 ATP budgeted amount to match the cut in funding that was received this year.	\$8,606.03 7,000.00 2,000.00 2,000.00 3,500.00 500.00 1,240.00 2,200.00 290.00	\$27,336.03	
District Attorney Total			\$27,336.03

RESOLUTION NO. 10-178**May 11, 2010****Page 4**

Highway			
To: 04.53.5112.4.40940 HBRR Contract w/04.12.5112.4089 Corps of Engineers 04.11.5112.3089 Other State Aid From any funds available Reason: Funds not used in 2009 are to be carried over for the 2010 expenses which are being incurred for engineering & design for Snyder Rd., West St., & Griffith Rd. bridges and for construction & inspection for East Lake Rd.	\$2,587,594.57	1,844,231.70 187,878.82 \$555,484.05	
To: 04.53.5110.4.41904 Bituminous Products w/04.03.5110.1289 Other Dept. Income Reason: To allocate funds for Highway for repairs to county roads as per the High Sheldon Wind Farm Road Usage paid in 2009 and deferred till 2010.	\$225,000.00	\$225,000.00	
To: 04.53.5110.4.41904 Bituminous Products From any funds available Reason: To allocate funds for Highway to finish repairs for Noble Environmental Power Road Use Agreement (\$85,000) which remain from funds not used in 2009,	\$35,000.00	\$35,000.00	
Highway Total			\$2,847,594.57

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RESOLUTION NO. 10-178**May 11, 2010****Page 6**

Buildings and Grounds			
To: 01.34.1620.4.40803 Building Supplies-Repair <i>From any funds available</i> Reason: For the purchase of hammer drills and sawzall kit to be used for Capital Improvement Projects.	\$1,511.00	\$1,511.00	
Buildings and Grounds Total			\$1,511.00

Carried: XXX Ayes: 1539 Noes: Absent: 57 Covington Abstain:

Mr. Bush, T/Gainesville, Chairman of the Audit Committee,
presented bills totaling **\$1,016,994.28** for the month of **April 2010**.

Carried: XXX Ayes: 1539 Noes: Absent: 57 Covington Abstain:

*There was a motion by Mrs. Totsline T/Genesee Falls, to combine
resolutions #3 and #4. A voice vote was taken and all voted aye.*

#3

RESOLUTION NO. 10-179**(May 11, 2010)**

By Mrs. Totsline, Chairman of Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN A GRANT
APPLICATION AND ACCEPTANCE AWARD WITH THE
NEW YORK STATE OFFICE OF CHILDREN AND
FAMILY SERVICES ON BEHALF OF THE WYOMING
COUNTY YOUTH BUREAU**

RESOLUTION NO. 10-179**May 11, 2010****Page 2**

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 NYS Office of Children and Family Services, 52 Washington Street, Rensselaer, NY 12144 on behalf the Wyoming County Youth Bureau. Said grant is for funding of Youth Bureau Administration costs, Stars, Omega, Youth Court, Positive Parenting, and administration of the Town and Village Recreation programs in a minimum amount of sixty-nine thousand one hundred eighty-five dollars (\$ 69,185.00); effective January 01, 2010 through December 31, 2010.

Carried: XXX Ayes: 1539 Noes: Absent: 57 Covington Abstain:
#4

RESOLUTION NO. 10-180
(May 11, 2010)

By Mrs. Totslie, Chairman of Human Services Committee:

OLDER AMERICANS MONTH PROCLAIMED

WHEREAS, Wyoming County is a community that includes approximately 7,000 citizens aged 60 and older; and

WHEREAS, The older adults in Wyoming County are among our most “treasured resources,” united by historical experiences, strengthened by diversity, and interpreting events through varied perspectives and backgrounds to bring wisdom and insight to our community; and

May 11, 2010

RESOLUTION NO. 10-180**May 11, 2010****Page 2**

WHEREAS, Increasing numbers of adults are reaching retirement age and remaining strong and active for longer than ever before; and

WHEREAS, The older adults in Wyoming County deserve recognition for the contributions they have made and will continue to make to the culture, economy, and character of our community and our nation; and

WHEREAS, Our community can provide that recognition and respect by improving the quality of life for older Americans by:

- Increasing their opportunities to remain active and engaged in community life;
- Providing individualized services and support systems to maintain the dignity, independence, and self-determination of older Americans as they age;
- Combating ageist attitudes by honoring their past, present, and future contributions; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors do hereby proclaim May 2010 to be:

Older Americans Month

and urges every citizen to take time this month to honor our older adults and the professionals, family members, and volunteers who care for many of them. Our recognition and involvement of older Americans can enrich our entire community's quality of life.

Carried: XXX Ayes: 1539 Noes: Absent: 57 Covington Abstain:

After the roll call vote was taken, Supervisor Totslin, T/Genesee Falls was invited to the podium by the Chairman to present the Older Americans Month proclamation.

Supervisor Totslin invited OFA Director, A. Aldinger to accompany her for this presentation. The Director thanked the Board on behalf of the Department and her entire staff. She also mentioned the Senior Ball and stated that each of the Supervisors will be recognizing an outstanding Senior from their Town.

There was a motion by Mr. Kushner T/Eagle, to combine resolutions #5 through #8. A voice vote was taken and all voted aye.

Supervisor Kushner also stated that Clerk Ketchum was notified late yesterday of an update to resolution office number 7. The original amount of the grant was \$35,575.00. It is being increased to \$36,875.00

#5

**RESOLUTION NO. 10-181
(May 11, 2010)**

By Mr. Kushner, Chairman of Public Health Committee:

**CHAIRMAN / COMMISSIONER OF PUBLIC HEALTH
AUTHORIZED TO SIGN VARIOUS GRANT
APPLICATION AND ACCEPTANCE AWARDS ON
BEHALF OF THE COUNTY HEALTH DEPARTMENT**

May 11, 2010

RESOLUTION NO. 10-181**May 11, 2010****Page 2**

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 the following various grant applications and acceptance awards on behalf of the County Health Department:

- ***New York State Department of Health, Corning Tower, ESP, Albany, NY 12237***
 - Lead Poisoning Prevention Program in a minimum amount of \$18,985; effective 04/01/10 through 09/30/10;
 - Immunization Program in a minimum amount of \$30,000; effective 04/01/10 through 03/31/11;
- ***New York State Department of Health, Bureau of Communicable Disease Zoonoses Program, Corning Tower, ESP, Room 621, Albany, NY 12237***
 - Rabies Program in a minimum amount of \$11,237.00; effective 4/1/10 through 3/31/2011;
- ***University of Rochester Center for Community Health, 46 Prince Street, Rochester, NY 14607***
 - for reimbursement of Livingston Wyoming Cancer Services Partnership infrastructure expenses in a minimum amount of \$117,072.00 from 4/1/10 through 3/31/2011; (for infrastructure)
 - payment of Livingston Wyoming Cancer Services Partnership clinical patient services fees to the Wyoming County Health Department, not to exceed \$44,239 from 4/1/10 through 3/31/2011. (for patient service fees)

Carried: XXX Ayes: 1539 Noes: Absent: 57 Covington Abstain:

**RESOLUTION NO. 10-182
(May 11, 2010)**

By Mr. Kushner, Chairman of Public Health Committee:

**CHAIRMAN / COMMISSIONER OF PUBLIC HEALTH
AUTHORIZED TO SIGN A CONTRACT WITH BRIAN C.
MEYERS ON BEHALF OF 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 contract with Brian C. Meyers, 5 Clearview Drive, Arcade, NY 14009 on behalf of the County Health Department. Said contract is for the provision of Public Health Emergency Preparedness Coordination Services in fulfillment of NYSDOH deliverables at a rate of \$25/hr, not to exceed eighteen thousand dollars (\$18,000.00); effective May 23, 2010 through December 31, 2010. Fully reimbursed through the approved NYSDOH PHEP grant.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1539 Noes: Absent: 57 Covington Abstain:
#7

**RESOLUTION NO. 10-183
(May 11, 2010)**

By Mr. Kushner, Chairman of Public Health Committee:

May 11, 2010

RESOLUTION NO. 10-183**May 11, 2010****Page 2****CHAIRMAN / COMMISSIONER OF PUBLIC HEALTH
AUTHORIZED TO SIGN A SUB-AGREEMENT WITH
LIVINGSTON COUNTY HEALTH DEPARTMENT 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 Sub-Agreement with the Livingston County Health Department, 2 Murray Hill Drive, Mt. Morris, NY 14510 on behalf of the County Health Department. Said Sub-Agreement is for reimbursement of Livingston Wyoming Cancer Services Program activities, as required by the approved NYSDOH work plan in an amount not to exceed thirty-six thousand eight hundred seventy-five dollars (\$36,875.00); effective April 01, 2010 through March 31, 2011; fully reimbursed by CSP Grant funds paid by the University of Rochester.

Contingent upon the availability of funds.

**Carried: XXX Ayes: 1539 Noes: Absent: 57 Covington Abstain:
#8**

**RESOLUTION NO. 10-184
(May 11, 2010)**

By Mr. Kushner, Chairman of Public Health Committee:

MENTAL HEALTH MONTH PROCLAIMED

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RESOLUTION NO. 10-184**May 11, 2010****Page 2**

WHEREAS, Mental health is essential to personal well being, and is fundamental to leading a healthy, balanced, and productive life; and

WHEREAS, Mental health disorders and mental health problems affect people of all ages, backgrounds, and at all stages of life; and

WHEREAS, Serious emotional and mental disorders in children and youth are real and treatable; and

WHEREAS, One in four adults will experience a serious mental disturbance in their thoughts, feelings and ability to cope during their life-time, only 30% will actually seek and carry through with treatment; and

WHEREAS, Mental health problems are real and common, but it is important to remember that recovery is possible and with treatment, individuals with mental health problems can lead full and productive lives; and

WHEREAS, The Wyoming County Board of Supervisors desires to acknowledge the concerns that individuals and families face with mental illness, including the mental health needs of both children and the elderly, those with serious and persistent mental illness, and those fighting stigma in employment, housing, and community relations; and

WHEREAS, This Board also desires to support efforts to promote good mental health in all county residents through the delivery of services that enable individuals and families to receive treatment, prevention, advocacy and other supportive services to allow them to enjoy a healthy and successful life; now therefore

May 11, 2010

RESOLUTION NO. 10-184**May 11, 2010****Page 3**

BE IT RESOLVED, That the Wyoming County Board of Supervisors hereby proclaims:

***May 2010 as Mental Health Month
May 2nd through 8th as
Children's Mental Health Week
May 23rd through 29th as
Older American's Mental Health Week***

and urges Wyoming County residents to ***“Live Your Life Well”*** to strengthen personal mental health for each of us.

Carried: XXX Ayes: 1539 Noes: Absent: 57 Covington Abstain:

Supervisor Kushner, T/Eagle was invited to the podium in order to present the Mental Health Month Proclamation. The Supervisor invited Director Snell to join him.

The proclamation was read and presented to Director of Community Services Snell. Supervisor Kushner thanked all of the Wyoming County Mental Health Care providers in and around the hospital. He stated that they really do a fantastic job.

Director Snell thanked Supervisor Kushner and the Board for their continued support and reminded them of some of the month's planned activities in honor of it being Mental Health Month.

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

**RESOLUTION NO. 10-185
(May 11, 2010)**

By Mrs. Meeder, Chairman of Human Resource Committee:

**THOMAS DUTTON REAPPOINTED TO THE
WYOMING COUNTY CIVIL SERVICE COMMISSION**

BE IT RESOLVED, That *Thomas Dutton* of 3062 Route 39, Bliss, NY 14024 is hereby reappointed to the *Wyoming County Civil Service Commission* as a *Civil Service Commissioner* for a term of six (6) years; *effective June 01, 2010 through May 31, 2016* 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: 1539 Noes: Absent: 57 Covington Abstain:
#10

**RESOLUTION NO. 10-186
(May 11, 2010)**

By Mrs. Meeder, Chairman of Human Resource Committee:

**MEMORANDUM OF UNDERSTANDING BY AND
BETWEEN CSEA AND THE COUNTY OF WYOMING
APPROVED**

May 11, 2010

RESOLUTION NO. 10-186**May 11, 2010****Page 2**

WHEREAS, Rehabilitative services need to be provided to the residents of the Wyoming County Community Health System; and

WHEREAS, Range of motion and ambulation are included in those service; and

WHEREAS, The New York State Department of Health will soon be assessing the Skilled Nursing Facility for efficiency and accuracy of these services; and

WHEREAS, There is no designated permanent position to solely handle range of motion and ambulation; and

WHEREAS, The collective bargaining agreement requires the posting of all vacancies; now therefore

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a Memorandum of Understanding by and between the Civil Service Employee's Association and the County of Wyoming amending the current collective bargaining agreement to waive posting for the temporary assignment of two (2) CNAs; one (1) Radiological Aide and one (1) PT Aide. The assignments, when filled on a permanent basis, will be posted in accordance with Article 7 of the collective bargaining agreement between the County and CSEA. This agreement does not constitute a waiver by CSEA of its rights under Civil Service Law §209-a.1 (d) with respect to exclusiveness to work.

Carried: XXX Ayes: 1539 Noes: Absent: 57 Covington Abstain:

**RESOLUTION NO. 10-187
(May 11, 2010)**

By Mrs. Meeder, Chairman of Human Resource Committee:

**MEMORANDUM OF UNDERSTANDING BY AND
BETWEEN CSEA AND THE COUNTY OF WYOMING
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 Memorandum of Understanding by and between the Civil Service Employee's Association and the County of Wyoming amending the current collective bargaining agreement General Unit to add the position of Nutrition Specialist and place the title on Schedule "A," Grade 11 of that agreement; effective immediately.

Carried: XXX Ayes: 1539 Noes: Absent: 57 Covington Abstain:

There was a motion by Mr. Fleischman T/Java, to combine resolutions #12 through #14. A voice vote was taken and all voted aye.

#12

**RESOLUTION NO. 10-188
(May 11, 2010)**

By Mr. Fleischman, Chairman of Planning Committee:

**CHAIRMAN AUTHORIZED TO SIGN NEW YORK STATE
OFFICE OF COMMUNITY RENEWAL GRANT**

May 11, 2010

RESOLUTION NO. 10-188**May 11, 2010****Page 2****APPLICATION AND ACCEPTANCE AWARD**

WHEREAS, The County of Wyoming wishes to apply for a grant from the NYS Office of Community Renewal, Economic Development Program, in a minimum amount of one hundred five thousand dollars (\$105,000.00) that will be used by the Wyoming County IDA to provide financial assistance to Steel & O'Brien Manufacturing, Inc., in the Town of Arcade, New York for their continued growth and expansion; and

WHEREAS, Any repayments of loan proceeds of this grant from Steel & O'Brien Manufacturing, 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 with the approval of the County Attorney is hereby authorized as the official representative of Wyoming County, New York, to execute and submit necessary documents to the Office of Community Renewal for a NYS Community Development Block Grant, OCR Economic Development program, and is hereby authorized and directed to take all necessary actions for the submission of the grant application and acceptance of the grant award 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 as required by the Office of Community Renewal on May 19, 2010, at 3:00 p.m. at the Wyoming County Business Center, 6470 Route 20A, Town of Perry, New York, 14530 and at least five days notice of such

RESOLUTION NO. 10-188

May 11, 2010

Page 3

hearings shall be given by the Clerk of this Board by publishing such notice at least once in the official newspapers of the county designated for such publications.

Carried: XXX Ayes: 1539 Noes: Absent: 57 Covington Abstain: #13

RESOLUTION NO. 10-189

(May 11, 2010)

By Mr. Fleischman, Chairman of Planning Committee:

**CHAIRMAN AUTHORIZED TO SIGN NEW YORK STATE
OFFICE OF COMMUNITY RENEWAL GRANT
APPLICATION AND ACCEPTANCE AWARD**

WHEREAS, The County of Wyoming wishes to apply for a grant from the NYS Office of Community Renewal, Small Business program, in a minimum amount of seventy-five thousand dollars (\$75,000.00) that will be used by the Wyoming County IDA to provide financial assistance to RS Maher & Son, Inc., Town of Eagle/Bliss, New York for their continued growth and expansion; and

WHEREAS, Any repayments of loan proceeds of this grant from RS Maher & Son, 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 with the approval of the County Attorney is hereby authorized and directed as the official representative of Wyoming County, New

May 11, 2010

RESOLUTION NO. 10-189**May 11, 2010****Page 2**

York, to execute and submit necessary documents to the Office of Community Renewal for a NYS Community Development Block Grant, OCR Small Business program, and is hereby authorized and directed to take all actions necessary for the submission of the grant application and acceptance of the grant award 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 as required by the Office of Community Renewal on May 19, 2010, at 2:30 p.m. 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 county designated for such publications.

Carried: XXX Ayes: 1539 Noes: Absent: 57 Covington Abstain:
#14

RESOLUTION NO. 10-190
(May 11, 2010)

By Mr. Fleischman, Chairman of Planning Committee:

JAMES BRICK AND FRANK VITAGLIANO
REAPPOINTED TO THE WYOMING COUNTY BUSINESS
CENTER (LDC) BOARD

BE IT RESOLVED, That *James Brick*, Town of Perry Supervisor, 7618 Route 20A, Perry, New York 14530 and *Frank Vitagliano*, 3855 Luther Road, Silver Springs, New York 14550

RESOLUTION NO. 10-190**May 11, 2010****Page 2**

are hereby reappointed to the ***Wyoming County Business Center Board (LDC) for a term of three (3) years; effective May 10, 2010 through May 9, 2013.***

Carried: XXX Ayes: 1539 Noes: Absent: 57 Covington Abstain:

At this time Chairman Berwanger asked Supervisor Fleischman, T/Java who is also the Chairman of the recently formed Marcellus Shale Gas Well Drilling Subcommittee to come forward and present a series of press releases.

The Wyoming County Board of Supervisors has initiated a sub-committee to explore the effects of drilling for natural gas reserves in the Marcellus Shale layer here in WNY. The scope of the committee is designed to explore the potential effects, both positive and negative, of the drilling in these areas: water supply, drinking water safety, safe disposal of waste waters used in the drilling process, potential land owner issues, quality of life issues, potential road and traffic issues, public safety issues and emergency preparedness and emergency procedures, employment opportunities, legal and real property tax issues also will be addressed by the committee.

The Marcellus Shale Committee is presently made up of department heads from the following county agencies: environmental health, real property services, highway, planning and development, public safety and emergency services and a representative from the county attorney's office. Department heads from the following county contract agencies also sit on the committee: Cornell Cooperative Extension, Soil and Water Conservation, Farm Land Protection Board and Town

May 11, 2010

Supervisors from the towns of Arcade, Attica, Castile, Eagle, Java, Pike and Sheldon.

It is the goal of the committee to provide the citizens of Wyoming County with accurate and timely information on the issues involved with the development of gas reserves here in our area. Following each committee meeting the committee will provide press releases to all the local media outlets. Each press release will also be posted on the County web site for public review. The first press release will be provided on May 11, 2010 and will deal with water issues and concerns.

Mr. Perkins, from Wyoming County Environmental Health delivered the following press release:

With recent Marcellus Shale natural gas exploration in Wyoming County, the Wyoming County Board of Supervisors has formed a sub-committee to explore the effects of drilling for natural gas in the Marcellus Shale. The purpose of this committee is to study the potential benefits and concerns associated with this type of activity with a priority being placed on groundwater and surface water protection.

It should be noted that vertical gas well drilling has occurred for decades in much of the southern tier and western New York, resulting in hundreds of active wells currently being used. Most of these vertical wells tap gas reserves a few thousand feet below the earth's surface. However, with recent discoveries of new gas reserves in the Marcellus shale and new horizontal drilling technologies to reach previously untapped reserves, the number of gas wells is expected to increase. Currently, there is a moratorium on horizontal gas well drilling in New York while its potential impact is being review by New York

State Department of Conservation (NYSDEC). Most of the exploration currently being conducted is in the anticipation of horizontal drilling being permitted.

Gas well drilling could impact groundwater and surface water resources for a variety of reasons. A single gas well can produce hundreds of thousands of gallons of wastewater during the drilling process and production years of a gas well that could lead to potential contamination of groundwater and surface sources. If new drilling technologies are permitted this potential could increase substantially. It is recommended that property owners with a private drinking water source in the vicinity of a proposed gas well have their water source evaluated and sampled prior to drilling.

“It is important for the homeowner to know what their potable water quality is prior to gas well drilling; this establishes a baseline in the event there is a concern with possible contamination.” said Stephen Perkins, Wyoming County Director of Environmental Health. Perkins also added, “All water testing should be done by a certified testing laboratory and by a non-biased entity for it to be valid.”

Potential surface water contamination is a concern for Greg McKurth, Wyoming County Soil & Water Conservation District Manager. If adequate measures are not implemented for controlling erosion and sediment runoff during the construction phase and proper storage/disposal of the drilling wastewater, significant surface water contamination can occur. While most of these issues are to be addressed in the well permit application process, due diligence is need by NYSDEC to ensure compliance during the development of these gas wells.

*If you would like more information on possible groundwater and/or surface water protection during gas well drilling operations in Wyoming County please contact the following agencies; Wyoming County Soil and Water Conservation at (585) 786-5070 or the Wyoming County Health Department at (585) 786-8894. Additional information on Marcellus Shale and gas well drilling in the Marcellus Shale may be obtained by going to the following NYSDEC website,
<http://www.dec.ny.gov/energy/46288.html>.*

#15

**RESOLUTION NO. 10-191
 (May 11, 2010)**

By Mr. Gozelski, Chairman of Agriculture Committee:

**WYOMING COUNTY PURCHASE OF DEVELOPMENT
 RIGHTS PROGRAM APPLICATION FORM APPROVED**

BE IT RESOLVED, That the Wyoming County Board of Supervisors does hereby approve the Wyoming County Purchase of Development Rights Program Application Form previously approved by the Wyoming County Agriculture and Farmland Protection Board at its last meeting of April 15, 2010.

Carried: XXX Ayes: 1539 Noes: Absent: 57 Covington Abstain:

There was a motion by Mr. Rogers, T/Pike, to combine resolutions #16 through #24. A voice vote was taken and all voted aye.

**RESOLUTION NO. 10-192
(May 11, 2010)**

By Mr. Rogers, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A GRANT
APPLICATION AND ACCEPTANCE AWARD WITH THE
NEW YORK STATE DIVISION OF CRIMINAL JUSTICE
SERVICES ON BEHALF OF THE DISTRICT
ATTORNEY'S OFFICE**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a grant acceptance award with NYS Division of Criminal Justice Services, 4 Tower Avenue, Albany, New York on behalf of the District Attorney's Office. Said grant is for funding of services to enhance the prosecution of repeat violent and serious felony offenders in a minimum amount of thirty-one thousand eight hundred dollars (\$31,800.00); effective April 01, 2010 through March 31, 2011.

**Carried: XXX Ayes: 1539 Noes: Absent: 57 Covington Abstain:
#17**

**RESOLUTION NO. 10-193
(May 11, 2010)**

By Mr. Rogers, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
WITH HENRY HAAS ON BEHALF OF THE DISTRICT
ATTORNEY'S OFFICE**

May 11, 2010

RESOLUTION NO. 10-193**May 11, 2010****Page 2**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Henry Haas, 2538 Main Street, P.O. Box 610, Varysburg, NY 14167 on behalf of the District Attorney's Office. Said contract is for the provision of investigative services in an amount not to exceed two thousand dollars (\$2,000.00); effective April 01, 2010 through March 31, 2011.

Carried: XXX Ayes: 1539 Noes: Absent: 57 Covington Abstain:
#18

RESOLUTION NO. 10-194**(May 11, 2010)**

By Mr. Rogers, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A GRANT
APPLICATION AND ACCEPTANCE AWARD WITH THE
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 grant application and acceptance award with the NYS Division of Criminal Justice Service, Four Tower Place, Albany, NY 12203-3764 on behalf of the Public Defender's Office. Said grant is to fund implementation of the indigent parolee program in a minimum amount of forty thousand dollars (\$40,000.00); effective April 01, 2009 through July 01, 2009.

Carried: XXX Ayes: 1539 Noes: Absent: 57 Covington Abstain:

Regular Session

**RESOLUTION NO. 10-195
(May 11, 2010)**

By Mr. Rogers, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A LETTER OF
UNDERSTANDING WITH ATTICA LEGAL AID 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 letter of understanding with Attica Legal Aid, 18 Linwood Ave., Warsaw, NY 14569 on behalf of the Public Defender's Office. Said Letter of Understanding is for the Alternatives to Incarceration program in an amount not to exceed sixteen thousand two hundred dollars (\$16,200.00); effective January 01, 2010 through December 31, 2010.

**Carried: XXX Ayes: 1539 Noes: Absent: 57 Covington Abstain:
#20**

**RESOLUTION NO. 10-196
(May 11, 2010)**

By Mr. Rogers, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A GRANT
APPLICATION AND ACCEPTANCE AWARD WITH NEW
YORK STATE EMERGENCY MANAGEMENT OFFICE 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

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RESOLUTION NO. 10-196**May 11, 2010****Page 2**

directed to sign a grant application and acceptance award with NYS Emergency Management Office, 1220 Washington Ave., Bldg. 22, Suite 101, Albany, NY 12226-2251 on behalf of Emergency Services. Said grant is for funding of Hazardous Materials Emergency Preparedness (HMEP) to improve and implement emergency plans, grant year seventeen, in a minimum amount of two thousand nine hundred thirty dollars \$(2,930.00); effective October 1, 2009 – September 30, 2010

Carried: XXX Ayes: 1539 Noes: Absent: 57 Covington Abstain:
#21

RESOLUTION NO. 10-197**(May 11, 2010)**

By Mr. Rogers, Chairman of 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 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 Emergency Services. Said agreement is to provide for inspections and adjustments of the communications tower at the Fire Training Center, Wethersfield NY in an amount not to exceed three thousand eight hundred twenty dollars (\$3,820.00); effective August 12, 2010 through August 11, 2012. Any changes will require written authorization.

Carried: XXX Ayes: 1539 Noes: Absent: 57 Covington Abstain:

Regular Session

**RESOLUTION NO. 10-198
(May 11, 2010)**

By Mr. Rogers, Chairman of Public Safety Committee:

**GREGORY COLLINS, DO MPH, REAPPOINTED
MEDICAL DIRECTOR, PT (EMS)**

BE IT RESOLVED, That Gregory Collins, DO MPH, 4820 Darby Rd., Avon, NY 14414 is hereby reappointed Medical Director, PT (EMS) for pre-hospital care agencies; effective January 01, 2010 through December 31, 2010.

**Carried: XXX Ayes: 1539 Noes: Absent: 57 Covington Abstain:
#23**

**RESOLUTION NO. 10-199
(May 11, 2010)**

By Mr. Rogers, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A MAINTENANCE
AGREEMENT WITH FRONTIER COMMUNICATIONS
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 Maintenance Agreement with Frontier Communications, 180 S. Main St., Rochester, NY, 14646 on behalf of Emergency Services. Said agreement is for the maintenance of the Positron equipment for emergency calls in the dispatch center in an amount not to exceed forty-two thousand

May 11, 2010

RESOLUTION NO. 10-199**May 11, 2010****Page 2**

dollars (\$42,000.00); effective March 01, 2010 through February 28, 2011.

Carried: XXX Ayes: 1539 Noes: Absent: 57 Covington Abstain: #24

RESOLUTION NO. 10-200**(May 11, 2010)**

By Mr. Rogers, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO AWARD BID FOR
PURCHASE OF TWO (2) 2010 FORD ESCAPES ON
BEHALF OF FIRE AND BUILDING CODE
ENFORCEMENT**

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 Conroy Motor Co., PO Box 20, Java Center, NY 14082 on behalf of Fire and Building Code Enforcement. Said bid is for the purchase of two (2) 2010 SUV (Ford Escape) vehicles in an amount not to exceed thirty-seven thousand three hundred twenty-eight dollars (\$37,328.00). Effective May 11, 2010.

Carried: XXX Ayes: 1539 Noes: Absent: 57 Covington Abstain:

There was a motion by Mr. Patti, T/Attica, to combine resolutions #25 through #32. A voice vote was taken and all voted aye.

RESOLUTION NO. 10-201
(May 11, 2010)

By Mr. Patti, Chairman of Public Works Committee:

RESOLUTION NUMBER 10-136 AMENDED

WHEREAS, Resolution Number 10-136 entitled, **“AUTHORIZING TRANSFER OF OWNERSHIP OF THE HISTORIC WEST STREET BRIDGE TO THE VILLAGE OF ARCADE TO BE REUSED ON BEHALF OF COUNTY HIGHWAY,”** passed by this Board of Supervisors on March 09, 2010 provides that as part of a Federal/State-Aid bridge replacement project, Wyoming County is willing to commit to the historical preservation of the West Street Bridge by providing an appropriate site and setting for relocation by transferring ownership of the bridge to the Village of Arcade for re-use; and

WHEREAS, The existing Pony truss bridge was constructed in 1937 and is of historical significance and is worthy of preservation, which has been determined eligible for listing on the State and National Registers of Historic Places as part of the New York State Bridge Survey; now therefore

BE IT RESOLVED, That Resolution Number 10-136 be hereby amended to reflect that the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign any and all necessary documents to facilitate this transfer.

Carried: XXX Ayes: 1539 Noes: Absent: 57 Covington Abstain:

May 11, 2010

RESOLUTION NO. 10-202
(May 11, 2010)

By Mr. Patti, Chairman of Public Works Committee:

RESOLUTION NUMBER 09-185 AMENDED

WHEREAS, Resolution Number 09-185 entitled, **“POSITION CREATIONS APPROVED,”** passed by this Board of Supervisors on April 14, 2009 provides for the creation of various positions throughout Wyoming County including the following creation:

Buildings and Grounds:

- One (1) position of ***Laborer (Temp.)*** not to exceed 40 hours weekly; to be utilized for Capital Improvement Projects (North Main Medical building located at 408 N. Main St., Warsaw, New York and/or the Lower Department of Social Services building located at 466 N. Main St., Warsaw, New York); effective for six (6) months from the date of hire; and

WHEREAS, Resolution Number 09-416 entitled, **“RESOLUTION NUMBER 09-185 AMENDED,”** passed by this Board of Supervisors on October 13, 2009 provides for a six month extension of the above Laborer (Temp.) position; now therefore

BE IT RESOLVED, That Resolution Number 09-185 as amended by 09-416 be hereby further amended to extend the position another six (6) months.

Carried: XXX Ayes: 1539 Noes: Absent: 57 Covington Abstain:
#27

**RESOLUTION NO. 10-203
(May 11, 2010)**

By Mr. Patti, Chairman of Public Works Committee:

RESOLUTION NUMBER 09-417 AMENDED

WHEREAS, Resolution Number 09-417 entitled, **“ONE (1) POSITION OF LABORER (TEMP) (1.00 FTE) CREATED WITHIN THE DEPARTMENT OF BUILDINGS AND GROUNDS,”** passed by this Board of Supervisors on October 13, 2009 provides for the creation of one (1) position of Laborer (Temp.) (1.00 FTE) within the Department of Buildings and Grounds, not to exceed 40 hours weekly; to be utilized for Capital Improvement Projects (North Main Medical building located at 408 N. Main St., Warsaw, New York and/or the Lower Department of Social Services building located at 466 N. Main St., Warsaw, New York); effective for six (6) months from the date of hire at a rate of \$10.00/hr.; now therefore

BE IT RESOLVED, That Resolution Number 09-417 be hereby amended to extend the position another six (6) months; effective June 01, 2010.

**Carried: XXX Ayes: 1539 Noes: Absent: 57 Covington Abstain:
#28**

**RESOLUTION NO. 10-204
(May 11, 2010)**

By Mr. Patti, Chairman of Public Works Committee:

May 11, 2010

RESOLUTION NO. 10-204**May 11, 2010****Page 2****RESOLUTION NUMBER 09-502 AMENDED**

WHEREAS, Resolution Number 09-502 entitled, **“POSITION CREATIONS APPROVED,”** passed by this Board of Supervisors on December 08, 2009 provides for the creation of various positions throughout Wyoming County including the following creation:

Buildings and Grounds:

- One (1) position of Laborer (CIP) in the amount of \$25.00/hr. up to one year.

Position is temporary and specialized due to the renovations at the North Main Medical building located at 408 N. Main St., Warsaw, New York and/or the Lower Department of Social Services building located at 466 N. Main St., Warsaw, New York; now therefore

BE IT RESOLVED, That Resolution Number 09-502 be hereby amended to extend the position another six (6) months; effective June 09, 2010.

Carried: XXX Ayes: 1539 Noes: Absent: 57 Covington Abstain:
#29

RESOLUTION NO. 10-205
(May 11, 2010)

By Mr. Patti, Chairman of Public Works Committee:

RESOLUTION NO. 10-205**May 11, 2010****Page 2****CHAIRMAN AUTHORIZED TO SIGN AN AGREEMENT
WITH A-1 SHEET METAL 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 an agreement with A-1 Sheet Metal, 50 Franklin St, Batavia, NY 14020 on behalf of Buildings and Grounds. Said agreement is for duct work at the Department of Social Services Capital Improvement Project in an amount not to exceed fifty-eight thousand five hundred sixteen dollars (\$58,516.00); effective May 11, 2010 through December 31, 2010.

Contingent upon the availability of funds.

**Carried: XXX Ayes: 1539 Noes: Absent: 57 Covington Abstain:
#30**

RESOLUTION NO. 10-206**(May 11, 2010)**

By Mr. Patti, Chairman of Public Works Committee:

RESOLUTION NUMBER 09-311 AMENDED

WHEREAS, Resolution Number 09-311 entitled, **“CHAIRMAN AUTHORIZED TO AWARD FIVE (5) BIDS AND SIGN FIVE (5) SEPARATE CONTRACTS IN CONNECTION WITH THE DEPARTMENT OF SOCIAL SERVICES BUILDING EXPANSION PROJECT ON BEHALF OF BUILDINGS AND GROUNDS,”** passed by this Board of Supervisors on August 18, 2009 awards bids for

May 11, 2010

RESOLUTION NO. 10-206**May 11, 2010****Page 2**

contractors for the reconstruction of the building located at 466 North Main Street, Warsaw, New York; now therefore

BE IT RESOLVED, That Resolution Number 09-311 be hereby amended to increase the Picone Construction contract in an amount not to exceed fifty-three thousand sixty-six dollars (\$53,066.00) to a total contract amount not to exceed one million four hundred sixty-seven thousand sixty-six dollars (\$1,467,066.00) to cover the cost of additional parking lot pavement and culvert upgrades.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1539 Noes: Absent: 57 Covington Abstain:
#31

RESOLUTION NO. 10-207**(May 11, 2010)**

By Mr. Patti, Chairman of Public Works Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
WITH DUBAY ELECTRIC, 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 Dubay Electric Inc., 1024 N. Main Street, Delevan, NY 14042 on behalf of Buildings and Grounds. Said contract is for the provision of emergency electrical services at the Fire Training Center in an amount not to exceed six thousand

RESOLUTION NO. 10-207**May 11, 2010****Page 2**

fifty-seven dollars and forty-eight cents (\$6,057.48); effective January 26, 2010 through March 31, 2010.

Contingent upon the availability of funds.

**Carried: XXX Ayes: 1539 Noes: Absent: 57 Covington Abstain:
#32**

RESOLUTION NO. 10-208**(May 11, 2010)**

By Mr. Patti, Chairman of Public Works Committee:

**CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN
CONTRACTS WITH MATUSZAK'S BLACKTOPPING,
INC. ON BEHALF OF BUILDINGS AND GROUNDS**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney are hereby authorized and directed to award a bid and sign contracts with Matuszak's Blacktopping, Inc., 1208 Genesee Road, Arcade NY 14009 on behalf of Buildings and Grounds. Said contract is for the installation of 2,800 square feet of dense binder 3" thick in an amount not to exceed five thousand six hundred dollars (\$5,600.00) and to grade and install 10,230 square feet of dense binder 3" thick on the shooting range not to exceed seventeen thousand dollars (\$17,000.00) at the Fire Training Center in Wethersfield; effective through the completion of the project.

Carried: XXX Ayes: 1539 Noes: Absent: 57 Covington Abstain:

There was a motion by Mr. Rogers, T/Pike, to combine resolutions #33 through #40. A voice vote was taken and all voted aye.

May 11, 2010

Prior to the roll call vote of resolutions #33 through #40 Vice Chairman Rogers offered an amendment to resolution #40, to withdraw the probation position creation.

#33

**RESOLUTION NO. 10-209
(May 11, 2010)**

By Mr. Davis, Chairman of Finance Committee:

NURSES WEEK PROCLAIMED

WHEREAS, The depth and breadth of the nursing profession in Wyoming County meets the different and emerging healthcare needs of the county's population in a wide range of settings; and

WHEREAS, Nurses nationwide are working to chart a new course for health that relies on increasing delivery of primary and preventive healthcare; and

WHEREAS, A renewed emphasis on primary and preventive healthcare will require better use of all nursing resources; and

WHEREAS, Professional nursing has been demonstrated to be an indispensable component in the safety and quality of care of hospitalized patients; and

WHEREAS, The demand for nursing services will be greater than ever because of the aging of the population, the continuing expansion of life sustaining technology and the explosive growth of home healthcare services; and

RESOLUTION NO. 10-209**May 11, 2010****Page 2**

WHEREAS, More qualified nurses will be needed in the future to meet the increasingly complex needs of healthcare consumers in this community; and

WHEREAS, The cost-effective, safe and quality healthcare services provided by nurses will be an ever more important component of the healthcare delivery system in the future; and

WHEREAS, The week of May 6 – 12, 2010 has been declared throughout the United States as National Nurses Week with the theme “*Nurses: Caring Today for a Healthier Tomorrow*” in celebration of the ways in which nurses strive to provide safe and high quality patient care and map out the way to improve our healthcare; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors do hereby proclaim May 6 – 12, 2010 as:

Nurses Week in Wyoming County

and asks that all residents of Wyoming County join us in honoring our dedicated nurses not only during nurses’ week but every day.

**Carried: XXX Ayes: 1539 Noes: Absent: 57 Covington Abstain:
#34**

RESOLUTION NO. 10-210**(May 11, 2010)**

By Mr. Davis, Chairman of Finance Committee:

May 11, 2010

RESOLUTION NO. 10-210**May 11, 2010****Page 2****ANNE HUMPHREY APPOINTED TO THE
WYOMING COUNTY COMMUNITY HOSPITAL BOARD
OF MANAGERS**

BE IT RESOLVED, That Anne Humphrey, 50 St. Helena Street, Perry NY 14530 be hereby appointed to the Wyoming County Community Hospital Board of Managers to fill an unexpired vacant five (5) year term created with the resignation of James Morey; effective through December 31, 2013.

**Carried: XXX Ayes: 1539 Noes: Absent: 57 Covington Abstain:
#35**

**RESOLUTION NO. 10-211
(May 11, 2010)**

By Mr. Davis, Chairman of Finance Committee:

**WORKER'S COMPENSATION INSURANCE COVERAGE
APPROVED FOR WYOMING COUNTY SHERIFF'S
MOUNTED PATROL**

BE IT RESOLVED, That after review by the Wyoming County Sheriff and Board of Supervisors it was determined that the Wyoming County Sheriff's Mounted Patrol Unit should be covered by workers' compensation under the Sheriff's Department. The unit operates at the request of the Wyoming County Sheriff and all unit activities have prior authorization by the Sheriff. Duties may include patrolling at the Wyoming County Fair and other community events that require the services of the Sheriff's

RESOLUTION NO. 10-211

May 11, 2010

Page 2

Department; effective March 13, 2010.

**Carried: XXX Ayes: 1539 Noes: Absent: 57 Covington Abstain:
#36**

RESOLUTION NO. 10-212

(May 11, 2010)

By Mr. Davis, Chairman of Finance Committee:

**CHAIRMAN / DIRECTOR OF INFORMATION
TECHNOLOGY AUTHORIZED TO SIGN A SOFTWARE
MAINTENANCE AGREEMENT WITH REAL VISION
SOFTWARE, INC. ON BEHALF OF WYOMING COUNTY
INFORMATION TECHNOLOGY**

BE IT RESOLVED, That the Chairman of this Board and the Director of Information Technology with the approval of the County Attorney are hereby authorized and directed to sign the Software Maintenance agreement with Real Vision Software Inc., PO Box 12958 Alexandria, LA 71315 on behalf of Information Technology. Said agreement is for the provision of Annual Software support for Imaging System in an amount not to exceed three thousand dollars (\$3,000.00); effective May 1, 2010 through April 30, 2011.

**Carried: XXX Ayes: 1539 Noes: Absent: 57 Covington Abstain:
#37**

RESOLUTION NO. 10-213

(May 11, 2010)

By Mr. Davis, Chairman of Finance Committee:

May 11, 2010

RESOLUTION NO. 10-213**May 11, 2010****Page 2**

Mr. Davis, Chairman of the Finance Committee, presented the **SEMI-ANNUAL MORTGAGE TAX REPORT** for the period of October 01, 2009 through March 31, 2010 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 **\$162,062.60** 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	\$16,649.02	\$3,885.80	\$12,763.22
Attica	\$17,548.58	\$3,525.04	\$14,023.54
Bennington	\$22,465.92		\$22,465.92
Castile	\$12,953.51	\$1,011.83	\$11,137.63
Perry Village		\$804.05	
Covington	\$6,683.73		\$6,683.73
Eagle	\$4,662.22		\$4,662.22
Gainesville	\$3,967.30	\$130.20	\$3,386.83
Silver Springs Village		\$450.27	
Genesee Falls	\$1,196.90		\$1,196.90
Java	\$10,950.34		\$10,950.34
Middlebury	\$7,508.70	\$686.42	\$6,822.28
Orangeville	\$6,029.87		\$6,029.87
Perry	\$15,050.48	\$4,068.28	\$10,982.20
Pike	\$2,560.17	\$221.71	\$2,338.46

RESOLUTION NO. 10-213**May 11, 2010****Page 3**

Sheldon	\$13,829.96		\$13,829.96
Warsaw	\$18,992.63	\$6,141.27	\$12,851.36
Wethersfield	\$1,013.27		\$1,013.27
Total:		\$20,924.87	\$141,137.73
Grand Totals:	\$162,062.60		

Let This Be Your Warrant for Such Payment: **\$162,062.60** IN
 WITNESS WHEREOF, I have hereunto set my hand and seal of
 the Board of Supervisors this 11th day of May 2010.

s/Cheryl J. Ketchum,

Clerk

**Carried: XXX Ayes: 1539 Noes: Absent: 57 Covington Abstain:
 #38**

RESOLUTION NO. 10-214**(May 11, 2010)**

By Mr. Davis, Chairman of Finance Committee:

**RESOLUTION CALLING ON THE GOVERNOR OF
 THE STATE OF NEW YORK TO ENFORCE THE
 COLLECTION OF SALES TAXES ON TOBACCO SOLD
 ON INDIAN LANDS**

WHEREAS, The New York State Association of Counties (NYSAC) commends the Governor for his efforts in directing the New York State Department of Taxation and Finance to rescind its forbearance letter which allows tobacco sales by Native Americans to non-members to go untaxed; and

May 11, 2010

RESOLUTION NO. 10-214**May 11, 2010****Page 2**

WHEREAS, Local governments are highly dependent on sales tax revenues to deliver and fund a wide range of critical programs and services necessary for the health, welfare and safety of their citizens; and

WHEREAS, Sales and excise tax collections provide a significant revenue source enabling the State of New York to fund programs for the benefit of New York's citizens, governments, schools and businesses; and

WHEREAS, Local governments across upstate and downstate New York are facing unprecedented challenges in meeting current funding needs; and

WHEREAS, Due to the rate at which sales and excise taxes are levied on tobacco products and motor fuels, both classes of product generate significant revenue for the State of New York, counties, cities, towns and villages across New York State; and

WHEREAS, Indian tribes and Indian retailers across New York state do not, on their own initiative, collect and remit to the State of New York or to local governments any sales and excise taxes on sales of tobacco products or motor fuels to non-tribal members; and

WHEREAS, Failure to collect sales and excise taxes on tribal and Indian sales to non-tribal members has been particularly damaging to the citizens and governments of New York because this failure deprives the State of New York and local governments of legitimate legal sales tax revenues which are desperately needed to continue delivering the current level of programs and services while keeping property taxes under control; and

RESOLUTION NO. 10-214**May 11, 2010****Page 3**

WHEREAS, Failure to collect these taxes on tribal and Indian sales further creates a grossly unfair business environment for non-Indian retailers across the State of New York by diverting business to tribal and Indian retailers and by giving tribal and Indian retailers a grossly unfair competitive advantage; and

WHEREAS, Numerous federal court cases involving the application of state and local excise and sales taxes to sales by tribal retailers to non-tribal members, including the United State Supreme court case of Department of Taxation and Finance of New York et. al. V. Milhelm Attea and Bros., Inc., et. al. (No. 93-377), have repeatedly affirmed that state have a right to the sales and excise tax revenues on such transactions; and

WHEREAS, The Legislature of the State of New York, by legislation contained in Chapter 62 of 2003 amending various laws of the State regarding taxation, required the Commissioner of Taxation and Finance to implement, not later than September 16, 2003 measures to effectively collect sales and excise taxes on tribal and Indian sales of tobacco and motor fuels to non-tribal members, but collection of taxes has been avoided by three successive administrations for over four years through a series of disingenuous actions; and

WHEREAS, New York State has, on this date, still not begun to collect sales and excise taxes on native American sales to non-tribal members; and

WHEREAS, The Governors proposed increase in the cigarette tax should not be imposed until collection on reservation lands occur as an increase before collection will only divert more of the smoking population to purchase cigarettes on reservation tax havens; and

May 11, 2010

RESOLUTION NO. 10-214**May 11, 2010****Page 4**

WHEREAS, Governor Paterson is looking for ways to close a substantial projected budget deficit; and

WHEREAS, NYSAC and its individual members have repeatedly expressed strong support for implementation of such measures to collect these taxes on tribal sales to non-Indians; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors joins with NYSAC to call on the Governor of the State of New York to enforce State law and take any and all necessary action to insure collection of all sales and excise taxes on tribal and Indian sales of all goods and services to non-tribal members for the benefit of state and local governments without further delay; and be it

FURTHER RESOLVED, That New York State take action to affirmatively assert its sovereign prerogatives and jurisdiction consistent with recent court decisions, the intent of the New York State Legislature and New York State and Federal law; and be it

FURTHER RESOLVED, That the Clerk of this Board be hereby directed to send certified copies of this resolution to Governor David Paterson, Senator Dale Volker, Assemblyman Daniel Burling, NYSAC, Inter-County of Western New York, and all others deemed necessary and appropriate.

Carried: XXX Ayes: 1539 Noes: Absent: 57 Covington Abstain:

**RESOLUTION NO. 10-215
(May 11, 2010)**

By Mr. Davis, Chairman of Finance Committee:

**MEMORIALIZING NEW YORK STATE LEGISLATURE
AND MEMBER COUNTIES OF THE GVRMA TO OPPOSE
GOVERNOR PATERSON'S PROPOSAL TO DISSOLVE
THE GENESEE VALLEY REGIONAL MARKET
AUTHORITY**

WHEREAS, The Genesee Valley Regional Market Authority (GVRMA) was created by New York State Statute in 1951. Located in the Town of Henrietta, the GVRMA houses 160 businesses and provides 1,600 full-time and 500 part-time local jobs. In response to the State's massive budget deficit, Governor Paterson has proposed to dissolve the GVRMA and liquidate its assets; and

WHEREAS, If approved by the State Legislature, this Executive Budget proposal will negatively impact GVRMA's 160 businesses and 2,100 local jobs. By offering low-rent options, the GVRMA is able to house many small businesses, seventy of which have ten employees or less; and

WHEREAS, In addition to providing jobs, GVRMA invests upwards of \$1.5 million annually in capital improvements such as market enhancements, building construction, revamped sewer lines, and traffic signals; and

WHEREAS, The GVRMA has demonstrated great success as a job creator and regional economic incubator for small businesses. Its presence in Monroe County greatly contributes to the strength and vitality of our local economy; and

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WHEREAS, The State's budget deficit should not be balanced on the backs of local employers. During this difficult economic climate, government must work to improve the business climate, not impede it; and

WHEREAS, Governor Paterson's proposal will have serious implications on small businesses which rely on the GVRMA for their economic well being; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors does hereby oppose the dissolution of the GVRMA and urges State Lawmakers to vote against it; and be it

FURTHER RESOLVED, That the Clerk of this Board be hereby directed to send certified copies of this resolution to Governor David Paterson, Senator Dale Volker, Assemblyman Daniel Burling, Inter-County of Western New York, and all others deemed necessary and appropriate.

**Carried: XXX Ayes: 1539 Noes: Absent: 57 Covington Abstain:
#40**

**RESOLUTION NO. 10-216
(May 11, 2010)**

By Mr. Davis, Chairman of Finance Committee:

Regular Session

POSITION CREATION(S) / POSITION(S) ABOLISHED

BE IT RESOLVED, That the following position(s) are hereby created within the various Wyoming County Departments:

Office for the Aging:

- One (1) position of Nutrition Specialist (1.00 FTE) to be placed on Schedule “A” grade 11 of the current CSEA Collective Bargaining agreement; effective immediately and abolish one (1) position of Nutrition Coordinator vacated by E. McKinnon; effective immediately.

County Health Department:

- One (1) position of Assistant Director of Nursing (CHHA) (1.00 FTE), to be placed on Salary Schedule “S;” effective May 16, 2010 and abolish one position of RPN (1.00 FTE); contingent upon passing all Civil Service requirements.

WITHDRAWN**Probation**

- Two (2) positions of Senior Probation officers (1.00 FTE) to be placed on Schedule “A” grade 17 of the current CSEA Collective Bargaining agreement; effective upon all Civil Service requirements being met and abolish two (2) Probation Officer positions; effective upon all Civil Service requirements being met.

Carried: XXX Ayes: 1539 Noes: Absent: 57 Covington Abstain:

Chairman Berwanger invited Finance Vice Chairman Rogers, T/Pike to the podium to present the Nurses Week in Wyoming County proclamation to a contingency of Wyoming County Community Hospital nurses representing the all nurses in Wyoming County.

May 11, 2010

Supervisor Rogers invited WCCH Director of Nursing Lori Roche to join him along with the nursing representation present.

The proclamation was read. Ms. Roche introduced the attendees and said a few nice words about the nursing staff at the hospital.

There being no further business to come before this Board, Senior Supervisor Bush, T/Gainesville, adjourned the meeting at 3:32 PM with a rap on his desk.

Respectfully submitted,

Cheryl J. Ketchum

Cheryl J. Ketchum, Board Clerk

SPECIAL SESSION
(May 25, 2010)

Tuesday**12:00 PM**

The regular session of the Wyoming County Board of Supervisors was held at the Wyoming County Government Center in the Board of Supervisors' Chambers located at 143 North Main Street, Warsaw, New York with all Supervisors present except Harold Bush, Supervisor for the Town of Gainesville and John Copeland, Supervisor for the Town of Wethersfield. Also present were Budget Officer, Janis Cook and Clerk to the Board of Supervisors, Cheryl Ketchum.

At 12:03 PM Chairman Berwanger, T/Arcade, called the meeting to order.

Supervisor Rogers, T/Pike lead in the pledge of allegiance.

Chairman Berwanger explained that the purpose for today's meeting is to consider resolution office #1 in order for Wyoming County to continue to impose the additional ¼% mortgage tax. Both Assemblyman Burling and Senator Volker stated that if the Board of Supervisors waits until their regular monthly meeting on June 8th the opportunity for a continuance will have passed. Home Rule request documents will be sent over night mail to Colleen at Senator Volker's Office

#01

RESOLUTION NO. 10-217
(May 25, 2010)

By Mr. Davis, Chairman of the Finance Committee:

May 25, 2010

**AUTHORIZE HOME RULE REQUEST IN SUPPORT OF
LEGISLATION S7736 AND A10979, 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, The Wyoming County Board of Supervisors are convened in Special Session properly noticed to each member of the Board of Supervisors and to the general public to consider a Home Rule Request pursuant to Article IX of the Constitution of the State of New York as set forth in this resolution; and

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

WHEREAS, On September 09, 2008 Wyoming County adopted Local Law #8, of the year 2008, 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, as amended by Chapter 79 of the laws of 2008 shall expire December 01, 2010; and

RESOLUTION NO. 10-217**May 25, 2010****Page 3**

WHEREAS, Senate Bill S7736 and Assembly Bill A10979 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 S7736 and Assembly Bill A10979 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: 1463 Noes: Absent: 96 Gainesville Abstain:
37 Wethersfield
Total 133

There being no further business to come before this Board, presiding Senior Supervisor Meeder, T/Middlebury, adjourned the meeting at 12:25 PM with a rap on her desk.

May 25, 2010

Respectfully submitted,

Cheryl J. Ketchum

Cheryl J. Ketchum, Board Clerk

REGULAR SESSION

(June 08, 2010)

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 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(s) leading the Pledge of Allegiance this month was:

GERALD L. STOUT

Mr. Stout's service to his country comes while serving during the Vietnam War. Mr. Stout had completed his Bachelor's Degree in History at Fordham University when he answered the call to serve his country and joined the United States Army on February 16, 1966. He completed both Basic and Advanced Individual Training at Ft. Dix, New Jersey and became qualified as an Infantry Operations & Intelligence Specialist.

Mr. Stout then completed Officer Candidate School in Ft. Benning, Georgia and was commissioned a 2nd Lt. in February 1967. He then completed 13 weeks of Officer Intelligence School at Ft. Holabird, Maryland, and was then shipped overseas to Vietnam and was assigned to MAC-V (Military Assistance Command-Vietnam) at Quon NY Province under "I" Corp. Here Lt. Stout worked as an advisor to the South Vietnamese Army until his rotation back to the United States.

June 08, 2010

Mr. Stout was Honorably Discharged on August 15, 1969 at the rank of 1st Lt.

For his service to his country Mr. Stout was awarded:

The National Defense Service Medal

The Vietnam Service Medal

The Vietnam Campaign Medal

2 Overseas Bars

Sharpshooter Badge for the M-14 Rifle

Marksmanship Badge for 45cal. Pistol

The Bronze Star Medal

Mr. Stout returned to this area and enrolled at Syracuse University in Law School, graduating in the summer of 1972. During this time, he was a Reserve Officer of the United States Army Reserve in Syracuse with a “Civil Affairs Unit.”

Mr. Stout returned to Warsaw and practiced Law with Charlotte Smallwood-Cook from 1972 to 1995. During this period, he also worked part-time as an Assistant District Attorney from 1991 to 1995, when he became the Full-time District Attorney. The prosecution of 2 notable Murder Trials in the early 1990’s became the justification of the full-time position. Mr. Stout has held this position since 1995 and plans on retiring in January 2011.

Mr. Stout lives in Orangeville and enjoys the outdoors, splitting logs, and all forms of sports.

The pledge was said by all.

Chairman Berwanger presented Mr. Stout with the customary certificate of appreciation and offered Mr. Stout the opportunity to share a few words with the Board of his choosing. Mr. Stout thanked the Board and commended the Board on the tradition of

inviting a Veteran to lead the Board in the pledge to the flag at their monthly meeting.

Mr. Stout recounted how the Vietnam Veteran was treated upon their return to the states many years ago. He explained that the treatment was not very welcoming.

In honor of the Memorial Day weekend one week ago, Mr. Stout read a very moving letter written by his cousin. The letter is as follows:

A Memorial Day to Remember

I remember my first Memorial Day in a small upstate New York town. I was either 3 or 4 years old and was taken by my stepfather to view the march through town down to the river. There a wreath was thrown onto the water and guns were shot off in honor of those who had given their lives to their country. I was too young to fully understand all that was going on but it was enough to leave a strong memory that this was a significant time. And I also remember that my mother refused to attend. Having lost a husband and the love of her life in the war, leaving her a widow with two very young children, she wanted no part of any remembrance of the war. It was too painful.

My father, Laurence H. Thomas, was a first lieutenant in the 79th Division fighting in France. He arrived sometime in July 1944 and was killed in action on November 20, 1944. He was awarded the Silver Star for helping to wipe out one German machine gun installation but was killed trying to do the same to another one. My mother and Grandmother were faced with the decision of what to have done with the body (a decision being made by thousands of other families across the country) and

June 08, 2010

decided that he should be buried with his comrades that had also fallen in action. He was buried in the US military cemetery in Epinal, France, near the area where he had fallen, along with 5251 other US military casualties.

No one in my family had ever visited the grave site although there were discussions over the years about doing so. When my mother's husband died last November we discussed going this year. My Mom had turned 90 in December 2009 and we knew it would not be an easy trip for her but we began the plans. On May 26 my wife and I flew into Paris and met my mother and my sister Kathy at our hotel. My father got to hold Kathy after she was born in May 1944 but a few days later had to return to duty. She was only 6 months old when he died and I was just over 2 years of age.

On the 27th we took a bullet train to Epinal. The next day we took a cab to the cemetery and were met by the Director and his assistant. It was a beautiful cemetery, the grounds nicely laid out with the shrubs neatly trimmed and the flowers of rhododendron and azaleas in full bloom. We were taken to the grave site where fine sand was rubbed over my father's name and date of his death. My mother, sister and I each approached the grave with a rose and had our time there to shed tears and to pay our respects and tributes to him and his comrades for their sacrifices. My wife took pictures and then brought a forth rose to the grave site and paid her respects. It was a very meaningful moment in a very beautiful and peaceful place.

What added even more to this time were the American soldiers we ran into later in the day. My wife and I had gone out of our hotel for some take- out dinner

and ran into two American soldiers stationed in Germany who had come to Epinal for the Memorial Day ceremony to be held at the cemetery. They appreciated hearing our story and we appreciated hearing some of their stories from their tours of duty. One soldier had to say a few words at the cemetery and was interested in mentioning Larry Thomas who he had just heard about from us. Later in our hotel bar we met two US airmen who were also down from Germany for the ceremony at the military cemetery. We shared stories and they expressed their appreciation for the sacrifices of our father and our family in the Second World War and we thanked them for their service today, both in Iraq and Afghanistan. My mother bought them each a beer, recognition in part by her of the meaning of Memorial Day and of the sacrifices of Americans down through the decades to maintain our freedoms and those of other freedom loving peoples.

I always think of the father that I never knew (except through photographs and stories) on each Memorial Day but the reality of his sacrifice and the connectedness of those who have gone in the past with those that serve us today was never as strong as it was on my visit to Epinal. And for those who think that Government agencies can never do anything right, I have to say that The American Battle Monuments Commission does a wonderful job of honoring our fallen soldiers buried in various cemeteries around the world. At the end of our visit my Mom was at peace with a decision she and my Grandmother made some 63 years earlier to have my father buried near where he was killed in action. We all felt that there was no better place where he would be honored and respected for his sacrifice than where he was buried in Epinal.

David L. Thomas

Champaign, Illinois

(Retired Chief of the Illinois Natural History Survey, member of the First Presbyterian Church of Champaign, and resident of the community with his wife Carol

Chairman Berwanger, again, thanked Mr. Stout for sharing the very moving letter with everyone.

#1

**RESOLUTION NO. 10-218
(June 08, 2010)**

By Mr. Gozelski, Chairman of Agriculture Committee:

**JUNE 2010 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, 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. Wyoming County farms produce an average of 22,700 pounds of milk per cow per year, with a total Wyoming County Milk production in 2008 of 1,074,000,000 pounds with 47,300 milk cows. The top three

RESOLUTION NO. 10-218**June 8, 2010****Page 2**

leading dairy counties in the state are Wyoming, Cayuga and St. Lawrence; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors do hereby proclaim **June 2010** 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: 1596 Noes: Absent: Abstain:

Chairman Berwanger invited Supervisor Gozelski, T/Castile to the podium for the presentation of the Dairy Month proclamation. The Chairman also introduced and invited, Molly Koerner, this year's Dairy Princess to join them.

Molly is the daughter of Art and Karen Koerner of Portageville and resides on the family farm where they milk 190 Holsteins on 400 acres.

She is a student at Letchworth Central High School, majoring in English, Chemistry, Trigonometry, Honors French, Honors History and Government, and Honors Biology with the goal of attending Cornell University to pursue a degree in the field of Veterinary Science.

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Molly's activities at Letchworth include National Honor Society, Big Buddy, Foreign Language Club, Drama Club, Varsity Volleyball and Varsity Basketball. She was recently inducted as the Letchworth FFA President for the 2010/2011 school year.

Her 4-H activities include cooking, sewing and showing dairy cattle at the Wyoming County Fair with the Holstein Gang Plus 4-H club.

Molly has been a Teen Representative at the New York State Fair for Modeling and Clothing Revue.

In 2010 she placed 2nd in the "Edna Mehlenbacher Public Speaking Contest", 2nd place at the District FFA speaking contest in 2005 and 3rd at FFA Sub-States in 2006.

Molly has worked as a volunteer at holiday parties for the Pike Community Youth and was the 2008 recipient of the "Erica Todd Memorial Ambassador Go-Getter Award."

Molly thanked the Board for inviting her to today's meeting.

After the presentation of the Dairy Month proclamation Chairman Berwanger announced that Molly has brought with her the traditional milk punch, cheese and crackers, and that Upstate Milk Cooperative has provided today's attendees with assorted milks.

In honor of Dairy Month Chairman Berwanger introduced Roxanne Dueppengiesser, who is the 4-H educator at Cornell Cooperative Extension.

Ms. Dueppengiesser began her presentation with a power point presentation explaining the public speaking program.

First, nine year old Celine Almeter shared her hula hoop presentation. The audience really enjoyed this too!!

Regular Session

Mary Katherine Zielonka presented an excerpt from her essay on Parental Rights.

Chairman Berwanger introduced Supervisor Fleischman and the following Marcellus Shale Gas Well Drilling web presentation:

<http://www.api.org/policy/exploration/hydraulicfracturing/hydraulicfracturing.cfm>

Communications -

~None~

#2

**RESOLUTION NO. 10-219
(June 08, 2010)**

By Mr. Davis, Chairman of the Finance Committee:

FUNDS TRANSFERRED TO VARIOUS 2010 ACCOUNTS

BE IT RESOLVED, That funds are hereby transferred to the various 2010 accounts as follows:

Office For the Aging			
From: 01.44.6772.1.10001 Salaries S/D/I To: 01.44.6772.4.40923 Dietician Services Reason: Transfer funds to reflect anticipated costs	\$5, 000.00	\$5,000.00	
Office For the Aging Total			\$5, 000.00

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Sheriff			
From: 01.37.3110.4.41306 Uniforms To: 01.37.3110.1.19750 Uniform Allowance Reason: change in how uniform allowance is paid; change was after 2010 budget was prepared and adopted.	\$16,000.00	\$16,000.00	
Sheriff Total			\$16,000.00
Jail			
From: 01.37.3150.4.41306 Uniforms To: 01.37.3150.1.19750 Uniform Allowance Reason: change in how uniform allowance is paid; change was after 2010 budget was prepared and adopted.	\$10,000.00	\$10,000.00	
Jail Total			\$10,000.00

Carried: XXX Ayes: 1596 Noes: Absent: Abstain: #3

RESOLUTION NO. 10-220**(June 08, 2010)**

By Mr. Davis, Chairman of the Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2010 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2009 accounts as follows:

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Treasurer			
To: 01.33.1325.4.40301 Professional Audit Services <i>From any funds available</i> Reason: In order to pay unbudgeted material events filing fees for new bond rating.	\$500.00	\$500.00	
Treasurer Total			\$500.00
District Attorney			
To: 01.32.1165.1.10202 Temporary 01.32.1165.8.81001 Retirement 01.32.1165.8.83001 FICA 01.32.1165.8.85001 Medicare - FICA <i>From any funds available</i> Reason: To appropriate funds to cover the cost of a temporary ADA in preparation for January 2011 transition.	\$13,000.00 1,430.00 806.00 188.50	\$15,424.50	
To: 01.32.1168.1.10604 Bonus Award Salary w/01.11.1168.3089 Other State Aid Reason: To adjust 2010 ATP Budget	\$1,926.47	\$1,926.47	
To: 01.32.1165.1.10601 Unused Benefit Time <i>From any funds available</i> Reason: In order to cover the cost of accrued vacation that was paid out.	\$5,617.04	\$5,617.04	
District Attorney			\$22,968.01
Planning and Development			
To: 01.42.6421.4.42306 Misc. 01.42.6421.4.41204 Advertising <i>From any funds available</i> Reason: To appropriate funds for costs associated with the Marcellus Shale informational meeting.	\$300.00 1,200.00	\$1,500.00	
Planning and Development Total			\$1,500.00

June 08, 2010

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Page 3

Board of Supv./Legislative			
To: 01.31.1010.4.40301 Professional Svc w/01.11.1010.3089 Other State Aid Reason: Local Efficiency Grant – Water Feasibility Study	\$45,000.00	\$45,000.00	
Board of Supv./Legislative Total			\$45,000.00
Office For the Aging			
To: 01.44.6772.4.42401 OTEO Contracts w/01.12.6772.477205 Title V Reason: Additional Funding for Title V Program	\$21,510.00	\$21,510.00	
Office For the Aging Total			\$21,510.00
Sheriff			
To: 01.37.3110.4.40508 Private Auto Repair w/01.08.3110.2680 Insurance Recovery Reason: offset of insurance company payment for car 7 \$376.33 and car 17 \$461.17	\$837.50	\$837.50	
To: 01.37.3110.4.40009 Cell Phones 01.37.3110.4.40016 Internet Service w/01.12.3110.438903 Homeland Security Reason: offset of unspent grant funds for 2007 LETPP Contract #C838875 to end of grant 06/30/2010	\$1,245.00 \$480.12	\$1,725.12	
To: 01.37.3110.4.40009 Cell Phones 01.37.3110.4.40016 Internet Service 01.37.3110.4.42101 Law Enforcement w/01.12.3110.438903 Fed. Aid Homeland Security Reason: offset of unspent grant funds for 2008 LETPP Contract #T838882 for 2010 expenses	\$1,110.00 \$1,440.36 \$785.44	\$3,335.80	
Sheriff Total			\$5,898.42

RESOLUTION NO. 10-220**June 8, 2010****Page 4**

Jail			
To: 01.37.3150.8.84001 Unemployment Ins <i>From any funds available</i>	\$9,720.00	\$9,720.00	
Reason: potential charges for a former employee 01/25/2010-12/31/2010			
To: 01.37.3150.4.41711 Inmate Medical w/ 01.04.3150.1525 Prisoner Charges	\$4,982.39	\$4,982.39	
Reason: offset of reimbursement from Genesee Co for inmate medical expenses while boarded in our jail.			
Jail Total			\$14,702.39
Probation			
To: 01.37.3140.4.42101 Law Enforcement Supplies w/01.12.3140.438901 Fed Aid 01.03.3140.1289 Other Dept. Income	\$2,260.00	\$1,130.00 \$1,130.00	
Reason: Purchase of 4 bulletproof vests, must be purchased by September to use grant money which will offset 50% of the cost.			
Probation Total			\$2,260.00
Buildings and Grounds/CIP			
To: 01.34.1621.1.10202 Temporary 01.34.1621.8.83001 FICA 01.34.1621.8.85001 Medicare – FICA 01.34.1621.8.81001 Retirement w/ 01.03.1621.1289 Other Dept. Income	\$69,170.00 4,288.54 1,002.97 5,533.60	\$79,995.11	
Reason: To appropriate funds to cover the cost of (3) Temporary workers hired for work at 408 N. Main and Lower DSS CIP projects.			
Buildings and Grounds/CIP Total			\$79,995.11

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

June 08, 2010

Mr. Bush, T/Gainesville, Chairman of the Audit Committee, presented bills totaling **\$2,239,980.77** for the month of **May 2010**.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

There was a motion by Mrs. Totslin T/Genesee Falls, to combine resolutions #4 through #10. A voice vote was taken and all voted aye.

#4

**RESOLUTION NO. 10-221
(June 08, 2010)**

By Mrs. Totslin, Chairman of Human Services Committee:

**FLAG DAY AND NATIONAL FLAG WEEK 2010
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 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

RESOLUTION NO. 10-221**June 8, 2010****Page 2**

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), designating 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, 2010 as:

June 08, 2010

***Flag Day
and
the week beginning June 14, 2010
as National Flag Week***

it is

FURTHER RESOLVED, That we direct the appropriate officials to display the flag on all County Government buildings during that week, and urge all Americans to observe Flag Day and National Flag Week by flying the Stars and Stripes from their homes and other suitable places. 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 is hereby directed to forward certified copies of this resolution to President Barack Obama, U.S. Senators Charles Schumer and Kirsten Gillibrand, Congressman Chris Lee, and all other deemed appropriate and necessary.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#5

RESOLUTION NO. 10-222
(June 08, 2010)

By Mrs. Totsline, Chairman of Human Services Committee:

RESOLUTION NO. 10-222**June 8, 2010****Page 2**

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

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a grant application and acceptance award with New York State Office for the Aging, 2 Empire State Plaza, Albany, New York 12223 on behalf of the Wyoming County Office for the Aging. Said grant is to provide additional funding for senior employment opportunities to residents 55+ in Wyoming County in a minimum amount of twenty-one thousand five hundred ten dollars (\$21,510.00); effective February 01, 2010 through June 30, 2011.

**Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#6**

RESOLUTION NO. 10-223**(June 08, 2010)**

By Mrs. Totslin, Chairman of Human Services Committee:

**CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN
A CONTRACT WITH MCDONALD'S BUS SERVICE
ON BEHALF OF THE WYOMING COUNTY YOUTH
BUREAU**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney be hereby authorized and directed to sign a contract with McDonald's Bus Service, Inc., 248

June 08, 2010

RESOLUTION NO. 10-223**June 8, 2010****Page 2**

Sergeant Street, Cowlesville, New York 14037 on behalf of the Wyoming County Youth Bureau. Said contract is for the provision of transportation services not to exceed 2010 - 2013 budget; variable depending on number of services; effective July 01, 2010 through June 30, 2013.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#7

RESOLUTION NO. 10-224
(June 08, 2010)

By Mrs. Totslin, Chairman of Human Services Committee:

**CHAIRMAN AUTHORIZED TO AWARD BID AND
SIGN A CONTRACT WITH LETCHWORTH CENTRAL
SCHOOL 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 award a bid and sign a contract with Letchworth Central School District of Wyoming County, 5550 School Rd., Gainesville, New York 14066 for the provision of transportation services not to exceed 2010 - 2013 budget; variable depending on number of services; effective July 01, 2010 through June 30, 2013.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

**RESOLUTION NO. 10-225
(June 08, 2010)**

By Mrs. Totslin, Chairman of Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
WITH SPEECH LANGUAGE & COMMUNICATION
ASSOCIATES, OT, PT, SP, PLLC 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 Speech Language & Communication Associates, OT, PT, SP, PLLC, 5544 Main Street, 2nd Floor, Williamsville, New York 14221 on behalf of Wyoming County Youth Bureau. Said contract is for the provision of Early Intervention services not to exceed 2010 - 2012 budget; variable depending on number of services; effective May 01, 2010 through June 30, 2012.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#9

**RESOLUTION NO. 10-226
(June 08, 2010)**

By Mrs. Totslin, Chairman of Human Services Committee:

June 08, 2010

RESOLUTION NO. 10-226**June 8, 2010****Page 2****CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
WITH CHELSIE CALLAN 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 Chelsie Callan, 252 Ross Street, Batavia, New York 14020 on behalf of the Wyoming County Youth Bureau. Said contract is for the provision of Pre-School Related services not to exceed 2010 - 2012 budget; variable depending on number of services; effective May 01, 2010 through June 30, 2012.

Contingent upon the availability of funds.

**Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#10**

**RESOLUTION NO. 10-227
(June 08, 2010)**

By Mrs. Totslin, Chairman of Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
WITH BAKER VICTORY SERVICES 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 Baker Victory Services, Early Childhood Program, 51 St. John's Parkside, Buffalo, New York

RESOLUTION NO. 10-227**June 8, 2010****Page 2**

14210 on behalf of the Wyoming County Youth Bureau. Said contract is for the provision of Pre-School Special Education Programs services not to exceed 2010 - 2012 budget; variable depending on number of services; effective May 24, 2010 through June 30, 2010.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

Chairman Berwanger invited Supervisor Totstline to the podium to present the Flag Day proclamation. In turn Supervisor Totstline invited Supervisor Rogers, T/Pike to the podium with her to read the proclamation.

Chairman Berwanger extended a thank you to the Supervisor Veterans for their service to their country.

There was a motion by Mr. Kushner T/Eagle, to combine resolutions #11 through #16. A voice vote was taken and all voted aye.

#11**RESOLUTION NO. 10-228****(June 08, 2010)**

By Mr. Kushner, Chairman of Public Health Committee:

RESOLUTION NUMBER 09-489 AMENDED

WHEREAS, Resolution Number 09-489 entitled, **“CHAIRMAN AUTHORIZED TO SIGN 2010 RENEWAL CONTRACTS ON BEHALF OF MENTAL HEALTH,”** passed

June 08, 2010

RESOLUTION NO. 10-228**June 8, 2010****Page 2**

by this Board of Supervisors on December 08, 2009 provides for various 2010 Mental Health contracts; now therefore

BE IT RESOLVED, That Resolution Number 09-489 be hereby amended to reflect the following amendment to the Allegany Rehabilitation Associates contract:

- Additional \$217,882.00 for the Chemical Abuse Treatment Program
- Additional \$4,000.00 for a MICA Coordinator

For a total revised contract total of \$439,765.00; effective through December 31, 2010; all other terms and conditions remain unchanged.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#12

RESOLUTION NO. 10-229
(June 08, 2010)

By Mr. Kushner, Chairman of Public Health Committee:

**CHAIRMAN / COMMISSIONER OF HEALTH
AUTHORIZED TO SIGN A GRANT APPLICATION AND
ACCEPTANCE AWARD WITH THE NEW YORK STATE
DEPARTMENT OF HEALTH DIVISION OF FAMILY
HEALTH 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

RESOLUTION NO. 10-229**June 8, 2010****Page 2**

Attorney are hereby authorized and directed to sign a grant application & acceptance award with the New York State Department of Health Division of Family Health, Empire State Plaza, Corning Tower, Room 878, Albany, New York 12237 on behalf of the County Health Department. Said grant is for funding of the Children with Special Health Care Needs program in a minimum amount of seventeen thousand four hundred twenty-eight dollars (\$17,428.00); effective October 01, 2010 through September 30, 2011.

**Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#13**

RESOLUTION NO. 10-230**(June 08, 2010)**

By Mr. Kushner, Chairman of Public Health Committee:

**CHAIRMAN / COMMISSIONER OF HEALTH
AUTHORIZED TO SIGN AN AGREEMENT WITH MCBEE
ASSOCIATES 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 McBee Associates, Inc., 7085 Samuel Morse Dr. #200, Columbia, Maryland 21046 on behalf of the County Health Department. Said agreement is for the provision of Medicare Revenue Recovery Services for episodes occurring October 01, 2008 through December 31, 2009; in an amount not to exceed 27.3% of recovered monies.

June 08, 2010

RESOLUTION NO. 10-230**June 8, 2010****Page 2**

Contingent upon the availability of funds.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#14

RESOLUTION NO. 10-231**(June 08, 2010)**

By Mr. Kushner, Chairman of Public Health Committee:

**CHAIRMAN / COMMISSIONER OF HEALTH
AUTHORIZED TO SIGN AN AGREEMENT WITH QUEST
DIAGNOSTICS 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 Quest Diagnostics, 200 Gateway Park Drive, Syracuse, New York 13212 on behalf of the County Health Department. Said agreement is for the provision of laboratory testing services, at no charge to Wyoming County Health Department Certified Home Health Agency, all fees the responsibility of the patient/insurance company and to be billed directly by Quest; effective June 01, 2010 per the provisions of the contract.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

**RESOLUTION NO. 10-232
(June 08, 2010)**

By Mr. Kushner, Chairman of Public Health Committee:

RESOLUTION NUMBER 10-182 AMENDED

WHEREAS, Resolution Number 10-182 entitled, **“CHAIRMAN / COMMISSIONER OF PUBLIC HEALTH AUTHORIZED TO SIGN A CONTRACT WITH BRIAN C. MEYERS ON BEHALF OF WYOMING COUNTY HEALTH DEPARTMENT,”** passed by this Board of Supervisors on May 11, 2010 and provides for Public Health Emergency Preparedness Coordination Services in fulfillment of NYSDOH deliverables at a rate of \$25/hr, not to exceed eighteen thousand dollars (\$18,000.00); effective May 23, 2010 through December 31, 2010. Fully reimbursed through the approved NYSDOH PHEP grant; now therefore

BE IT RESOLVED, That Resolution Number 10-182 be hereby amended to reflect an amended effective date of May 01, 2010 through December 31, 2010; all other terms and conditions remain unchanged.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#16

**RESOLUTION NO. 10-233
(June 08, 2010)**

By Mr. Kushner, Chairman of Public Health Committee:

June 08, 2010

RESOLUTION NO. 10-233**June 8, 2010****Page 2**

**CHAIRMAN / COMMISSIONER OF HEALTH
AUTHORIZED TO SIGN THE CHHA HH-CAHPS
CONTRACT WITH RESEARCH & MARKETING
STRATEGIES 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 be hereby authorized and directed to sign the Certified Home Health Agency Home Healthcare Consumer Assessment of Providers and Systems Agreement with Research and Marketing Strategies, 15 E. Genesee St., Suite 201, Baldwinsville, New York 13027 on behalf of the County Health Department. Said contract is to provide Home Healthcare Consumer Assessment of Providers and Systems surveys as required by the Centers for Medicare and Medicaid Services; at a rate not to exceed \$5.25 per patient surveyed, plus a one time set up fee of \$250; effective July 01, 2010 through December 31, 2010.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

There was a motion by Mr. Rogers T/Pike, to combine resolutions #17 through #20. A voice vote was taken and all voted aye.

#17

**RESOLUTION NO. 10-234
(June 08, 2010)**

By Mr. Rogers, Chairman of Public Safety Committee:

Regular Session

RESOLUTION NO. 10-234**June 8, 2010****Page 2****CHAIRMAN AUTHORIZED TO SIGN AN AGREEMENT
WITH PICTOMETRY ON BEHALF OF EMERGENCY
SERVICES**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign an agreement with Pictometry, 100 Town Centre Drive, Rochester, New York 14623 on behalf of Emergency Services. Said agreement to provide two (2) flights over six (6) years in an amount not to exceed one hundred eighty-seven thousand five hundred dollars and eighty-seven cents (\$187,500.87); effective June 08, 2010 through December 31, 2016. State Contract #PT64410

Contingent upon the availability of funds.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#18

**RESOLUTION NO. 10-235
(June 08, 2010)**

By Mr. Rogers, Chairman of Public Safety Committee:

EMERGENCY SERVICES FEE SCHEDULE APPROVED

BE IT RESOLVED, That the Emergency Services Fee Schedule for pictures for fire scenes or accidents be hereby approved and is annexed hereto.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

June 08, 2010

Subject: Fees – Requests for Records	Wyoming County Emergency Services SOP'S No. of pages: 1
Issuer: Anthony Santoro, Director	Issue Date: June 8, 2010

This SOP is written to establish a schedule of fees which apply to requests for copies of Emergency Services Office records. Records will be released in accordance with Department policies and Freedom of Information Act requirements.

I. Requests for Emergency Services Office which are made outside the Freedom of Information Act will be charged as follows:

A. Fire Investigation Reports	\$15.00
B. All other reports (pursuant to agency policies)	\$5.00

Note: Individuals coming to the office in person for a copy of their fire report will not be charged for the copy. This does not include multiple page investigative reports.

II. Requests for photographs will be billed as follows:

A. First photo (5x7)	\$10.00
Second and all consecutive photos (5x7)	\$ 7.50
B. CD-rom (if available) \$5.00 per CD plus	\$ 5.00
	per photo on CD

Anthony Santoro

Director of Fire & Emergency Management

**RESOLUTION NO. 10-236
(June 08, 2010)**

By Mr. Rogers, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
WITH AUTOMON, LLC ON BEHALF OF WYOMING
COUNTY PROBATION**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with AutoMon LLC, 10450 North 74th Street, Suite 210, Scottsdale, Arizona 85258 on behalf of Wyoming County Probation. Said contract is for software maintenance, in an amount not to exceed four thousand eight hundred fifty-one dollars (\$4,851.00), effective June 19, 2010 through June 18, 2011.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#20

**RESOLUTION NO. 10-237
(June 08, 2010)**

By Mr. Rogers, Chairman of Public Safety Committee:

RESOLUTION NUMBER 10-195 AMENDED

WHEREAS, Resolution Number 10-195 entitled,
**“CHAIRMAN AUTHORIZED TO SIGN A LETTER OF
UNDERSTANDING WITH ATTICA LEGAL AID ON**

June 08, 2010

RESOLUTION NO. 10-237**June 8, 2010****Page 2**

BEHALF OF THE PUBLIC DEFENDER'S OFFICE," passed by this Board of Supervisors on May 11, 2010 and provides for a letter of understanding for the Alternatives to Incarceration program in an amount not to exceed sixteen thousand two hundred dollars (\$16,200.00); effective January 01, 2010 through December 31, 2010; now therefore

BE IT RESOLVED, That Resolution Number 10-195 be hereby amended to reflect an increase of one hundred fifty-six dollars (\$156.00) for a total memorandum of understanding amount of sixteen thousand three hundred fifty six dollars (\$16,356.00); all other terms and conditions remain unchanged.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

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

#21

RESOLUTION NO. 10-238
(June 08, 2010)

By Mr. Patti, Chairman of Public Works Committee:

HIGHWAY BIDS APPROVED

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, the County Superintendent of Highways, and the Project Engineer, is hereby authorized and directed to award the following bids for the purchase of:

RESOLUTION NO. 10-238**June 8, 2010****Page 2**

- ***Highway Shoulder Removal on Broughton Rd., CR #2, Holland Rd. CR#15 and Main St. CR#7*** to Midland Asphalt Materials, Inc., 640 Young St., PO Box 388, Tonawanda, New York 14151. Approx. 21, 550 sq. yd. @ \$.39 per square yard; not to exceed \$9,000.00 effective June 8, 2010 through the completion of the project.
- ***Cast in Place Curb for Main Street, Wyoming, CR#07*** to E. J. Militello Concrete, Inc., PO Box 770, 6465 Transit Road, E. Amherst, New York 14051. Approx. 3700 lineal ft. @ \$6.20 per lineal ft. in an amount not to exceed \$24,000.00; effective June 8, 2010 through completion of project.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#22

RESOLUTION NO. 10-239**(June 08, 2010)**

By Mr. Patti, Chairman of Public Works Committee:

**CHAIRMAN AUTHORIZED TO AWARD BID AND SIGN
CONTRACTS WITH ABRAM BROTHERS CONCRETE 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 contracts with Abram Brothers Concrete, 4000 Maple Valley Road, Machias, New York 14101 on behalf of Buildings and Grounds for the following:

June 08, 2010

RESOLUTION NO. 10-239**June 8, 2010****Page 2**

- Removal and replacement of the paver brick at the side entrance of the Government Center in an amount not to exceed four thousand four hundred fifty dollars (\$4,450.00); effective June 08, 2010 through completion of project.
- Removal and replacement of the front entrance concrete stairs and regrouting of the existing slate tile landing of the Government Center in an amount not to exceed eleven thousand two hundred fifty dollars (\$11,250.00); effective June 08, 2010 through completion of project.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#23

RESOLUTION NO. 10-240**(June 08, 2010)**

By Mr. Patti, Chairman of Public Works Committee:

**CHAIRMAN AUTHORIZED TO SIGN A GRANT
ACCEPTANCE AWARD WITH THE STATE OF NEW
YORK DEPARTMENT OF STATE ON BEHALF OF THE
WYOMING COUNTY WATER DISTRICT RESEARCH
SUBCOMMITTEE**

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, Department of State, One Commerce Plaza, 99 Washington Avenue, Albany, New York 12231-0001 on behalf of the Wyoming County Water District Research Subcommittee. Said

RESOLUTION NO. 10-240**June 8, 2010****Page 2**

grant is for a water district feasibility study in a minimum amount of forty-five thousand dollars (\$45,000.00).

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

Supervisor Patti, T/Attica presented Superintendent of County Highways with the ABCD 2010 Bridge Design Award for the Urf Rd. Bridge replacement over the Cayuga Creek in the Town of Bennington. An excerpt from that award follows:

The Urf Road Bridge over Cayuga Creek was opened to traffic on October 9, 2009. Owned by the Wyoming County Department of Highways, the bridge was originally constructed in 1975 to replace a deteriorated truss bridge. The bridge is a 160 ft long, 4-span, post-tensioned concrete adjacent box beam bridge with an asphalt overlay. While the bridge was showing significant signs of deterioration in the fascia box beams and in some areas of the piers, it was not ready for replacement.

This bridge is an ideal candidate for the 2010 ABCD Bridge Design Award for the way in which very limited funds were used to breathe new life into this 35 year old structure. The project represents the most efficient use of funds required by today's infrastructure owners in the current economic climate. Through the use of a few simple yet effective details and some creative engineering during construction, the project team was able to restore the bridge to its original condition and ensure many years of additional service with lower maintenance costs. This project also demonstrates the success that can be achieved with a true team effort, using ideas and benefiting from the experience of the owner, engineer and contractor. Using this team approach, the project was completed on time and under budget despite unanticipated conditions discovered during construction.

Supt. Gadd thanked the Board for their continued support of these projects. He stated that even though 80% of the funding is federal, 15% is state funding and the county is responsible for only 5% of the project, the County is responsible for the entire amount initially with the anticipation of reimbursement from the state and federal government.

There was a motion by Mr. Davis T/Covington, to combine resolutions #24 through #29. A voice vote was taken and all voted aye.

June 08, 2010

RESOLUTION NO. 10-241
(June 08, 2010)

By Mr. Davis, Chairman of Finance Committee:

**RESOLUTION TO ADOPT NEGATIVE DECLARATION
SEQR FOR THE WYOMING COUNTY COMMUNITY
HEALTH FACILITY RENOVATIONS**

WHEREAS, Wyoming County Community Hospital is the only hospital in Wyoming County and is federally designated as a Sole Community Provider. The current facility was built in the early 1950's with minimal renovations made over the years to the original structure.

The community service demands have shifted over the years and the proposed project will be approximately 38,000 SF of new construction and 24,000 SF of remodeled construction, which will be designed to meet the current and expected future demands of the community;

WHEREAS, the subject property is located along the southeast corner of Duncan Street and North Main Street, at 400 North Main Street in the Village of Warsaw, Wyoming County, New York;

WHEREAS, the Wyoming County Board of Supervisors, has considered the action, reviewed the long environmental assessment form and all supplemental information, thoroughly analyzed the relevant areas of potential environmental concern, and has duly considered all of the potential project environmental impacts and their magnitude;

WHEREAS, the Wyoming County Board of Supervisors, do hereby find and resolve that the project will not result in any significant adverse environmental impacts, nor are there any reasonably related long-term, short-term, direct or indirect cumulative impacts, and, therefore, is one which will not have a significant impact on the environment, and, therefore, a negative declaration will be prepared;

WHEREAS, the reasons supporting this determination are as follows:

1. **Impact on Land**

The project will involve construction in a previously disturbed area where an existing parking lot was located. The proposed drainage improvements will include a retention system to mitigate flows from new impervious surfaces.

There are no unique or unusual land forms on the project site.

The project will not result in any adverse impacts on land and is appropriate for this site.

2. **Impact on Water**

The project will not result in a significant increased demand on the existing public water supply or sanitary sewer systems. There is adequate capacity in these systems to service the proposed facility.

Grass land will be converted to impervious surfaces and existing site drainage patterns will be altered. Appropriate drainage improvements will be installed to accommodate storm water runoff.

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The project will not result in any significant adverse impacts on public water or sanitary sewer systems, bodies of water, surface water, or ground water.

3. **Impact on Air**

Although the project will create an increase in fossil fuel usage, it is not anticipated that the additional use will have any significant adverse environmental impact.

Fugitive dust from construction related ground disturbance activities will be controlled through the use of appropriate soil erosion and sediment control techniques typically employed for this type of construction project.

The air quality impacts will be consistent with existing air quality impacts associated with the existing facility.

No significant adverse impact to existing air quality is anticipated from the implementation of the project.

4. **Impact on Plants and Animals**

The project site does not contain any threatened or endangered species and the site is not a significant habitat for any non-threatened or non-endangered species.

No loss of wildlife or significant non-agricultural plant habitat area is anticipated as a result of the project.

5. **Impact on Agricultural Land Resources**

The project site is an existing parking lot and lawn area on the property for the existing Wyoming County Community Hospital. Although some open space will be lost as a result

of the project, the use is consistent with the existing use of the property.

No significant adverse impacts to agricultural land resources are anticipated.

6. **Impact on Aesthetic Resources**

The character of the site and area will not be impacted by the conversion of grass land to expand the building facilities at the Hospital.

There are some residential homes within 500 feet of the project site, to the south sides of the site, however the downhill slope of the land from east to west should prevent the building addition from blocking any existing views that area residents may have. The west side of the site is bordered by North Main Street (NYS Route 19), which has several commercial properties along it.

Although there will be a change to the site character, no scenic views will be eliminated, the facility will not be unsightly, and it is not anticipated that there will be an adverse visual impact.

7. **Impact on Historic and Archaeological Resources**

Based on the New York State Historic Preservation Office GIS – Public Access database, there are no State Parks, National or State Registered or Federally Eligible cultural resources currently present near the project site.

The project will have no impact on cultural resources as the building addition will be located in a previously disturbed location in accordance with the New York State Historic Preservation Office letter of March 4, 2010.

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8. **Impact on Space and Recreation Resources**

The site is not a significant community open space or the location of a future recreational opportunity. The property is currently used as the Wyoming County Community Hospital. Therefore, the project will not result in a significant adverse impact to the quantity or quality of open space and recreation in the community.

9. **Impact on Critical Environmental Areas**

The site is not a critical environmental area (CEA). Therefore, the project will not adversely impact CEA resources.

10. **Impact on Transportation**

The project will not significantly increase traffic within the vicinity of the project site.

11. **Impact on Energy**

The project will result in increased demands for energy to operate the proposed building addition. However, it is anticipated that the capacities of local utilities and existing facilities are more than adequate to meet the increased demands.

No significant increase in local transportation related fuel consumption is anticipated.

Therefore, the project will not have a significant adverse impact on the community's sources of fuel or energy supply.

12. **Noise and Odor Impact**

No increase of odor or air quality impacts are expected from the project.

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The project will produce operating noise typical for this type of facility. As the current site is the Wyoming County Community Hospital, the noise level is not expected to exceed the current level for the site. It is not anticipated that the operating noise levels will adversely impact the adjacent properties, which are residential and commercial in nature.

There will also be temporary amounts of increased noise resulting from construction activities for the project. The noise levels generated by such construction activities will be similar in duration and intensity to other residential or commercial construction activities in the community.

It is therefore anticipated that the project will result in no significant adverse odor or noise impacts.

13. **Impact on Public Health**

The type of project proposed does not pose significant public health and safety hazards. All required permits and approvals will be obtained. The project will have a positive impact on public health and safety by improving the Hospital services provided to the public.

14. **Impact on Growth and Character of Community and Neighborhood**

The project will create a modern Hospital which will have a positive impact on the community character and will have an impact on long term growth as jobs may be created in the future.

Since the project involves additional Hospital facilities, it will improve the services in the community.

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The overall project impacts on growth and character of the community will not be significantly adverse.

THEREFORE BE IT RESOLVED, that the Wyoming County Board of Supervisors has determined for the foregoing reasons that the proposed construction at the Wyoming County Community Hospital project will be approximately 38,000 SF of new construction and 24,000 SF of remodeled construction, which will be designed to meet the current and expected future demands of the community will not have any adverse impact on the environment and adopts a Negative Declaration in accordance with 6 NYCRR section 617.7 of the implementing regulations under the New York State Environmental Quality Review Act;

The Board Chairman is authorized to file the Negative Declaration determination of non-significance with respect to the project, in accordance with the applicable provisions of the law;

This Resolution shall take effect immediately and the requirements of SEQR shall have been satisfied.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#25

RESOLUTION NO. 10-242
(June 08, 2010)

By Mr. Davis, Chairman of Finance Committee:

SEMI-ANNUAL REVENUE SHARING FOR THE TOWNS

RESOLUTION NO. 10-242

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BE IT RESOLVED, That the Chairman of the Finance Committee, presented the Semi-Annual Revenue Sharing Report for the period of October 1, 2009 through March 31, 2010 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, New York

You are hereby authorized and directed to distribute the Semi-Annual Revenue Sharing amounts totaling **\$29,908.62** (twenty-nine thousand nine hundred eight dollars and sixty-two 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	\$3,072.58
Attica	\$3,238.59
Bennington	\$4,146.07
Castile	\$2,390.57
Covington	\$1,233.47
Eagle	\$860.41
Gainesville	\$732.16
Genesee Falls	\$220.90
Java	\$2,020.88
Middlebury	\$1,385.73
Orangeville	\$1,112.82
Perry	\$2,777.57
Pike	\$472.48
Sheldon	\$2,552.32
Warsaw	\$3,505.09
Wethersfield	\$186.98
Grand Totals:	\$29,908.62

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Let this be your Warrant for Such Payment: **\$29,908.62** (twenty-nine thousand nine hundred eight dollars sixty-two cents) IN WITNESS WHEREOF, I have hereunto set my hand and seal of the Board of Supervisors this 8th day of June, 2010.

s/ Cheryl J. Ketchum, Clerk

Board of Supervisors

Carried: XXX Ayes: 1596 Noes: Absent: Abstain: #26

RESOLUTION NO. 10-243**(June 08, 2010)**

By Mr. Davis, Chairman of Finance Committee:

**RESOLUTION IN SUPPORT OF
ALTERNATIVE LANGUAGE PERTAINING TO
ASSEMBLY BILL A.9911 / SENATE BILL S.6849**

WHEREAS, The Wyoming County Board of Supervisors along with the New York State Association of Clerks of County Legislative Boards (NYSACCLB) is in full support of transparency and openness in government; and

WHEREAS, The New York State Legislature is considering Assembly Bill A.9911 / Senate Bill S.6849, entitled, ***“AN ACT to amend the public officers law, in relation to requiring certain records which are the subject of a discussion conducted at an open meeting be made available to the public”*** (the “Bill”); and

RESOLUTION NO. 10-243**June 8, 2010****Page 2**

WHEREAS, At a duly convened meeting of the NYSACCLB held on May 21, 2010, alternative clarifying language which seeks to best implement the intent of these bills was drafted to present to our State Representatives; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors supports the NYSACCLB and also endorses the following language and urges the State Senate and Assembly to adopt same:

Section 1. Section 103 of the public officers law is amended by adding a new subdivision (d) to read as follows:

(d) Any proposed resolution, law, rule, regulation, policy or any amendment thereto that is scheduled to be the subject of discussion by a public policy making or tax levying body during an open meeting shall be made available, to the extent practicable, prior to or at the meeting during which such record will be discussed. Such record shall be posted on the website, if available, of the agency with which the public body is affiliated, as soon as practicable, but not less than twenty-four hours prior to a meeting during which it will be discussed, or a reasonable number of copies of such record shall be made available, to the extent practicable, at or prior to the meeting.

§ 2. This act shall take effect on the January 01, 2011; and be it

FURTHER RESOLVED, That the Clerk to this Board be hereby authorized and directed to forward certified copies of this resolution to Governor David Paterson, Senator Dale M. Volker, Bill Sponsor/Senator Craig M. Johnson, Assemblyman Daniel Burling, Bill Sponsor/Assemblywoman Amy Paulin, the

June 08, 2010

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New York State Association of Counties and all others deemed necessary and appropriate.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#27

RESOLUTION NO. 10-244
(June 08, 2010)

By Mr. Davis, Chairman of Finance Committee:

**STANDARD WORK DAY AND REPORTING
RESOLUTION**

WHEREAS, On August 12, 2009 the Office of the New York State Comptroller regulation 315.4 became effective. This regulation more clearly defines the process of reporting elected and appointed officials and adds additional requirements for both employers and officials. Among the requirements for employers are a more detailed Standard Work Day and Reporting Resolution, submission of the resolution to the Retirement System and certification that the resolution was publicly posted; now therefore

BE IT RESOLVED, That the County of Wyoming hereby establishes the following as standard work days for elected and appointed officials whose term begins on or after August 12, 2009 and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the Clerk of this Board:

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Title	Name	Standard Work Day hrs/day	Term Begins/ Ends	Participates in Employer's Time Keeping System Y/N	Days/Month (based on record of activities)
Elected Officials					
Supervisor / Vice Chair	Davis, Jerry	6	01/01/10- 12/31/13	N	12.42 / 18.63
Supervisor	Grant, Ellen *	6	01/01/10- 12/31/11	Y	N/A
Supervisor	Gozelski, E. Joseph	6	01/01/10- 12/31/11	N	8 / 12
Supervisor	May, Susan *	6	01/01/10- 12/31/11	Y	N/A
Supervisor	Brick, James R.	6	01/01/10- 12/31/11	N	6.68 / 10
Supervisor	Ryan, Rebecca	6	01/01/10- 12/31/13	N	8 / 12
County Clerk	Pierce, Rhonda	7	01/01/10- 12/31/13	N	20 / 30
County Treasurer	Mayer, Cheryl	7	01/01/10- 12/31/13	N	20 / 30
Appointed Officials					
Director of Fire and Emergency Mgmt	Santoro, Anthony	7	01/01/10- 12/31/11	N	20 / 30
County Attorney, PT	Dadd, Eric T.	6	01/01/10- 12/31/11	N	20 / 30
Asst. Co. Atty., PT (Hospital)			01/01/10- 12/31/11		
Administrator Indigent Defender, PT			01/01/10- 12/31/11		
Director of Community Services	Snell, Steve	6	08/25/03- CSB Appt.	N	20 / 30
Dir. Of Planning and Development	Shapiro, Drew	7	01/01/10- 12/31/11	N	20 / 30
Public Defender, PT	Effman, Norm	6	01/01/10- 12/31/11	N	15 / 22.5
Worker's Comp. Prog. Administrator	Perkins, Dixie	7	01/01/10- 12/31/11	N	20 / 30

* Reporting full time service credit through a separate full time position with Wyoming County

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

June 08, 2010

RESOLUTION NO. 10-245
(June 08, 2010)

By Mr. Davis, Chairman of Finance Committee:

POSITION CREATION(S) APPROVED

BE IT RESOLVED, That the following position(s) are
hereby created within the various Wyoming County Departments:

District Attorney:

- One (1) position of Assistant District Attorney (temporary) (up to 6 months) (1.00 FTE); effective July 01, 2010 through December 31, 2010.
To be placed on Salary Schedule “S” and have the salary set at \$40,000.00 annually.

County Jail

- One (1) position of Correction Officer (1.00 FTE), approved through the 2010 Budget to fulfill the Department of Corrections manpower audit of 2008. This position is to be placed on the appropriate step and grade of the current Deputy Sheriff’s Employees Association bargaining unit agreement; effective July 01, 2010.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

**RESOLUTION NO. 10-246
(June 08, 2010)**

By Mr. Davis, Chairman of 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:

Schedule S:

District Attorney:

- Secretary to the District Attorney - \$15.00/hr. effective May 3, 2010.
- Secretary to the District Attorney - \$31,500.00/annually; effective June 01, 2010.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

Prior to the roll call vote being taken on resolution office number #30, Chairman Berwanger explained that it is necessary to have a 2/3 majority vote on borrowing pursuant to the provisions of the Local Finance Law. The Chairman also asked Supervisor Member to the Board of Mangers, Supervisor Kushner, T/Eagle to explain briefly what this borrowing was for. Supervisor Kushner explained that the Hospital updates equipment annually and that this borrowing was part of that plan.

**2/3 majority
#30**

**RESOLUTION NO. 10-247
(June 08, 2010)**

June 08, 2010

RESOLUTION NO. 10-247**June 8, 2010****Page 2**

By Mr. Davis, Chairman of Finance Committee:

**A RESOLUTION AUTHORIZING THE PURCHASE OF
HOSPITAL EQUIPMENT AT THE WYOMING COUNTY
COMMUNITY HOSPITAL IN AND FOR THE COUNTY OF
WYOMING, NEW YORK, AT A MAXIMUM ESTIMATED
COST OF \$500,000, AND AUTHORIZING THE ISSUANCE
OF \$500,000 BONDS OF SAID COUNTY TO PAY THE
COST THEREOF**

WHEREAS, All conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act, have been performed; and

WHEREAS, It is now desired to authorize the financing of such capital equipment; now therefore

BE IT RESOLVED, By the affirmative vote of not less than two-thirds of the total voting strength of the Board of Supervisors of the County of Wyoming, New York, as follows:

Section 1. The purchase of various hospital equipment in and for the County of Wyoming, New York, Wyoming County Community Hospital is hereby authorized at a maximum estimated cost of \$500,000.00.

Section 2. It is hereby determined that the aforesaid purpose constitutes a Type II action as defined under the SEQR regulations of the State of New York which, by definition, will not have a significant adverse impact upon the environment.

RESOLUTION NO. 10-247**June 8, 2010****Page 3**

Section 3. It is hereby determined that the plan for the financing of the aforesaid maximum estimated cost is by the issuance of \$500,000.00 bonds of said County hereby authorized to be issued therefore pursuant to the provisions of the Local Finance Law.

Section 4. It is hereby determined that the period of probable usefulness of the aforesaid specific object(s) or purpose is five years, pursuant to subdivision 12(a)(1) of paragraph a of Section 11.00 of the Local Finance Law.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the County Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said County Treasurer, consistent with the provisions of the Local Finance Law.

Section 6. The faith and credit of said County of Wyoming, New York, are hereby irrevocably pledged to the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. To the extent not paid from other sources, there shall annually be levied on all the taxable real property in said County a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

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Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the County Treasurer, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as the County Treasurer shall deem best for the interests of the County.

Section 8. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the County by the facsimile signature of the County Treasurer, providing for the manual countersignature of a fiscal agent or of a designated official of the County), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the County Treasurer. It is hereby determined that it is to the financial advantage of the County not to impose and collect from registered owners of such serial bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the County Treasurer shall determine.

RESOLUTION NO. 10-247**June 8, 2010****Page 5**

Section 9. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 10. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 11. This resolution, which takes effect immediately, shall be published in summary form in the official newspaper, together with a notice of the Clerk of the Board of Supervisors in substantially the form provided in Section 81.00 of the Local Finance Law.

Carried: XXX Ayes: 1470 Noes: Absent: Abstain:

June 08, 2010

Before the meeting was adjourned, Chairman Berwanger recognized Probation Director Kibler as she celebrates her “25th” birthday tomorrow. In keeping with tradition, he asked the official Wyoming County Board of Supervisors Choral Director, County Attorney Dadd, to lead everyone in a rousing rendition of Happy Birthday.

- ☼ **Public Meeting – USDA / RD:** To provide residents with information about renovations and additions to the Wyoming County Community Health System. Information regarding the project was made available to the public by:
- o **Tom Carpenter, Engineer / Clark Patterson Lee**
 - o **Ron Krawiec, CEO / Wyoming County Community Hospital**

The public was made aware of the project and no one expressed any concerns or opposition to the proposal.

There being no further business to come before this Board, Senior Supervisor Bush, T/Gainesville, adjourned the meeting at 4:10 PM with a rap on his desk.

Respectfully submitted,

Cheryl J. Ketchum

Cheryl J. Ketchum, Board Clerk

REGULAR SESSION

(July 13, 2010)

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 Asst. 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 2:57 PM Chairman Berwanger, T/Arcade, called the meeting to order.

The Veteran(s) leading the Pledge of Allegiance this month was:

DONALD L. BREWER

Mr. Brewer's service to his country comes while serving during World War II. Mr. Brewer answered the call to serve his country in the United States Army on June 9, 1944. He took his Basic Training at Camp Wheeler, Georgia and then Advanced Infantry Training at Camp Jordan, Washington. He was then shipped overseas to Europe as an Infantryman, but on arrival in Europe was transferred to Co C of the 809th Tank Destroyer, 19th Armored Corp. Mr. Brewer then manned a 50 caliber machine gun on an open turret tank. During his tour he and his unit fought in the Battles of the Rhineland of Central Europe and the Battle of the Bulge.

Mr. Brewer returned to the United States and was Honorably Discharged at Camp McCoy, Wisconsin at the rank of Staff Sergeant.

For his service to his country Mr. Brewer was awarded:

July 13, 2010

The American Theater Service Medal
The Good Conduct Medal
The Army of Occupation-Germany Medal
The European-African-Middle Eastern Theater Medal

Mr. Brewer returned to this area, continued his service to his country by working as the Unit Administrator and member of “B” Battery of the National Guard in Batavia for about the next 4 years. He then went to work for the A & P Company and became a meat cutter, working in the Batavia A & P for 15 yrs and then relocated to Warsaw. Mr. Brewer transferred to the A & P in Warsaw and continued to be a meat cutter for another 10 years. He then transferred to the Red & White Stores and cut meat until his retirement in about 1985.

Mr. Brewer also served his community by serving over 30 years in the Warsaw Fire Department and the Warsaw Exempt Fire Company. He has been a long time member of both the American Legion and the VFW. He enjoys singing and sang Barbershop Harmony with the Warsaw Chapter of the S.P.E.B.S.Q.S.A. for over 20 years.

Mr. Brewer presently lives in the Village of Warsaw.

The pledge was said by all.

Chairman Berwanger presented Mr. Brewer with the customary certificate of appreciation and offered him an opportunity to address the Board. Mr. Brewer graciously thanked the Board and declined the opportunity.

Communications:

C1: Letter dated May 14, 2010 from NYSAC Exec. Director Steve Acquario regarding receipt of Wyoming County Board of Supervisors resolutions 10-214 & 10-215 passed by the Board on May 11, 2010.

C2: Letter dated June 23, 2010 from Assemblyman Burling regarding two bills of interest to Wyoming County that have recently passed the Assembly.

1. A.10775 to allow hunting with a rifle in Wyoming County passed on June 17; and
2. A.10979 to continue the Wyoming County Mortgage recording tax until December 1, 2012 passed on June 22.

C3: Letter dated May 17, 2010 from Assemblyman Burling regarding receipt of Wyoming County Board of Supervisors resolutions 10-214 & 10-215 passed by the Board on May 11, 2010.

C4: Letter dated June 14, 2010 from Governor Paterson regarding receipt of Wyoming County Board of Supervisors resolution 10-243 passed by the Board on June 08, 2010.

C5: Letter dated May 18, 2010 from Governor Paterson regarding receipt of Wyoming County Board of Supervisors resolutions 10-214 & 10-215 passed by the Board on May 11, 2010.

Presentation of New York Municipal Insurance Reciprocal (NYMIR) check presentation by Frank Vitagliano / NYMIR representative and County Insurance Agent. Mr. Vitagliano explained NYMIR's beginnings to the Board and that today's check is a one third refund of those initial fees because the Reciprocal was growing. As directed by Chairman Berwanger, the check was presented to Budget Officer Cook.

Habitat for Humanity in Wyoming County with Bill Colvenbach, former history teacher of Supervisor Patti's at Attica Central School. Mr. Colvenbach described briefly current activities in Wyoming County. Mr. Colvenbach shared that recipients are responsible for paying mortgages as well as an initial investment of sweat equity. He asked the Supervisors to consider helping Habitat for Humanity Locally. He also left informational flyers for Clerk Ketchum to distribute to the Board Members.

Update by the Brennan Group: Information was provided to the Supervisors during Committee of the Whole just prior to this meeting.

Budget Officer Cook: There will be no “Janis” report this month as there is nothing new to report.

#1

**RESOLUTION NO. 10-248
(July 13, 2010)**

By Mr. Davis, Chairman of the Finance Committee:

FUNDS TRANSFERRED TO VARIOUS 2010 ACCOUNTS

BE IT RESOLVED, That funds are hereby transferred to the various 2010 accounts as follows:

Buildings and Grounds/CIP			
From: 12.61.1620.2.21006 CIP Thomson Hall	\$15,101.74		
12.61.1620.2.21017 CIP Kaplan -Elections	17,515.58		
12.61.1620.2.21018 CIP – Public Defender	923.34		
12.61.1620.2.21019 CIP – Records Retention	3,378.00		
To: 12.61.9950.9.99004 Interfund Transfer		\$36,918.66	
Reason: To move unspent funds from various projects back to Interfund Transfers for use on future projects.			
Buildings and Grounds Total			\$36,918.66

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

**RESOLUTION NO. 10-249
(July 13, 2010)**

By Mr. Davis, Chairman of the Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2010 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2010 accounts as follows:

Highway			
To: 04.53.5110.4.41904 Bituminous Products w/04.11.5110.3501 Consolidated Highway Aid Reason: To allocate funds for CHIPS increased funding for 2010.	\$186,385.42	\$186,385.42	
Highway Total			\$186,385.42
Mental Health			
To: 01.38.4324.4.42306 Misc. Other w/01.03.4324.1289 Other Dept. Revenue Reason: Donations received for Mental Health Month activities and payments for breakfast.	\$1,085.25	\$1,085.25	
To: 01.38.4220.4.42306 Misc. Other w/01.03.4220.1289 Other Dept. Revenue Reason: Donations received for TIPS training and Town Hall Meeting.	\$540.00	\$540.00	
Mental Health Total			\$1,625.25

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District Attorney			
To:	01.32.1169.1.10101 Salary	\$53,295.00	
	01.32.1169.4.40402 Conf/Conv.	500.00	
	01.32.1169.4.40406 Mileage	497.00	
	01.32.1169.8.80001 Workers Comp	500.00	
	01.32.1169.8.81001 Retirement	5,862.00	
	01.32.1169.8.82002 CSEA	380.00	
	Disability		
	01.32.1169.8.83001 FICA	3,305.00	
	01.32.1169.8.85001 Medicare FICA	773.00	
	01.32.1169.8.86001 EAP	30.00	
	01.32.1169.8.89001 Medical/Hosp.	18,251.00	
	Ins.		
	w/01.12.1169.4389 Federal Block		\$83,393.00
	Grant (VOCA)		
Reason:	Crime Victims Board Grant funds		
	approved by Resolution 09-288		
District Attorney Total			\$83,393.00
Sheriff			
To:	01.37.3110.4.42306 Other/Seized	\$2,659.18	
	Asset Fund		
	w/01.07.3110.2626 Seized Property		\$2,659.18
Reason:	to cover recently made purchases		
	from the Seized Asset Fund		
To:	01.37.3110.1.10301 Overtime	\$2,952.45	
	w/01.12.3110.438902 Federal Grant/Aid		\$2,952.45
Reason:	offset to cover expenditures		
	made for STEP patrols for the period		
	04/18/10-06/12/10		
Sheriff Total			\$5,611.63
Treasurer			
To:	02.56.9744.6.60002 Debt Service	\$35,000.00	
	Principal/408 N. Main		
	02.56.9744.7.70002 debt service	26,625.83	
	Interest/408 N. Main		
	w/02.14.4510.5789 Other Debt Service		\$61,625.83
	Income		
Reason:	Cover debt service expenses not		
	budgeted.		
Treasurer Total			\$61,625.83

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

Regular Session

Mr. Bush, T/Gainesville, Chairman of the Audit Committee, presented bills totaling **\$2,616,587.09** for the month of **June 2010**.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

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

#3

**RESOLUTION NO. 10-250
(July 13, 2010)**

By Mr. Patti, Chairman of Public Works Committee:

RESOLUTION NUMBER 10-238 AMENDED

WHEREAS, Resolution Number 10-238 entitled, **“HIGHWAY BIDS APPROVED,”** passed by this Board of Supervisors on June 08, 2010 provides for various Highway repair contracts; now therefore

BE IT RESOLVED, That Resolution Number 10-238 be hereby amended to reflect the following amendment:

- Rescind the ***Highway Shoulder Removal on Broughton Rd., CR #2, Holland Rd. CR#15 and Main St. CR#7*** originally awarded to Midland Asphalt Materials, Inc., 640 Young St., PO Box 388, Tonawanda, New York 14151. Approx. 21, 550 sq. yd. @ \$.39 per square yard; not to exceed \$9,000.00 effective June 8, 2010 through the completion of the project.

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RESOLUTION NO. 10-250**July 13, 2010****Page 2**

- Award the ***Highway Shoulder Removal*** contract to Villager Construction, Inc., 425 Old Macedon Center Road, Fairport, New York 14450 for \$.65/square yard, adding a section of W. Middlebury Rd (not to exceed \$19,500.00); effective June 08, 2010 through October 31, 2010.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#4

RESOLUTION NO. 10-251
(July 13, 2010)

By Mr. Patti, Chairman of Public Works Committee:

**CHAIRMAN AUTHORIZED TO SIGN SUPPLEMENTAL
 AGREEMENT #1 TO MASTER AGREEMENT WITH NYS
 DEPARTMENT OF TRANSPORTATION**

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 to Master Agreement for Federal Aid and Marcheselli Project for PE/Design, Right of Way, Construction and Construction Inspection for the Replacement of the Snyder Road Bridge, Town of Orangeville. PIN 4753.23; BIN 3320020 in an amount not to exceed nine hundred eighty-nine thousand dollars (\$989,000.00); effective November 30, 2002 through August 26, 2018.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

**RESOLUTION NO. 10-252
(July 13, 2010)**

By Mr. Patti, Chairman of 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, Superintendent of County Highways, and Project Engineer is hereby authorized and directed to award a bid and sign a contract for the Replacement of the Snyder Road Bridge over Stony Brook, Town of Orangeville to Wind-Sun Construction, Inc., 18 Hidden Meadow, Penfield, New York 14526 in an amount not to exceed five hundred ten thousand six hundred ninety-four dollars and twenty cents (\$510,694.20); effective July 13, 2010 through the Completion of the project.

Contingent upon the availability of funds.

**Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#6**

**RESOLUTION NO. 10-253
(July 13, 2010)**

By Mr. Patti, Chairman of Public Works Committee:

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RESOLUTION NO. 10-253**July 13, 2010****Page 2**

**CHAIRMAN AUTHORIZED TO SIGN SUPPLEMENTAL
AGREEMENT #1 AND #2 WITH BRYANT ASSOCIATES,
P.C. FOR THE REPLACEMENT OF SNYDER ROAD
BRIDGE OVER STONY CREEK IN THE TOWN OF
ORANGEVILLE 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 the following Supplemental Agreements with Bryant Associates, P.C., 108 W. Jefferson St., Suite 400, Syracuse, New York 13202 on behalf of County Highways:

- ***Supplemental Agreement #1*** for Construction, C/I & C/S for the replacement of Snyder Road Bridge over Stony Creek, Town of Orangeville. PIN 4753.23; BIN 3320020 in an amount not to exceed one hundred nine thousand two hundred forty-five dollars (\$109,245.00); effective June 30, 2010 through September 30, 2011.
- ***Supplemental Agreement #2*** for addition P.E./Design for the Snyder Road Bridge over Stony Creek, Town of Orangeville. PIN 4753.23; BIN 3320020 in an amount not to exceed eleven thousand eight hundred seventy-five dollars (\$11,875.00); effective February 22, 2009 through December 31, 2010.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#7

**RESOLUTION NO. 10-254
(July 13, 2010)**

By Mr. Patti, Chairman of Public Works Committee:

Regular Session

RESOLUTION NO. 10-254**July 13, 2010****Page 2****COUNTY HIGHWAY SUPERINTENDENT AUTHORIZED
TO EXTEND THE SNOW AGREEMENT WITH TOWNS
AND VILLAGES FOR 2011/2012 AND 2012/2013**

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 **2011/2012** and **2012/2013**. Payment will be made to the Towns and Villages by the County from the County Snow Funds as follows:

- **2011/2012** – increased by \$100.00 per lane mile over the **2010/2011** agreement.
- **2012/2013** – increased by \$100.00 per lane mile over the **2011/2012** agreement provided that the rate of inflation from October 2011 – October 2012 does not exceed a 2.5% increase at which time the Board of Supervisors reserves the option to amend the contract rates.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

July 13, 2010

RESOLUTION NO. 10-255
(July 13, 2010)

By Mr. Patti, Chairman of Public Works Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
WITH DUBAY ELECTRIC 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 DuBay Electric, 1024 North Main Street, Delevan, New York 14042 on behalf of Buildings and Grounds. Said contract for installation of generator at Public Health Building in an amount not to exceed four thousand two hundred dollars (\$4,200.00) (includes \$1,000.00 for the electric company to shut the power off); effective July 13, 2010 through the completion of the project.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

There was a motion by Mrs. Totsline T/Genesee Falls, to combine resolutions #9 through #18. A voice vote was taken and all voted aye.

#9

RESOLUTION NO. 10-256
(July 13, 2010)

By Mrs. Totsline, Chairman of Human Services Committee:

Regular Session

RESOLUTION NO. 10-256**July 13, 2010****Page 2****CHAIRMAN AUTHORIZED TO SIGN A GRANT APPLICATION AND ACCEPTANCE AWARD WITH NEW YORK STATE OFFICE FOR THE AGING ON BEHALF OF WYOMING COUNTY OFFICE FOR THE AGING**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a grant application and grant acceptance award with the New York State Office for the Aging, 2 Empire Plaza, Albany, New York 12223 on behalf of the Wyoming County Office for the Aging. Said grant to provide funding for Title V (Senior Employment) in a minimum amount of thirty-six thousand dollars (\$36,000.00); effective July 1, 2010 through June 30, 2011.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain: #10

**RESOLUTION NO. 10-257
(July 13, 2010)**

By Mrs. Totslin, Chairman of Human Services Committee:

CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH WYOMING COUNTY COMMUNITY ACTION ON BEHALF OF WYOMING COUNTY OFFICE FOR THE AGING

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Wyoming County Community Action, 6470 Route 20A, Suite 1, Perry, New York 14530 on behalf of the Wyoming County Office for the Aging. Said

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RESOLUTION NO. 10-257**July 13, 2010****Page 2**

contract is for providing senior employment opportunities to residents 55+ in Wyoming County in an amount not to exceed thirty-five thousand dollars (\$35,000.00); effective July 1, 2010 through June 30, 2011.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#11

RESOLUTION NO. 10-258
(July 13, 2010)

By Mrs. Totslin, Chairman of Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
WITH ASPIRE ON BEHALF OF WYOMING COUNTY
YOUTH BOARD**

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 ASPIRE, 4635 Union Road Cheektowaga, New York 14225 on behalf of the Wyoming County Youth Bureau. Said contract is for the provision of early intervention services in an amount not to exceed 2010 – 2012 budget, variable depending on number of services performed effective June 1, 2010 through June 30, 2012.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

**RESOLUTION NO. 10-259
(July 13, 2010)**

By Mrs. Totslin, Chairman of Human Services Committee:

**AMY FIALKOWSKI APPOINTED TO THE WYOMING
COUNTY YOUTH BOARD**

BE IT RESOLVED, That *Amy Fialkowski*, 4165 Route 98, North Java, New York 14113 be hereby appointed to the Wyoming County Youth Board as a ***Community Member*** to fill a ***vacant unexpired three (3) year term created with the resignation of Pastor Tim Wahls; effective July 13, 2010 through December 31, 2011.***

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#13

**RESOLUTION NO. 10-260
(July 13, 2010)**

By Mrs. Totslin, Chairman of Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN A GRANT
APPLICATION AND ACCEPTANCE AWARD WITH NEW
YORK STATE EDUCATION DEPARTMENT 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 grant application and acceptance award in partnership with New York State Education Department,

July 13, 2010

RESOLUTION NO. 10-260**July 13, 2010****Page 2**

89 Washington Avenue, Room 514EB Albany, New York 12234 on behalf of Wyoming County Youth Bureau. NYS Education Department will use these funds to pay partnering counties a portion of the 2009/10 school year claims (supplanting the state's share of the Preschool program expenses- variable depending on number of services performed); effective June 11, 2010.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#14

RESOLUTION NO. 10-261
(July 13, 2010)

By Mrs. Totslin, Chairman of Human Services Committee:

**CHAIRMAN / COMMISSIONER OF SOCIAL SERVICES
AUTHORIZED TO SIGN A GRANT APPLICATION AND
ACCEPTANCE AWARD WITH THE OFFICE OF
TEMPORARY AND DISABILITIES 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 application and acceptance award with Office of Temporary and Disabilities Assistance, 40 North Pearl Street, Albany, New York 12243-0001 on behalf of the Department of Social Services. Said grant is to fund the NYS Food Stamp Nutrition Education Program through Cornell Cooperative Extension of Wyoming County in a minimum amount of two hundred twenty-seven thousand forty-eight dollars (\$227,048.00); effective October 1, 2010 through September 30, 2011.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

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**RESOLUTION NO. 10-262
(July 13, 2010)**

By Mrs. Totslin, Chairman of Human Services Committee:

**CHAIRMAN / COMMISSIONER OF SOCIAL SERVICES
AUTHORIZED TO SIGN A CONTRACT 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 sign a contract with Cornell Cooperative Extension of Wyoming County, 401 N. Main St., Warsaw, New York 14569 on behalf of the Department of Social Services. Said contract is for the NYS Food Stamp Nutrition Education Program in an amount not to exceed two hundred twenty-seven thousand forty-eight dollars (\$227,048.00); effective October 1, 2010 through September 30, 2011.

Contingent upon the availability of funds.

**Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#16**

**RESOLUTION NO. 10-263
(July 13, 2010)**

By Mrs. Totslin, Chairman of Human Services Committee:

July 13, 2010

RESOLUTION NO. 10-263**July 13, 2010****Page 2****CHAIRMAN / COMMISSIONER OF SOCIAL SERVICES
AUTHORIZED TO SIGN A CONTRACT WITH
SPECTRUM HUMAN 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 Spectrum Human Services, 227 Thorn Avenue, PO Box 631, Orchard Park, New York 14127 on behalf of the Department of Social Services. Said agreement will provide for court ordered mental health evaluations, DV Intervention, anger management programs, and drug and alcohol assessments in an amount not to exceed six thousand eight hundred fifteen dollars (\$6,815.00); effective July 1, 2010 through December 31, 2010.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#17

**RESOLUTION NO. 10-264
(July 13, 2010)**

By Mrs. Totslin, Chairman of Human Services Committee:

**CHAIRMAN / COMMISSIONER OF SOCIAL SERVICES
AUTHORIZED TO SIGN A CONTRACT WITH
ALLEGANY REHABILITATION, INC. ON BEHALF OF
THE DEPARTMENT OF SOCIAL SERVICES**

RESOLUTION NO. 10-264**July 13, 2010****Page 2**

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 agreement with Allegany Rehabilitation Inc., 4222 Bolivar Road, Wellsville, New York 14895 on behalf of the Department of Social Services. Said contract is to provide for court ordered mental health evaluations and counseling, chemical abuse, and day treatment sessions for mental health recipients (CDT), and anger management program in an amount not to exceed six thousand eight hundred fifteen dollars (\$6,815.00); effective July 1, 2010 through December 31, 2010.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#18

RESOLUTION NO. 10-265**(July 13, 2010)**

By Mrs. Totslin, Chairman of Human Services Committee:

**CHAIRMAN / COMMISSIONER OF SOCIAL SERVICES
 AUTHORIZED TO SIGN AN AGREEMENT WITH NEW
 YORK STATE OFFICE OF TEMPORARY AND
 DISABILITIES ASSISTANCE, CENTER FOR
 EMPLOYMENT AND ECONOMIC SUPPORTS ON
 BEHALF OF THE DEPARTMENT OF SOCIAL SERVICES**

BE IT RESOLVED, That the Chairman of this Board and the Commissioner of Social Services with the approval of the County Attorney are hereby authorized and directed to sign an agreement with New York State Office of Temporary and Disabilities Assistance, Center for Employment & Economic Supports, 40 North Pearl Street – 9C, Albany, New York 12243 on

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RESOLUTION NO. 10-265**July 13, 2010****Page 2**

behalf of the Department of Social Services. Said agreement is for assigning thirty-two thousand three hundred eighty-seven dollars (\$32,387.00) to the Workforce Investment Board from the 2010 TANF summer youth employment program allocation in order to support the 2010 Summer Youth Employment Program; effective May 1, 2010 through September 30, 2010.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

There was a motion by Mr. Kushner, T/Eagle, to combine resolutions #19 through #24. A voice vote was taken and all voted aye.

#19**RESOLUTION NO. 10-266****(July 13, 2010)**

By Mr. Kushner, Chairman of Public Health Committee:

**CHAIRMAN / COMMISSIONER OF PUBLIC HEALTH
AUTHORIZED TO SIGN A GRANT APPLICATION AND
ACCEPTANCE AWARD WITH NEW YORK STATE
DEPARTMENT OF HEALTH DIVISION OF FAMILY
HEALTH 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 a grant application and acceptance award with New York State Department of Health Division of Family Health, Empire State Plaza, Corning Tower, Room 878, Albany, New York 12237 on behalf of the County Health Department. Said grant will provide funding for Early

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RESOLUTION NO. 10-266**July 13, 2010****Page 2**

Intervention Administration program in a minimum amount of thirty-one thousand nine hundred eighty-three dollars (31,983.00); effective October 01, 2010 through September 30, 2011.

**Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#20**

RESOLUTION NO. 10-267**(July 13, 2010)**

By Mr. Kushner, Chairman of Public Health Committee:

**SCOTT TREUTLEIN, MD REAPPOINTED TO
THE WYOMING COUNTY BOARD OF HEALTH**

BE IT RESOLVED, That *Scott Treutlein, MD*, 121 North Main Street, Warsaw, New York 14569 be hereby reappointed to the *Wyoming County Board of Health* as a *Physician Member* for a *corrected six (6) year term; effective June 11, 2010 through December 31, 2016*

**Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#21**

RESOLUTION NO. 10-268**(July 13, 2010)**

By Mr. Kushner, Chairman of Public Health Committee:

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RESOLUTION NO. 10-268**July 13, 2010****Page 2**

**CHAIRMAN / COMMISSIONER OF HEALTH
AUTHORIZED TO SIGN A IV THERAPY LETTER OF
AGREEMENT WITH CORAM HEALTHCARE 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 a IV Therapy Letter of Agreement with Coram Healthcare, 375 North French Road, Suite 108, Amherst, New York 14228 on behalf of the County Health Department. Said **Revenue** agreement will provide Wyoming County nursing services to Coram clients in a minimum amount of \$130 for initial visit & \$115 for subsequent visits; effective June 25, 2010.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#22

**RESOLUTION NO. 10-269
(July 13, 2010)**

By Mr. Kushner, Chairman of Public Health Committee:

**CHAIRMAN / COMMISSIONER OF HEALTH
AUTHORIZED TO SIGN A PROFESSIONAL SERVICES
AGREEMENT WITH DENISE GOODBERLET, NURSE
PRACTITIONER, 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 is hereby authorized and directed to sign professional services agreement with Denise Goodberlet, Nurse Practitioner, 216 North Street, Batavia, New York 14202 on behalf of the

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RESOLUTION NO. 10-269**July 13, 2010****Page 2**

County Health Department. Said agreement is for mid-level practitioner services in Men's & Women's Reproductive Health Services at the rate of \$45 per hour not to exceed amount budgeted; effective July 1, 2010 through December 31, 2010.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#23

RESOLUTION NO. 10-270**(July 13, 2010)**

By Mr. Kushner, Chairman of Public Health Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
 WITH THE 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 contract with the Ad Council of Rochester, 274 North Goodman Street, Rochester, New York 14607 on behalf of Mental Health. Said contract is for social marketing plan in an amount not to exceed five thousand dollars (\$5,000.00); effective May 1, 2010 through November 30, 2010. 100% Federal Grant Funds. No County Levy.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

July 13, 2010

**RESOLUTION NO. 10-271
(July 13, 2010)**

By Mr. Kushner, Chairman of Public Health Committee:

RESOLUTION NUMBER 09-489 AMENDED

WHEREAS, Resolution Number 09-489 entitled, **“CHAIRMAN AUTHORIZED TO SIGN 2010 RENEWAL CONTRACTS ON BEHALF OF MENTAL HEALTH,”** passed by this Board of Supervisors on December 08, 2009 provides for various 2010 Mental Health contracts; now therefore

BE IT RESOLVED, That Resolution Number 09-489 be hereby amended to reflect an amendment to the contract with Kelly McLaughlin, 34 Buckland Ave., Perry, New York 14530 by increasing work hours by five hours weekly for a total of 25 hours per week at \$20.00 per hour. This is a Partners for Prevention position, covered 100% by Federal Grant funds. No County Levy, amount not to exceed twenty-three thousand dollars (\$23,100.00); effective January 1, 2010 through December 31, 2010.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#25

**RESOLUTION NO. 10-272
(July 13, 2010)**

By Mrs. Meeder, Chairman of Human Resources Committee:

RESOLUTION NO. 10-272**July 13, 2010****Page 2****CHAIRMAN AUTHORIZED TO SIGN AN AGREEMENT
WITH THOMSON REUTERS (WEST PUBLISHING) 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 sign an agreement with Thomson Reuters (West Publishing), 610 Opperman Drive, St. Paul, Minnesota 55164-1803 on behalf of the County Attorney's Office. Said agreement is for McKinney's NEW YORK Civil Practice Laws and Rules, McKinney's NEW YORK Rules of Court, State Federal District, Federal Bankruptcy and Local and NEW YORK Supplement 2d, in an amount not to exceed two thousand five hundred eight dollars (\$2,508.00) in year one (1) increased by no more than 6% annually for year's two (2) and (3); effective June 3, 2010 through June 02, 2013.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

There was a motion by Mr. Fleischman T/Java, to combine resolutions #26 through #28. A voice vote was taken and all voted aye.

#26**RESOLUTION NO. 10-273
(July 13, 2010)**

By Mr. Fleischman, Chairman of Planning Committee:

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RESOLUTION NO. 10-273**July 13, 2010****Page 2**

**CHAIRMAN AUTHORIZED TO SIGN A RENEWAL
CONTRACT WITH WYOMING COUNTY COMMUNITY
ACTION FOR THE PROVISION OF WORKFORCE
INVESTMENT BOARD PROGRAMS**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign an annual renewal contract with Wyoming County Community Action, 6470 Route 20A, Suite 1, Perry, New York 14530 on behalf of Wyoming County to continue to operate and manage programs approved by the Workforce Investment Board effective July 1, 2010, through June 30, 2011.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#27

**RESOLUTION NO. 10-274
(July 13, 2010)**

By Mr. Fleischman, Chairman of Planning Committee:

**CHAIRMAN AUTHORIZED TO SIGN ANNUAL GLOW
CEO WIB AGREEMENT**

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 GLOW CEO WIB agreement between Chief Elected Officials of Genesee, Livingston, Orleans, and Wyoming County and the GLOW Workforce Investment Board (WIB), Genesee County Career Center, 587 E. Main St., Suite 100, Batavia, New York 14020 on behalf of Wyoming County,

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RESOLUTION NO. 10-274**July 13, 2010****Page 2**

effective July 1, 2010 through June 30, 2011.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#28

RESOLUTION NO. 10-275
(July 13, 2010)

By Mr. Fleischman, Chairman of Planning Committee:

**CHAIRMAN AUTHORIZED TO SIGN A LEASE
AGREEMENT WITH WYOMING COUNTY COMMUNITY
ACTION FOR RENTAL OF OFFICE SPACE**

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 Wyoming County Community Action, 6470 Route 20A, Perry, New York 14530 on behalf of Wyoming County. Said lease agreement is for the rental of 6,000 $\pm$ square feet of office space for Planning and Development, the Wyoming County Chamber of Commerce, Wyoming County Business Center, Wyoming County Tourist Promotion Agency, Wyoming County Industrial Development Agency, and the Business Education Council in an amount not to exceed four thousand six hundred forty-four dollars (\$4,644.00) per month, not to exceed fifty-five thousand seven hundred twenty-eight dollars (\$55,728.00) annually; effective September 1, 2010 through August 31, 2015.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

There was a motion by Mr. Rogers T/Pike, to combine resolutions #29 through #33. A voice vote was taken and all voted aye.

July 13, 2010

**RESOLUTION NO. 10-276
(July 13, 2010)**

By Mr. Rogers, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A SERVICE
AGREEMENT WITH GLOBAL TEL*LINK
CORPORATION 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 service agreement with Global Tel*Link Corporation, 12021 Sunset Hills Rd, Ste 100, Reston, Virginia 20190 on behalf of the County Jail. Said agreement is for revenue from providing inmate telephone service in a minimum amount of 44% of the gross revenue billed; effective 5 years after the full execution of the contract.

**Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#30**

**RESOLUTION NO. 10-277
(July 13, 2010)**

By Mr. Rogers, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN AN AGREEMENT
WITH GENESEE COUNTY OFFICE OF EMERGENCY
MANAGEMENT SERVICES (AS LEAD AGENT) ON
BEHALF OF WYOMING COUNTY EMERGENCY
SERVICES**

RESOLUTION NO. 10-277**July 13, 2010****Page 2**

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 Genesee County Office of Emergency Management Services (as lead agency), 7690 State Street Road, Batavia, New York 14020 on behalf of Wyoming County Emergency Services. Said agreement is for the 2010 Companion Animal Sheltering Equipment grant program from the New York State Office of Homeland Security. This is a regional grant for shared municipal services of temporary emergency sheltering for pets and companion animals during emergencies and disasters in a minimum amount of fifty thousand dollars (\$50,000.00); effective 2010 through 2013.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#31

RESOLUTION NO. 10-278**(July 13, 2010)**

By Mr. Rogers, Chairman of Public Safety Committee:

**FIRE ADVISORY BOARD DELEGATES APPOINTED /
REAPPOINTED**

BE IT RESOLVED, That the following named persons are hereby appointed / reappointed to the Wyoming County Fire Advisory Board and in accordance with Section 225-a of the County Law for a term of one year effective **July 11, 2010 through July 10, 2011**:

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Arcade	Gregory Landis	782 Geer Rd. Arcade, NY 14009
Attica	Terry Snyder	37 Buffalo St. Attica, NY 14011
Bennington	David Valtin	2166 Church Rd. Darien Center, NY 14040
Bliss	Richard Maher	3248 Rt. 39 Bliss, NY
Castile	Thomas Ballinger	21 Park Rd. W. Castile, NY 14427
Cowlesville	Joseph Pomona	203 Clinton St. 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 Village, NY 14113
Perry	Herbert Funk	7 Competent 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	5400 Toolhouse Rd. Warsaw, NY 14569
Strykersville	Donald Simons	425 Factory Rd. Strykersville, NY 14145

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Varysburg	Carl Parmerter	2151 Rt. 98 Attica, NY 14011
Warsaw	William Goulet	5310 Wethersfield Rd. Warsaw, NY 14569
Wyoming	John Moore	911 Tower 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: 1596 Noes: Absent: Abstain:
#32

RESOLUTION NO. 10-279
(July 13, 2010)

By Mr. Rogers, Chairman of Public Safety Committee:

REQUESTING THAT THE STATE OF NEW YORK
EQUITABLY DISBURSE THE STATEWIDE WIRELESS
911 SURCHARGE

WHEREAS, While New York State will collect approximately \$200 million dollars in fiscal year 2010 from the statewide wireless 911 surcharge, the funding is distributed in a manner that is inconsistent for the purpose of which it is collected; and

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RESOLUTION NO. 10-279**July 13, 2010****Page 2**

WHEREAS, While Wyoming County is among Public Safety Answering Points across New York State that provides emergency call taking and dispatch services to all emergency service providers, including many New York State agencies, Wyoming County should receive an equitable amount of reimbursement from this surcharge revenue as originally intended when the surcharge was enacted; now therefore

BE IT RESOLVED, The Wyoming County Board of Supervisors urges the State of New York to equitably disburse the \$200 million dollars collected to the 911 Public Safety Answering Points across New York State for operational costs and continuing upgrades; and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors also urges the State of New York to discontinue the practice of diverting 911 surcharge monies to purposes unrelated to emergency communications; and be it

FURTHER RESOLVED, That the Clerk of this Board be hereby directed to forward certified copies of this resolution to President Barack Obama, Senator Charles Schumer, Senator Kirsten Gillibrand, Congressman Christopher Lee, Governor David Paterson, Senator Dale Volker, Assemblyman Daniel Burling, NYSAC, InterCounty of Western NEW YORK and all others deemed necessary and proper.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#33

RESOLUTION NO. 10-280
(July 13, 2010)

Regular Session

RESOLUTION NO. 10-280**July 13, 2010****Page2**

By Mr. Rogers, Chairman of Public Safety Committee:

**SUPPORTING THE NEXT GENERATION 911
PRESERVATION ACT OF 2010**

WHEREAS, National Legislation has been introduced to upgrade America's 9-1-1 call center technology nationwide; and

WHEREAS, The Next Generation 9-1-1 Preservation Act of 2010 reauthorizes key grants and programs to ensure continued funding for the nation's 6,000 9-1-1 centers and programs; and

WHEREAS, Our 9-1-1 call centers are the first point of contact for Americans in an emergency situation; and

WHEREAS, 9-1-1 call centers receive more than 650,000 distress calls from across the nation every day and are primarily funded through state taxes on phone bills; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors supports the Next Generation 9-1-1 Preservation Act of 2010 which will reauthorize a five year federal grant program to support 9-1-1 services to improve technology that ensures emergency personnel have the tools they need to keep people safe and provide assistance to those in need; and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors also supports the improvements to the national E911 Implementation Coordination office which helps states to upgrade technology and to create and maintain a coordinated approach to 9-1-1 response technology on a nationwide level; and be it

July 13, 2010

RESOLUTION NO. 10-280**July 13, 2010****Page 3**

FURTHER RESOLVED, that the Clerk of this Board be hereby directed to forward certified copies of this resolution to President Barack Obama, Senator Charles Schumer, Senator Kirsten Gillibrand, Congressman Christopher Lee, Governor David Paterson, Senator Dale Volker, Assemblyman Daniel Burling, NYSAC, InterCounty of Western NY and all others deemed necessary and proper.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

There was a motion by Mr. Davis T/Covington, to combine resolutions #34 through #39. A voice vote was taken and all voted aye.

#34**RESOLUTION NO. 10-281****(July 13, 2010)**

By Mr. Davis, Chairman of Finance Committee:

**AHMED M. BAYOUMI, MD, APPOINTED TO THE
WYOMING COUNTY COMMUNITY HOSPITAL BOARD
OF MANAGERS**

BE IT RESOLVED, That *Ahmed M. Bayoumi, MD*, 2261 Route 19N, P.O. Box 230, Warsaw New York 14569 be hereby appointed to the Wyoming County Community Hospital Board of Managers as a ***Medical Staff Member to fill an unexpired, vacant and corrected five (5) year term; effective July 13, 2010 through December 31, 2014.***

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

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Prior to the Roll Call vote being taken Chairman Berwanger stated that there are a couple of resolutions that warrant some explanation and invited Worker's Compensation Program Administrator D. Perkins to speak to how the county arrived at these rates. She stated that the current employee regular PPO plan was to experience a 6% increase and so it was decided that a high deductible plan would be in the county's best interest. It was decided to move all of the management and support staff positions to this plan January 1, 2011 as well as to offer it at some point as an option for the CSEA employees. PPO's came in at a 10% increase while the high deductible plans came in at a 3% increase.

Chairman Berwanger thanked Ms. Perkins, Finance Chair Davis and Budget Officer for all of the hard work put into the utilization of these health insurance plans.

Chairman Berwanger then asked that Supervisor Rogers, T/Pike and Chairman of the Public Safety Committee offer an explanation of the position creations on Res. #38. These position creations are to accommodate current employee promotions who have worked hard and are very deserving. The positions occupied currently by the employees will sunset upon all Civil Service rules and regulations are fulfilled.

Chairman Berwanger then asked Supervisor Patti, T/Attica and Chairman of the Public Works Committee to offer an explanation of the Highway Position extension on Res. #38. Supervisor Patti stated that the Supt of Highways was given permission to fill this position in August of 2009 and at the time Supt. Gadd opted to hold off. In light of the current economic climate here in Wyoming County and across the state the decision was made to extend the position while continuing to leave it vacant.

#35

**RESOLUTION NO. 10-282
(July 13, 2010)**

By Mr. Davis, Chairman of Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN 2011 INSURANCE
RENEWAL RATES ON BEHALF OF CURRENT AND
RETIRED COUNTY EMPLOYEES**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign Univera Healthcare renewal rates for Current and Retired County Employees for **2011**:

EMPLOYEES

Univera PPO

- ❖ Single – \$526.39
- ❖ Family - \$1,428.00

Univera High Deductible Plan

- ❖ Single – \$269.36
- ❖ Family - \$730.71

RETIREES

Univera PPO (ages 55 - 64)

- ❖ Single - \$901.59
- ❖ Family - \$2,421.40

Univera High Deductible Plan (ages 55-64)

- ❖ Single \$525.90
- ❖ Family - \$1,412.37

Medicare PPO Plans – Rates available this fall

Contingent upon the availability of funds.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
Regular Session

**RESOLUTION NO. 10-283
(July 13, 2010)**

By Mr. Davis, Chairman of Finance Committee:

**DISABILITY INSURANCE RATE WITH
HARTFORD LIFE INSURANCE COMPANY APPROVED**

BE IT RESOLVED, That rates for statutory New York State Disability Insurance coverage with Hartford Life Insurance Company, P.O. Box 2999, Hartford, Connecticut 06104 for the following employees are hereby approved:

- Schedule S, D & WCCH C - \$12.51/employee/month; effective October 01, 2010 through September 30, 2011
- CSEA - \$15.95/employee/month; effective July 01, 2010 through June 30, 2011
- CSEA Supervisory; effective January 01, 2011 through December 31, 2011
 - o \$2.49/male/month; \$5.08/female/month

Contingent upon the availability of funds.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

July 13, 2010

**RESOLUTION NO. 10-284
(July 13, 2010)**

By Mr. Davis, Chairman of Finance Committee:

**LOCATION AND TIME OF AUGUST 2010
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 17th, 2010 at 2:00 PM* at the *Wyoming County Fairgrounds in Pike, New York*.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#38

**RESOLUTION NO. 10-285
(July 13, 2010)**

By Mr. Davis, Chairman of Finance Committee:

POSITION CREATION(S) APPROVED

BE IT RESOLVED, That the following position(s) are hereby created within the various Wyoming County Departments:

Regular Session

RESOLUTION NO. 10-285**July 13, 2010****Page 2****Probation:*****For the purpose of a non-competitive promotions of two competitive class employees,***

- Two (2) positions of ***Senior Probation Officer*** (1.00 FTE); effective July 13, 2010 to be placed on the current CSEA schedule A, Grade 17, step 1.
 - o In addition, the two (2) Probation Officer positions being vacated will sunset upon all Civil Service requirements being met.

Highway:

- The ***Heavy Equipment Operator*** position (position number 002.420) is to be ***extended*** for one (1) year; effective August 01, 2009 through July 31, 2011. This position is to be left vacant pending further review by the Public Works Committee, Finance Committee and Full Board of Supervisors.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#39

RESOLUTION NO. 10-286
(July 13, 2010)

By Mr. Davis, Chairman of 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 as follows:

July 13, 2010

RESOLUTION NO. 10-286**July 13, 2010****Page 2****Schedule G:****District Attorney:**

- Crime Victim Coordinator – \$37,689 annually, effective October 1, 2010
- Domestic Violence Coordinator - \$33,966 annually, effective October 1, 2010

These changes represent a 2% increase for the Crime Victim Coordinators entire salary (\$739) and a 2% increase on only the portion of the Domestic Violence Coordinators salary that is paid for by the Crime Victims Board (\$306 increase). All increases have been built into an already approved grant award (see resolution 09-288) and said increase will be paid from grant funds. These employees do not receive raises from county dollars like Schedules S, D, and I.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

There being no further business to come before this Board, Senior Supervisor Bush, T/Gainesville, adjourned the meeting at 3:45 PM with a rap on his desk.

Respectfully submitted,

Cheryl J. Ketchum

Cheryl J. Ketchum, Board Clerk

REGULAR SESSION

(August 17, 2010)

Tuesday**2:00 PM**

The regular session of the Wyoming County Board of Supervisors was held at the Wyoming County Fair Grounds located in Pike, New York with all Supervisors present except Supervisor Ryan, T/Warsaw. Also present were 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 2:11 PM Chairman Berwanger, T/Arcade, called the meeting to order.

The Veteran(s) leading the Pledge of Allegiance this month was:

ANTHONY M. SACCO

Mr. Sacco's service to his country comes while serving during the Korean War. He enlisted in the United States Army on October 14, 1949. He completed Basic Training at Ft. Knox, Kentucky and Advanced Individual Training at Ft. Lewis, Washington and became qualified as an 11B Infantryman. He was shipped overseas to Korea and assigned to HHC (Headquarters & Headquarters Company) of the 38th Infantry Regiment under the 2nd Infantry Division.

Mr. Sacco served as an infantryman and participated in action at the DMZ on the 38th Parallel, Choo Chon, and Poo Son Provinces. During this action, he received gunshot wounds to his shoulder and back. He was Medi-Vac'd to the Hospital in Osaka, Japan and when stabilized was shipped to Murphy Hospital in Massachusetts for recovery and rehabilitation. Mr. Sacco was honorably discharged on December 2, 1952 at the rank of PFC.

August 17, 2010

For his service to his country Mr. Sacco awarded:

The United Nations Service Medal

The Purple Heart

The Korean War Service Medal w/1 bronze Star

Mr. Sacco returned to this area after his service and went to work in the construction field as a laborer and machine operator. He spent the next 30+ years in construction, many with the Lewis-Del-Prince Construction Company until his retirement in 1994. Mr. Sacco has also supported his community. He is a past member of the Gainesville Fire Department, a long time member of the American Legion, and a Life Member of DAV (Disabled American Veteran) Chapter 166. He enjoys woodworking and just puttering around. Mr. Sacco presently lives in the Town of Gainesville.

The pledge was said by all.

Chairman Berwanger presented Mr. Sacco with the customary certificate of appreciation and offered him an opportunity to address the Board. Mr. Sacco graciously thanked the Board for today's invitation.

Recognition of Special Guests:

US Congressman Chris Lee:

The Congressman briefly shared some of the issues impacting Washington and Western New York and that he was glad to be with the Supervisors at today's meeting at the Fair.

NY State Senator Dale Volker:

Upon Senator Volker's retirement, Chairman Berwanger extended his appreciation for all that he has done for Wyoming County and for the Chairman personally. Chairman Berwanger acknowledged a presentation that the Wyoming County Chamber of

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At the Fair!!

Commerce would like to make recognizing his service to Wyoming County.

Senator Volker very graciously accepted the acknowledgement. The Senator offered a few very kind words in regards to Congressman Lee's work in Washington on behalf of his district. The Senator also shared with the audience his wife's plea to spend more time with her.

NY State Assemblyman Daniel Burling:

Assemblyman Burling shared the importance of Senator Volker's mentoring to his career. The Assemblyman also commented on the Farm Labor Bill recently defeated by the State Legislature. He stated that the issue will definitely be back. In closing the Assemblyman thanked the Supervisors for his invitation today.

Communications:

Clerk Ketchum stated that several pieces of communication were received since the last Board meeting from State Representatives acknowledging receipt of the Board's recently passed resolutions. Chairman Berwanger added that it is very important to the Board to receive these correspondences acknowledging their receipt.

#1

**RESOLUTION NO. 10-287
(August 17, 2010)**

By Mr. Gozelski, Chairman of the Agriculture Committee:

WYOMING COUNTY FAIR WEEK PROCLAIMED

August 17, 2010

RESOLUTION NO. 10-287**August 17, 2010****Page 2**

WHEREAS, The Wyoming County Fair will be held from August 14th through August 21st, 2010 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, The Fair's theme, "Country Living, Past, Present, Future," focuses on all families, particularly the farm family; and

WHEREAS, The Wyoming County Fair is truly a 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 14th through August 21st in the year 2010 as:

"WYOMING COUNTY FAIR WEEK"

and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors do hereby applaud the annual efforts of the Wyoming County Fair Association.

Carried: XXX Ayes: 1386 Noes: Absent: 210 (Warsaw) Abstain:

After the passage of resolution number #1 Supervisor Gozelski, T/Castile invited the newly crowned Fair Queen, Lindsey Bailey to

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the microphone to accept the resolution on behalf of the Fair Association.

Fair Queen Bailey thanked the Board for today's invitation to accept the proclamation.

Certificate of Recognition:

Supervisor Rogers, T/Pike was asked to present the recognition To the Van Slykes Dairy Farm for receiving the 2010 New York State Agricultural Environmental Management Award.

SPECIAL RECOGNITION for their superb role model of personal environmental stewardship and resourceful innovation in Agriculture.

The Wyoming County Board of Supervisors would like to thank the Van Slyke Family by saying that we are very proud of you for representing Wyoming County so well!

The Van Slyke Dairy in the Town of Pike, New York is the 7th generation, now milking 1,200 Holsteins and farming 2,000 acres.

With their farm situated above two sensitive watersheds, the Van Slyke's put strip cropping, minimum tillage, and cover cropping to work long ago. As a result, the farm's high yields also enable them to supply forages for close to 900 additional dairy animals on other farms.

The farm was one of New York's first to complete its concentrated animal feeding operation plan and the state's Ag Environmental Management plans. Installing a covered manure lagoon to burn methane reduced odor and shielded the 5 acre lagoon from rainwater and snowmelt.

The lagoon is linked to a manure solids bedding recovery system designed in Germany. It separates solids and continuously composts materials.

August 17, 2010

This dairy was the 11th herd to be a certified animal welfare farm under the New York State Cattle Health Assurance Program. Family members have been outspoken advocates for the industry on animal welfare.

That's why the Van Slyke's Dairy Farm has received the New York agriculture's highest environmental honor – the 2010 Agricultural Environmental Management award presented during Empire Farm Days.

Several members of the Van Slyke Family were on hand to accept this recognition.

#2

RESOLUTION NO. 10-288
(August 17, 2010)

By Mr. Davis, Chairman of the Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2010 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2010 accounts as follows:

Treasurer			
To: 01.33.1325.4.40301 Prof. Svc. Contract <i>From any funds available</i> Reason: In order to pay unbudgeted Materials Event filings and Continuing Disclosure with Security and Exchange Commission each time our bond rating changes or insurance underwriters rating changes.	\$800.00	\$800.00	
Treasurer Total			\$800.00

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RESOLUTION NO. 10-288**August 17, 2010****Page 2**

Emergency Services			
To: 01.37.3020.4.40301 Prof. Service Contracts w/01.02.3020.1140 911 Surcharge Reason: Pictometry	\$31,250.15	\$31,250.15	
Emergency Services Total			\$31,250.15
District Attorney			
To: 01.32.1163.4.42306 DA Seized Assets w/01.07.1163.2626 DA Seized Assets (offset by DA reserve 01.889.1163) Reason: To purchase additional video equipment for interviewing suspects as required by the state.	\$1,500.00	\$1,500.00	
District Attorney Total			\$1,500.00

Carried: XXX Ayes: 1386 Noes: Absent: 210 (Warsaw) Abstain:

Mr. Bush, T/Gainesville, Chairman of the Audit Committee,
presented bills totaling **\$2,989,325.53** for the month of **July 2010**.

Carried: XXX Ayes: 1386 Noes: Absent: 210 (Warsaw) Abstain:

There was a motion by Mr. Patti T/Attica, to combine resolutions #3 and #4. A voice vote was taken and all voted aye.

#3**RESOLUTION NO. 10-289****(August 17, 2010)**

By Mr. Patti, Chairman of Public Works Committee:

**CHAIRMAN AUTHORIZED TO SIGN AN AGREEMENT
WITH LABELLA ASSOCIATES, P.C. ON BEHALF OF
COUNTY HIGHWAY**

August 17, 2010

RESOLUTION NO. 10-289**August 17, 2010****Page 2**

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 LaBella Associates, P.C., 300 State Street, Suite 201, Rochester, NY 14614 on behalf of County Highway. Said agreement is for P.E./Design/ROW for the Griffith Road Bridge over East Koy Creek, Town of Pike. BIN 3320120 in an amount not to exceed one hundred thirty-six thousand dollars (\$136,000.00) (\$12,360.00 Construction Support & \$123,640.00 Design Phase).

Contingent upon the availability of funds.

Carried: XXX Ayes: 1386 Noes: Absent: 210 (Warsaw) Abstain:
#4

RESOLUTION NO. 10-290
(August 17, 2010)

By Mr. Patti, Chairman of Public Works Committee:

RESOLUTION NUMBER 08-343 AMENDED

WHEREAS, Resolution Number 08-343 entitled, **“2008 – 2009 SALT BID APPROVED,”** passed by this Board of Supervisors on September 09, 2008 provides for the purchase of salt for the *2008 – 2009 Snow Season* from American Rock Salt Co., LLC, P.O. Box 190, Mt. Morris, NY 14510 in an amount not to exceed \$41.36 per ton delivered. Contingent upon the availability of funds; and

WHEREAS, On June 09, 2009 this Board of Supervisors extended Resolution Number 08-343 through the 2009-2010 Snow

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RESOLUTION NO. 10-290**August 17, 2010****Page 2**

Season in an amount not to exceed \$39.76 per ton delivered. All else remained unchanged; now therefore

BE IT RESOLVED, That Resolution Number 08-343 as amended by 09-248 is hereby further amended to reflect an extension of the bid award for the purchase of road salt with American Rock Salt Co., in an amount not to exceed \$39.76 per ton delivered through the 2010-2011 snow season (September 01, 2010 through May 31, 2011). All else remains unchanged. Contingent upon the availability of funds.

Carried: XXX Ayes: 1386 Noes: Absent: 210 (Warsaw) Abstain:

There was a motion by Mrs. Totsline T/Genesee Falls, to combine resolutions #5 through #7. A voice vote was taken and all voted aye.

#5

RESOLUTION NO. 10-291**(August 17, 2010)**

By Mrs. Totsline, Chairman of Human Services Committee:

RESOLUTION NUMBER 09-199 AMENDED

WHEREAS, Resolution Number 09-199 entitled, **“CHAIRMAN / COMMISSIONER OF SOCIAL SERVICES AUTHORIZED TO SIGN A CONTRACT WITH DDR WARSAW PLAZA, LLC ON BEHALF OF THE DEPARTMENT OF SOCIAL SERVICES,”** passed by this Board of Supervisors on May 12, 2009 provides for temporary office space during the renovation project located at the Tops

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RESOLUTION NO. 10-291**August 17, 2010****Page 2**

Plaza, - Warsaw (former Hollywood Video Building) on Rt. 19, Warsaw, NY in an amount not to exceed four thousand dollars (\$4,000.00) per month (price includes utilities); effective one year from date of signing (August 24, 2009 through August 23, 2010), now therefore

BE IT RESOLVED, That Resolution Number 09-199 be hereby amended to extend the lease of the building located at 2410 State Rt. 19, Warsaw NY 14569 with DDR Warsaw Plaza LLC, 3300 Enterprise Parkway, Beachwood, Ohio 44122 through March 31, 2011. All else remains unchanged.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1386 Noes: Absent: 210 (Warsaw) Abstain: #6

RESOLUTION NO. 10-292**(August 17, 2010)**

By Mrs. Totslie, Chairman of Human Services Committee:

RESOLUTION NUMBER 09-268 AMENDED

WHEREAS, Resolution Number 09-268 entitled, **“CHAIRMAN AUTHORIZED TO SIGN A GRANT APPLICATION AND ACCEPTANCE AWARD WITH THE NEW YORK STATE OFFICE FOR THE AGING ON BEHALF OF THE WYOMING COUNTY OFFICE FOR THE AGING,”** passed by this Board of Supervisors on July 14, 2009 provides for grant funding of Title V (Senior Employment

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RESOLUTION NO. 10-292**August 17, 2010****Page 2**

Program) in a minimum amount of thirty-three thousand four hundred dollars (\$33,400.00); effective July 01, 2009 through June 30, 2010; now therefore

BE IT RESOLVED, That Resolution number 09-268 be hereby amended to reflect a revised effective date through December 31, 2010. All else remains unchanged.

Carried: XXX Ayes: 1386 Noes: Absent: 210 (Warsaw) Abstain:
#7

RESOLUTION NO. 10-293
(August 17, 2010)

By Mrs. Totslie, Chairman of Human Services Committee:

RESOLUTION NUMBER 09-349 AMENDED

WHEREAS, Resolution Number 09-349 entitled, **“CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH INDEPENDENT HEALTH ON BEHALF OF THE YOUTH BUREAU,”** passed by this Board of Supervisors on September 08, 2009 provides for third party reimbursement for the Early Intervention Program commencing on the date signed by Independent Health for one year. Contingent upon the availability of funds; now therefore

BE IT RESOLVED, That Resolution Number 09-349 be hereby amended to reflect corrected terms of the contract as follows:

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RESOLUTION NO. 10-293**August 17, 2010****Page 2**

“The term of this Agreement shall commence on the date it is executed by the President of Independent Health, and shall continue until December 31st of that year, and from year to year thereafter unless at least sixty (60) days in advance of December 31st (the “Anniversary Date”), either party notifies the other in writing of non-renewal.”

All else remains unchanged.

Carried: XXX Ayes: 1386 Noes: Absent: 210 (Warsaw) Abstain:
#8

RESOLUTION NO. 10-294**(August 17, 2010)**

By Mr. Kushner, Chairman of Public Health Committee:

**CHAIRMAN / COMMISSIONER OF HEALTH
 AUTHORIZED TO SIGN A GRANT APPLICATION AND
 ACCEPTANCE AWARD WITH THE NEW YORK STATE
 DEPARTMENT OF HEALTH DIVISION OF
 ENVIRONMENTAL HEALTH PROTECTION 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 a grant application and acceptance award with New York State Department of Health Division of Environmental Health Protection, Flanigan Square, 547 River Street, Room 515, Troy, NY 12180-2216 on behalf of the County Health Department. Said grant is for funding the Tobacco Enforcement Program in

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RESOLUTION NO. 10-294**August 17, 2010****Page 2**

Wyoming County in a minimum amount of twenty-eight thousand four hundred eighty-one dollars (\$28,481.00); effective October 01, 2010 through September 30, 2011.

Carried: XXX Ayes: 1386 Noes: Absent: 210 (Warsaw) Abstain:

Chairman Berwanger, T/Arcade invited Supervisor Kushner, T/Eagle to the microphone to accept a Certificate of Recognition acknowledging his receipt of the Harriet C. Weber EMS Leadership Award. **SPECIAL RECOGNITION** was given for his many years of dedicated service and commitment to the Eagle Hose Company, the Bliss Rescue Squad, and service to his community.

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. 10-295****(August 17, 2010)**

By Mr. Fleischman, Chairman of Planning Committee:

**2011 MATCHING FUNDS PROGRAM APPROVED ON
BEHALF OF THE WYOMING COUNTY CHAMBER OF
COMMERCE**

BE IT RESOLVED, That the Wyoming County Board of Supervisors does hereby approve taking part in the 2011 Matching Funds Program for tourist promotional activities; and be it

August 17, 2010

RESOLUTION NO. 10-295**August 17, 2010****Page 2**

FURTHER RESOLVED, That the Wyoming County Board of Supervisors hereby designates the Wyoming County Chamber of Commerce 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: 1386 Noes: Absent: 210 (Warsaw) Abstain:
#10**

**RESOLUTION NO. 10-296
(August 17, 2010)**

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 2011 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 2011 County Budget; contingent upon the availability of funds from New York State.

Carried: XXX Ayes: 1386 Noes: Absent: 210 (Warsaw) Abstain:

There was a motion by Mr. Rogers T/Pike, to combine resolutions #11 through #13. A voice vote was taken and all voted aye.

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Chairman Berwanger, T/Arcade instructed Clerk Ketchum to read allowed resolution office number 13 for the benefit of the Board and meeting attendees.

Chairman Berwanger, T/Arcade invited Supervisor Rogers, T/Pike to speak on the Ignition Interlock provisions of Leandra's Law in order for our State Representatives to hear Wyoming County's message and take that message back to the state legislature. Supervisor Rogers stated that Wyoming County is not opposed to the intent of the law; however, it is the unfunded mandated requirement of providing this service that the Board is opposed to. Wyoming County has named the New York State Police as the monitoring agency, which is an unacceptable designation according to state agencies. Wyoming County Probation will incur another 62 cases as a result of this new law and would most likely need to add another Probation Officer to help carry the load. Currently, Wyoming County has four Probation Officers with the following case loads:

- Adults - 105
- Integrated Domestic Violence - 105
- Specialized / Drug Court - 95
- Sex Offender / Intensive Supervision- 55 (because extra time is required to monitor these cases).

Probation Officers are already working evenings and weekends.

Supervisor Rogers, T/Pike explained the Ignition Interlock requirements to the Meeting Attendees so that they are aware of the process necessary to monitor these provisions.

These actions are simply unacceptable to the Wyoming County Board of Supervisors and this Board of Supervisors unanimously agrees that to pass this burden on to the already financially burdened tax payer is wrong!!

Chairman Berwanger, T/Arcade offered our State Representatives a chance to comment on the Ignition Interlock provision of Leandra's Law. Assemblyman Burling stated that he voted for this law because of the little girl that the law was named for who was killed because she rode in a vehicle with her legally intoxicated parent. This was the right thing for him to do...

With that being said, the Assemblyman referred to a letter he offered to the Federal Government requesting funding to New York State to help offset the cost of the Ignition Interlock provision.

Prior to the Roll Call Vote being taken Chairman Berwanger reiterated that the Board of Supervisors does not disagree with the intent of the law. The only disagreement is that the State is passing laws and forcing Counties to pay for them!!!

Senator Volker stated that neither the state nor the counties are prepared to enact the provisions of this law. Many of this law's supporters are not aware of the true impact to counties. Throughout the Senator's career he has done his best to keep from passing costs onto the counties.

Supervisor Rogers asked Senator Volker and Assemblyman Burling if they thought that there would be any pressure on the New York State Police to monitor these provisions. So far there is no proof of that.

#11

RESOLUTION NO. 10-297 (August 17, 2010)

By Mr. Rogers, Chairman of Public Safety Committee:

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RESOLUTION NO. 10-297**August 17, 2010****Page 2****CHAIRMAN AUTHORIZED TO SIGN VARIOUS
STENOGRAPHIC SERVICES CONTRACTS 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 various Stenographic Services Contracts on behalf of the District Attorney's Office as follows:

- ***Edith Forbes***, 121 Woodcrest Drive, Batavia, NY 14020 in an amount not to exceed twenty thousand dollars (\$20,000.00) per year; effective January 01, 2010 through December 31, 2014.
- ***Charlene Landahl***, 102 Hillcrest Drive, Arcade, NY 14009 in an amount not to exceed ten thousand dollars (\$10,000.00) per year; effective January 01, 2010 through December 31, 2014.
- ***Tracy Moore***, 147 North Main Street, Warsaw, NY 14569 in an amount not to exceed ten thousand dollars (\$10,000.00) per year; effective January 01, 2010 through December 31, 2014.

**Carried: XXX Ayes: 1386 Noes: Absent: 210 (Warsaw) Abstain:
#12**

**RESOLUTION NO. 10-298
(August 17, 2010)**

By Mr. Rogers, Chairman of Public Safety Committee:

August 17, 2010

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**CHAIRMAN AUTHORIZED TO SIGN A GRANT
APPLICATION AND ACCEPTANCE AWARD WITH THE
NEW YORK STATE GOVERNOR'S TRAFFIC SAFETY
COUNCIL ON BEHALF OF THE SHERIFF'S
DEPARTMENT**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a grant application and acceptance award with NYS Governors Traffic Safety Council, 6 Empire State Plaza, Room 414, Albany NY 12228 on behalf of the Sheriff's Department. Said grant is for funding the Selective Traffic Enforcement Program (STEP) in a minimum amount of twelve thousand dollars (\$12,000.00); effective October 1, 2009 through September 30, 2010.

**Carried: XXX Ayes: 1386 Noes: Absent: 210 (Warsaw) Abstain:
#13**

**RESOLUTION NO. 10-299
(August 17, 2010)**

By Mr. Rogers, Chairman of Public Safety Committee:

**WYOMING COUNTY BOARD OF SUPERVISORS
OPPOSES MONITORING PROVISIONS OF
"LEANDRA'S LAW"**

WHEREAS, Each county in New York was required to submit an Ignition Interlock Plan to New York State in order to

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At the Fair!!

RESOLUTION NO. 10-299**August 17, 2010****Page 2**

comply with the Child Passenger Safety Act, Chapter 496 of the Laws of 2009, commonly known as Leandra's Law and

WHEREAS, It was represented that the law would be “no fiscal impact to the State,” and

WHEREAS, As part of the Interlock Plan the agency designated by Wyoming County to be the monitor for the Conditional Discharge required to have an Ignition Interlock device was the New York State Police; and

WHEREAS, The Director of Probation was advised that the plan that was submitted would not be approved and it was unacceptable to name the New York State Police as the monitoring agency; and

WHEREAS, The Director has been advised to submit an addendum to the plan that addresses the Conditional Discharge monitoring agency designation; and

WHEREAS, Placing the Conditional Discharge monitoring responsibility within Wyoming County Probation Department will require additional staff, costing up to \$44,000.00 to the taxpayers of Wyoming County; and

WHEREAS, The State of New York has continued to place additional unfunded mandates on Wyoming County and upon all Counties within the State; and

WHEREAS, The Wyoming County Board of Supervisors recognizes the positive intent of the law but cannot continue to burden the taxpayers of the county with expanded and unfunded

August 17, 2010

RESOLUTION NO. 10-299**August 17, 2010****Page 3**

mandates like the monitoring provisions of “Leandra’s Law;” now therefore

BE IT RESOVLED, That the Wyoming County Board of Supervisors hereby directs the Director of Probation and Correctional Alternatives to not amend the Wyoming County Interlock Plan as she was requested to do so by the New York State Division of Criminal Justice Services; and be it

FURTHER RESOLVED, That the Clerk of the Board of Supervisors be hereby instructed to forward certified copies of this resolution to Governor David Paterson, Senator Dale Volker, Assemblyman Daniel Burling, InterCounty Association of Western New York and the New York State Association of Counties.

Carried: XXX Ayes: 1386 Noes: Absent: 210 (Warsaw) Abstain:

There was a motion by Mr. Davis T/Covington, to combine resolutions #14 through #19. A voice vote was taken and all voted aye.

Prior to the Roll Call Vote Chairman Berwanger shared the results of a survey that Jeff Osinski, NYSAC preformed. Of the 62 counties, 49 counties participated in the survey. Of those participants only 13 counties will be participating in the State’s Early Retirement Incentive. Chairman Berwanger also reviewed some of the criteria for the incentive’s implementation, of which it was determined that it could have the potential to substantially cost the county to participate. It is with this research that the Board of Supervisors has decided not to participate in New York State’s Retirement Incentive.

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Chairman Berwanger asked Clerk Ketchum to read allowed resolution office number 16 allowed.

Supervisor Rogers, T/Pike inquired as to a reminder of the current County weekly Medicaid payment. Budget Officer Cook responded with \$77,000.00 weekly. Chairman Berwanger explained that the Federal Government provides 50%, the State provides 25% and the counties provide 25% as their share for Medicaid. Chairman Berwanger asked Assemblyman Burling to respond, and he stated that he didn't blame the Board at all for their decision to withhold...

Chairman Berwanger asked Treasurer Mayer to share the County's current Bond rating with meeting attendees. She responded with an "AA-" which, Chairman Berwanger stated is two steps higher than it had been.

Chairman Berwanger stated that there are other counties who have decided to not make their Medicaid payments to the state.

Finance Chair Davis, T/Covington stated that this would issue would most likely be the topic of discussion at the next Inter-County Meeting.

#14

**RESOLUTION NO. 10-300
(August 17, 2010)**

By Mr. Davis, Chairman of Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
WITH EBS-RMSCO, INC., ON BEHALF OF THE
COUNTY'S INSURANCE OFFICE**

August 17, 2010

RESOLUTION NO. 10-300**August 17, 2010****Page 2**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with EBS-RMSCO, Inc., 30 Perinton Hills Mall, Fairport, NY 14450 on behalf of the County Insurance Office. This contract provides for administrative services for the health reimbursement accounts of eligible Wyoming County employees as specified in the contract language and in the amounts as follows:

- ❖ One time Implementation Fee - \$450.00
- ❖ Annual Compliance Service Fee - \$275.00
- ❖ Monthly participant charge - \$4.00, with a minimum monthly charge of \$55.00.

effective January 1, 2011

Carried: XXX Ayes: 1386 Noes: Absent: 210 (Warsaw) Abstain:
#15

RESOLUTION NO. 10-301
(August 17, 2010)

By Mr. Davis, Chairman of Finance Committee:

WYOMING COUNTY NOT OPTING INTO NEW YORK
STATE RETIREMENT INCENTIVE

WHEREAS, In May 2010, Chapter 105 of the Laws of New York of 2010, was passed by the state legislature. Effective June 2, 2010, this law establishes a two-part temporary retirement incentive program for certain public employees; and

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RESOLUTION NO. 10-301**August 17, 2010****Page 2**

WHEREAS, The Retirement Incentive provides two options that counties may adopt to manage the composition of their county workforce; and

WHEREAS, Counties have the option to implement one, both or none of the retirement incentives; and

WHEREAS, Public employees would be able either to retire without penalty at 55 years of age with a minimum of 25 years of service, or be targeted to receive an additional month of pension credit not to exceed 36 months for each year of service; and

WHEREAS, After careful analysis by the Wyoming County Budget Office, Wyoming County Human Resource Department and the Wyoming County Board of Supervisors' Finance Committee it was determined that there would be no realized savings to the taxpayers. In fact, this incentive could wind up costing the taxpayers of Wyoming County; now therefore

BE IT RESOLVED, Wyoming County government will not be participating in the Early Retirement Incentive Program passed by the state legislature this spring.

Carried: XXX Ayes: 1386 Noes: Absent: 210 (Warsaw) Abstain: #16

RESOLUTION NO. 10-302
(August 17, 2010)

By Mr. Davis, Chairman of Finance Committee:

August 17, 2010

**WYOMING COUNTY BOARD OF SUPERVISORS
SUSPENDS WEEKLY MEDICAID PAYMENT TO
NEW YORK STATE**

WHEREAS, New York's financial crisis coupled with a State Budget that was passed 125 days late has put tremendous strain on local governments across New York State; and

WHEREAS, In Wyoming County, while we have succeeded over the last several years in strengthening our financial situation, recent actions (or rather inactions) by State government are threatening to destroy our credit and our ability to properly serve our residents; and

WHEREAS, As of this Board Meeting, the State of New York owes Wyoming County in excess of \$2.5 million; and

WHEREAS, This Board of Supervisors is supportive of the actions of Oneida County and urges further consideration by other New York State counties to suspend Medicaid payments as a protest of the unfair treatment of counties and local governments by the State; and

WHEREAS, New York State Counties provide state mandated services regardless of the existence of fully executed contracts in good faith that these contracts will be executed in a timely fashion. Counties are using more and more of their own resources to provide state mandated services without the ability to claim reimbursement until state contracts are in place. This combined with the delay in payment of fully executed contracts threatens to seriously jeopardize our financial future; now therefore

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RESOLUTION NO. 10-302**August 17, 2010****Page 3**

BE IT RESOLVED, It is with much deliberation that the Wyoming County Board of Supervisors intends to suspend the County's weekly Medicaid payment to the state until Wyoming County receives adequate reimbursements for already delivered state mandated services; and be it

FURTHER RESOLVED, That the Clerk of this Board be hereby directed to send certified copies of this resolution to Governor David Paterson, Senate Majority President Pro Tempore Malcolm Smith, Senate Minority Leader Dean Skelos, Senator Dale M. Volker, Assembly Majority Leader Ron Canestrari, Assembly Speaker Sheldon Silver, and Assemblyman Daniel Burling.

Carried: XXX Ayes: 1386 Noes: Absent: 210 (Warsaw) Abstain:
#17

RESOLUTION NO. 10-303
(August 17, 2010)

By Mr. Davis, Chairman of Finance Committee:

CLARIFICATION OF LOCAL LAW 12
FOR THE YEAR 1994

WHEREAS, Wyoming County is obligated by statute and local law to pay to the villages and towns in the County the full amount of re-levied taxes returned to the County for inclusion in the county tax bill; and

WHEREAS, While towns and villages have the authority by local law #12 of the year 1994 by Resolution 94-241 or

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RESOLUTION NO. 10-303**August 17, 2010****Page 2**

ordinance to provide for the placement of user charges on their tax bills, the County is not obligated to pay these sums to towns and villages upon the submission of re-levied taxes; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors hereby establishes the policy that the County will only pay over to the towns and villages those amounts on their re-levied tax bills which are taxes. The County will not pay over to towns and villages' non-tax items such as user fees or other charges which are included in re-levied tax bills submitted to the County unless such other sums are mandatory statutory additions to taxes.

**Carried: XXX Ayes: 1386 Noes: Absent: 210 (Warsaw) Abstain:
#18**

RESOLUTION NO. 10-304**(August 17, 2010)**

By Mr. Davis, Chairman of 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:

Schedule S:**Public Health:**

- Assistant Director of Nursing - \$54,000 annually, effective May 23, 2010

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RESOLUTION NO. 10-304**August 17, 2010****Page 2****Public Defender:**

- Amend the title of Assistant Public Defender, ***PT*** (2nd) to Assistant Public Defender (2nd) - set the salary at \$45,000.00 annually; effective September 08, 2010.

Carried: XXX Ayes: 1386 Noes: Absent: 210 (Warsaw) Abstain:
#19

RESOLUTION NO. 10-305
(August 17, 2010)

By Mr. Davis, Chairman of Finance Committee:

POSITION CREATION(S) APPROVED

BE IT RESOLVED, That the following position(s) are hereby created within the various Wyoming County Departments:

County Attorney:

- One (1) position of ***Secretary I (Temporary) (1.00 FTE)*** housed in the Department of Social Services: effective July 26, 2010 through the Medical Leave of a current employee at \$15.00 per hour.

Probation:

- ***Amend Resolution Number 10-47*** to extend one (1) position of ***Probation Officer (Temporary) (1.00 FTE)*** due to medical leaves of absence within the department; effective November 01, 2010 through approximately May 31, 2011.

Carried: XXX Ayes: 1386 Noes: Absent: 210 (Warsaw) Abstain:
 August 17, 2010

**RESOLUTION NO. 10-306
(August 17, 2010)**

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

RECOVERY ZONE DESIGNATION RESOLUTION

WHEREAS, The American Recovery and Reinvestment Act of 2009 ("ARRA") authorizes the County to issue recovery zone economic development bonds in an amount up to \$1,533,000.00 pursuant to a suballocation of the national volume cap for Recovery Zone Bonds provided by the federal Treasury Department; and

WHEREAS, Recovery zone economic development bonds are entitled to a direct federal subsidy of 45% of the interest thereon; and

WHEREAS, The County is required to designate a recovery zone prior to issuing such bonds; and

WHEREAS, Any such bonds must be for expenditures for property located within the recovery zone or otherwise promote economic activity therein; and

WHEREAS, The term recovery zone is defined to mean (1) any area designated by the County as having significant poverty, unemployment, rate of home foreclosures, or general distress; (2) any area designated by the County as economically distressed by reason of the closure or realignment of a military installation pursuant to the Defense Base Closure and Realignment Act of 1990; and (3) any area for which a designation as an empowerment zone or renewal community is in effect as of February 17, 2009; and

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Page 2

WHEREAS, It is now desired to designate the County of Wyoming as a recovery zone under ARRA; now therefore

BE IT RESOLVED, By the affirmative vote of the County Board of Supervisors of the County of Wyoming, New York, as follows:

Section 1. The County of Wyoming is hereby designated as a recovery zone for purposes of ARRA as a result of significant unemployment, home foreclosure rates and general distress as the current recession has had and continues to have a significant adverse impact on the County as a whole.

Section 2. This resolution shall take effect immediately.

Carried: XXX Ayes: 1386 Noes: Absent: 210 (Warsaw) Abstain:

There being no further business to come before this Board, Senior Supervisor Bush, T/Gainesville, adjourned the meeting at 3:23 PM with a rap on his desk.

Respectfully submitted,

Cheryl J. Ketchum

Cheryl J. Ketchum, Board Clerk

August 17, 2010

REGULAR SESSION
(September 14, 2010)

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 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 for September 2010 Board Meeting is:

ROBERT L. BOWLES

Mr. Bowles' service to this country comes while serving during the Korean War. He had been attending college and completed 2 years in Business Administration when he enlisted in the United States Air Force on November 17, 1950. Mr. Bowles completed his Basic Training at Sheppard Air Force Base in Texas. He was then assigned duties at Reese Air Force Base in Lubbock, Texas as a stenographer in the "JAG" office, because he had experience in 'short-hand' in college.

In the winter of 1951, Mr. Bowles was sent to F.E. Warren Air Force Base in Cheyenne, Wyoming where he completed Training as a Clerk Typist. He returned to his duties at Reese Air Force Base until his transfer to Kirkland Air Force Base in Albuquerque, New Mexico, where he became the stenographer for the Deputy Commander of the Chief of Staff of the Air Force. The unit was

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the 132.4th Air Force Group and included a coalition of joint Military Forces that were working on the Project that developed the Hydrogen Bomb. Mr. Bowles's Unit was assigned duties in the Marshall Islands of the Pacific and he became the stenographer for the Commanding Officer of the Unit.

At the end of the Korean War, Mr. Bowles returned to the United States and finished his tour at L.G. Hanscom Field in Bedford, Massachusetts as the N.C.O.I.C. of the Administration Section of the Air Force Wing Personnel Section. Mr. Bowles was Honorably Discharged on September 10, 1954 at the rank of Staff Sergeant.

For his service to his country Mr. Bowles was awarded:

The National Defense Service Medal
The Air Force Good Conduct Medal

Mr. Bowles returned to New York and took advantage of the G.I. Bill and enrolled at Syracuse University in the field of accounting. After a year, he transferred to U.C.L.A. and completed his Bachelor's Degree in Business Accounting. He spent the next four years working in San Diego, California as a Certified Public Accountant.

Mr. Bowles then returned to New York in 1964, where he settled in the Town of Castile and started his own business as a Certified Public Accountant. He operated his own business until his retirement in 2008.

Mr. Bowles service to his community included: serving as a Village Trustee for 1 year, Village of Castile Mayor for 7 years, and Town of Castile Supervisor for 10 years.

Mr. Bowles has been a member of both the American Legion and the VFW for over 30 years and he presently still lives in the Village of Castile.

September 14, 2010

The pledge was said by all.

Chairman Berwanger presented Mr. Bowles with the customary certificate of appreciation and offered him an opportunity to address the Board. He was also presented with the Outstanding Achievement Award traditionally presented to a current or retired Town Supervisor during the annual Christmas party, which are no longer held, or the Supervisors' Picnic in August. Chairman Berwanger credited Wyoming County's good financial standing with the works of Mr. Bowles and Anne Humphrey, former Supervisor for the Town of Perry. Mr. Bowles graciously thanked the Board.

Because Veteran Services Director, Gary Cousins was present Chairman Berwanger asked that the Human Services Committee agenda resolutions be passed at this time to allow Director Cousins an opportunity to accept the POW/MIA Recognition Day Proclamation and perform the POW/MIA Recognition Ceremony.

There was a motion by Mrs. Totslin T/Genesee Falls, to combine resolutions #7 through #12. A voice vote was taken and all voted aye.

#7

**RESOLUTION NO. 10-313
(September 14, 2010)**

By Mrs. Totslin, Chairman of Human Services Committee:

POW/MIA RECOGNITION DAY PROCLAIMED

WHEREAS, The Federal Government has designated the second Tuesday in September as National POW/MIA Recognition Day; and

RESOLUTION NO. 10-313**September 14, 2010****Page 2**

WHEREAS, Numerous members of our Armed Forces are still listed as POW/MIAs and we demand an accurate accounting of those still listed as POW/MIAs; and

WHEREAS, The members of the Wyoming County Board of Supervisors and the citizens of Wyoming County strongly support our Veterans who sacrificed so much to insure our freedom; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors do hereby designate ***September 17, 2010*** as:

NATIONAL POW/MIA RECOGNITION DAY

In Wyoming County; and be it

FURTHER RESOLVED, That the Clerk of this Board is hereby directed to forward certified copies of this resolution to President Barrack Obama, U. S. Senators Charles Schumer and Kirsten Gillibrand, U. S. Congressman Chris Lee; N. Y. State Senator Dale Volker, N. Y. State Assemblyman Dan Burling, and all others deemed appropriate and necessary.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#8

RESOLUTION NO. 10-314
(September 14, 2010)

By Mrs. Totsline, Chairman of Human Services Committee:

September 14, 2010

RESOLUTION NO. 10-314**September 14, 2010****Page 2****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, New York 14427 on behalf of the Office for the Aging. Said contract is to assist in the completion of HEAP applications for residents 60+ in Wyoming County in an amount not to exceed three thousand dollars (\$3,000.00); effective September 01, 2010 through December 31, 2010.

Contingent upon availability of funds.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#9

**RESOLUTION NO. 10-315
(September 14, 2010)**

By Mrs. Totslie, Chairman of Human Services Committee:

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

RESOLUTION NO. 10-315**September 14, 2010****Page 2**

Albany, New York 12223 on behalf of the Office for the Aging. Said grant is for funding of the Medicare Improvements for Patients and Providers Act (MIPPA) and to provide outreach and counseling to Medicare beneficiaries who are low income and potentially eligible for low income subsidy program in a minimum amount of six thousand dollars (\$6,000.00); effective June 01, 2010 through May 31, 2011.

Contingent upon availability of funds.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#10

RESOLUTION NO. 10-316
(September 14, 2010)

By Mrs. Totslie, Chairman of Human Services Committee:

**STACI CASSERI APPOINTED TO THE WYOMING
 COUNTY YOUTH BOARD**

BE IT RESOLVED, That *Staci Casseri*, 2768 Krotz Rd., Warsaw, New York 14569 be hereby appointed to the Wyoming County Youth Board *as a Community Member to fill a vacant unexpired term of three (3) years; effective October 1, 2010 through December 31, 2011.*

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

September 14, 2010

RESOLUTION NO. 10-317
(September 14, 2010)

By Mrs. Totsline, Chairman of Human Services Committee:

NATIONAL YOUTH COURT MONTH PROCLAIMED

WHEREAS, Throughout the month of September more than 1200 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, 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 all should 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

RESOLUTION NO. 10-317**September 14, 2010****Page 2**

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 do hereby proclaim the month of **September 2010** as:

“National Youth Court Month”

and call on all citizens to find ways to give their time, energy and talents to serve the Wyoming County Youth Court.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#12

RESOLUTION NO. 10-318**(September 14, 2010)**

By Mrs. Totsline, Chairman of Human Services Committee:

**CHAIRMAN / COMMISSIONER OF SOCIAL SERVICES
AUTHORIZED TO SIGN A MEMORANDUM OF
UNDERSTANDING WITH ADECCO ON BEHALF OF THE
DEPARTMENT OF SOCIAL SERVICES**

BE IT RESOLVED, That the Chairman of this Board and the Commissioner of Social Services with the approval of the County Attorney are hereby authorized and directed to sign a Memorandum of Understanding/Agreement with Adecco, 230 East Main Street, Arcade New York 14009 on behalf of the Department of Social Services. Said Memorandum is for 3 Energy Resource Aides for the HEAP program; in an amount not to exceed sixty-three thousand thirty-four thousand dollars (\$63,034.00); effective September 17, 2010 through September 30, 2011.

September 14, 2010

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Contingent upon availability of funds.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

After the roll call vote was taken, Chairman Berwanger invited Supervisor Totslin to the podium to present the POW / MIA Recognition Day proclamation.

Director of Veteran Services, Gary Cousins was invited by Chairman Berwanger, T/Arcade to perform the POW / MIA Recognition Day Ceremony. Assisting Director Cousins with the ceremony today is Commissioner of Social Services, D. Rumsey, Supervisor Rogers T/Pike, Supervisor Bush T/Gainesville and Supervisor Copeland T/Wethersfield. Veterans from all branches of the service were invited to stand by the POW / MIA Recognition Day display during the ceremony...

POW/MIA REMEMBRANCE SERVICE



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.

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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”



After the POW/MIA Recognition Day Ceremony, Chairman Berwanger invited Assistant District Attorney, Donald O'Geen to present the Youth Court Month Proclamation.

ADA O'Geen shared with the Board how the Wyoming County model was made available to the Town of Leroy and that they were able to create their own program by using the Wyoming County model as a building block.

Communications:

Candid shots are being taken during today's board meeting for a future Board of Supervisors' project and following the board meeting the Board of Supervisors' annual picture will be taken after the meeting in front of the new Department of Social Services building.

#1

**RESOLUTION NO. 10-307
(September 14, 2010)**

By Mr. Davis, Chairman of the Finance Committee:

FUNDS TRANSFERRED TO VARIOUS 2010 ACCOUNTS

BE IT RESOLVED, That funds are hereby transferred to the various 2010 accounts as follows:

Information Technology			
From: 01.34.1680.1.10202 Temporary	\$2,500.00		
To: 01.34.1680.4.40301 Prof. Service Contracts		\$2,500.00	
Reason: Bergman Contract for GIS Services.			
Information Technology Total			\$2,500.00

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#2

**RESOLUTION NO. 10-308
(September 14, 2010)**

By Mr. Davis, Chairman of the Finance Committee:

RESOLUTION NO. 10-308**September 14, 2010****Page 2****FUNDS APPROPRIATED TO VARIOUS 2010 ACCOUNTS**

BE IT RESOLVED, That funds are hereby appropriated to the various 2010 accounts as follows:

Information Technology			
To: 01.34.1681.2.20201 Computers w/01.03.1681.1289 Other Dept. Income Reason: Income recovery	\$7,575.00	\$7,575.00	
Information Technology Total			\$7,575.00
Board of Supervisors			
To: 01.31.1010.4.40402 Conferences & Conv. <i>From any funds available</i> Reason: To cover NYSAC Conference	\$1,200.00	\$1,200.00	
Board of Supervisors Total			\$1,200.00
Treasurer			
To: 01.33.1320.4.40901 Prof. audit svc. <i>From any funds available</i> Reason: To appropriate for additional expense of ARRA reporting as required for the single audit	\$2,500.00	\$2,500.00	
To: 01.47.7989.4.40918 Snowmobile grant w/01.11.7989.3317 State revenue Reason: to budget for actual state funding pass-through for Snowmobile Grant	\$10,506.00	\$10,506.00	
Treasurer Total			\$13,006.00
Highway			
To: 17.66.5112.2.24001 Middle Reserva. Rd <i>From any funds available</i> Reason: To appropriate funds for CHIPS funding received from Hermitage Rd in 2008.	\$85,000.00	\$85,000.00	
To: 03.54.5130.2.23001 Motor Vehicles w/ 03.08.5130.2665 Sale of Equipment Reason: To allocate the sale of mower tractor to T/Castile back into equipment for budgeted purchases.	\$16,250.00	\$16,250.00	
Highway Total			\$101,250.00

September 14, 2010

RESOLUTION NO. 10-308**September 14, 2010****Page 3**

Buildings and Grounds/CIP			
To: 01.34.1621.8.84001 Unemp. Ins. <i>From any funds available</i> Reason: To cover overdraft of unemployment insurance for Dustin Green.	\$327.00	\$327.00	
Buildings and Grounds/CIP Total			\$327.00
Sheriff			
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 w/ 01.03.3110.1289 Other Dept Income Reason: reimbursement for the Buffalo Hill Village Concert	\$ 652.32 \$8,226.85 \$ 183.14 \$1,344.69 \$ 561.86 \$ 131.40	\$11,100.26	
Sheriff Total			\$11,100.26

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

Mr. Bush, T/Gainesville, Chairman of the Audit Committee, presented bills totaling **\$3,313,348.81** for the month of **August 2010**.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

There was a motion by Mr. Patti T/Attica, to combine resolutions #3 through #6. A voice vote was taken and all voted aye.

#3

RESOLUTION NO. 10-309**(September 14, 2010)**

By Mr. Patti, Chairman of Public Works Committee:

Regular Session

RESOLUTION NO. 10-309**September 14, 2010****Page 2****HIGHWAY EQUIPMENT BIDS APPROVED**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney and Superintendent of County Highways is hereby authorized and directed to award the following bids for the purchase of:

- **2011 Ford F350 4x2 chassis/cab XL pickup truck** to Pioneer Ford-Mercury, 566 West Main Street, Arcade, New York 14009 in an amount not to exceed twenty-three thousand eight hundred eighty-one dollars (\$23,881.00).
- **9' Kapheide 7108D54J utility body with liner** to Unicell Body Co., 15 Holt Street, Buffalo, New York 14206 in an amount not to exceed seven thousand four hundred ninety-nine dollars (\$7,499.00)

Total \$31,380.00; Contingent upon availability of funds.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#4

RESOLUTION NO. 10-310**(September 14, 2010)**

By Mr. Patti, Chairman of Public Works Committee:

RESOLUTION NUMBER 10-251 AMENDED

WHEREAS, Resolution Number 10-251 entitled,
**“CHAIRMAN AUTHORIZED TO SIGN SUPPLEMENTAL
AGREEMENT #1 TO MASTER AGREEMENT WITH NEW
YORK STATE DEPARTMENT OF TRANSPORTATION,”**

September 14, 2010

RESOLUTION NO. 10-310**September 14, 2010****Page 2**

passed by this Board of Supervisors on July 13, 2010 provides a Supplemental Agreement #1 to the Master Agreement for Federal Aid and Marcheselli Project for PE/Design, Right of Way, Construction and Construction Inspection for the Replacement of the Snyder Road Bridge, Town of Orangeville PIN 4753.23; BIN 3320020 in an amount not to exceed nine hundred eighty-nine thousand dollars (\$989,000.00); effective November 30, 2002 through August 26, 2018. Contingent upon the availability of funds; now therefore

BE IT RESOLVED, That Resolution Number 10-251 be hereby amended to reflect an increase of eleven thousand dollars (\$11,000.00) from nine hundred eighty-nine thousand dollars (\$989,000.00) to one million dollars (\$1,000,000.00) to include the additional funding for engineering and design. All else remains unchanged.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#5

RESOLUTION NO. 10-311**(September 14, 2010)**

By Mr. Patti, Chairman of Public Works Committee:

ANNUAL SAND BID AWARDED

BE IT RESOLVED, That the attached sand bids are hereby approved effective September 14, 2010 through August 31, 2011; and be it

RESOLUTION NO. 10-311**September 14, 2010****Page 2**

FURTHER RESOLVED, That the County of Wyoming reserves the right to allow all municipalities within the county to purchase any goods or services at the prices stated herein pursuant to section 103 of the General Municipal Law.
Contingent upon availability of funds.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#6

RESOLUTION NO. 10-312
(September 14, 2010)

By Mr. Patti, Chairman of Public Works Committee:

**CHAIRMAN AUTHORIZED TO SIGN VARIOUS
CLEANING CONTRACTS 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 the following cleaning contracts on behalf of Buildings and Grounds:

- **T.C.C.T., Inc.**, 46 North Maple Street, Warsaw, NY 14569, for the provision of cleaning services at the Wyoming County Courthouse for one (1) year in an amount not to exceed thirty seven thousand five hundred sixty dollars (\$37,560.00); effective September 14, 2010 through September 13, 2011.

September 14, 2010

RESOLUTION NO. 10-312**September 14, 2010****Page 2**

- **S & T Pierson**, 2276 Silver Lake Road, Perry, NY 14530, for the provision of cleaning services at the Health Department for one (1) year in an amount not to exceed twenty thousand one hundred dollars (\$20,100.00); effective October 14, 2010 through October 13, 2011.

- **Warren's Carpet Cleaning, Inc.**, 63 South Maple Street, Warsaw, New York 14569, for the provision of cleaning services at:
 - Board of Elections;
 - Office for the Aging
 - Public Defender Building
 - Highway Administration Office
 - Department of Social Servicesin an amount not to exceed sixty-two thousand one hundred fifty-two dollars and thirty- two cents (\$62,152.32); effective October 14, 2010 through October 13, 2011.

Contingent upon availability of funds.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

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. 10-319
(September 14, 2010)

Regular Session

RESOLUTION NO. 10-319**September 14, 2010****Page 2**

By Mr. Kushner, Chairman of Public Health Committee:

RESOLUTION NUMBER 09-405 AMENDED

WHEREAS, Resolution Number 09-405 entitled, **“CHAIRMAN / COMMISSIONER OF HEALTH AUTHORIZED TO SIGN VARIOUS GRANT APPLICATIONS AND ACCEPTANCE AWARDS ON BEHALF OF THE HEALTH DEPARTMENT,”** passed by this Board of Supervisors on October 13, 2009 provides for various grant applications and acceptance awards on behalf of the County Health Department with all award amounts reflecting minimum amounts; now therefore

BE IT RESOLVED, That Resolution Number 09-405 be hereby amended to reflect revised end dates to the following grants:

- NYSDOH/HRI / Public Health Emergency Preparedness & H1N1 Response grant; effective August 10, 2009 through August 30, 2010 (original end date was 8/9/10).
- NYS Office of Homeland Security / Public Health Emergency Preparedness & H1N1 Response; effective August 10, 2009 through August 09, 2011 (original end date was 8/9/10).

All other terms and conditions remain the same. All other terms and conditions remain the same.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

September 14, 2010

RESOLUTION NO. 10-320
(September 14, 2010)

By Mr. Kushner, Chairman of Public Health Committee:

FAMILY DAY 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; and

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

WHEREAS, Wyoming County Partners For Prevention is dedicated to reducing alcohol and substance abuse among Wyoming County Youth by supporting Family Day activities; and

RESOLUTION NO. 10-320**September 14, 2010****Page 2**

BE IT RESOLVED, That the Wyoming County Board of Supervisors joins with Partners For Prevention and do hereby proclaim, Monday, **September 27, 2010** 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: 1596 Noes: Absent: Abstain:
#15

RESOLUTION NO. 10-321**(September 14, 2010)**

By Mr. Kushner, Chairman of Public Health Committee:

**CHAIRMAN / COMMISSIONER OF HEALTH
AUTHORIZED TO SIGN A GRANT APPLICATION AND
ACCEPTANCE AWARD WITH NEW YORK STATE
DEPARTMENT OF HEALTH ON BEHALF OF THE
HEALTH DEPARTMENT**

BE IT RESOLVED, That the Chairman of this Board and the Commissioner of Health are hereby authorized to sign a grant application and acceptance award with the New York State Department of Health, Center for Environmental Health, 547 River Road, Troy, New York 12180 on behalf of the Health Department. Said grant for the provision of funding for the Drinking Water Enhancement Program in a minimum amount of one hundred four thousand four hundred thirty-five thousand dollars (\$104,435.00); effective April 01, 2010 through March 31, 2011.

September 14, 2010

RESOLUTION NO. 10-321**September 14, 2010****Page 2****Carried: XXX Ayes: 1596 Noes: Absent: Abstain:**

After the roll call vote was taken, Chairman Berwanger invited Supervisor Kushner, T/Eagle to the podium to present the Family Day Proclamation. Supervisor Kushner invited fellow Supervisor from the Town of Bennington and Mental Health Employee, Ellen Grant to the podium along with Director Snell to accept this proclamation. Director Snell spoke briefly on the importance of celebrating Family Day with your children.

**#16**

RESOLUTION NO. 10-322
(September 14, 2010)

By Mrs. Meeder, Chairman of Human Resource Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
 WITH WENDY SISSION 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 sign a contract with Wendy Sisson, P.O. Box 242, Geneseo, New York 14454 on behalf of the County Attorney's Office. Said contract is for the provision of legal services to Wyoming County Department of Social Services in an amount not to exceed thirty thousand dollars (\$30,000.00) payable two thousand five hundred dollars (\$2,500.00) per month; effective September 1, 2010 through August 31, 2011.

Regular Session

RESOLUTION NO. 10-322

September 14, 2010

Page 2

Contingent upon availability of funds.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

There was a motion by Mr. Gozelski T/Castile, to combine resolutions #17 and #18. A voice vote was taken and all voted aye.
#17

RESOLUTION NO. 10-323

(September 14, 2010)

By Mr. Gozelski, Chairman of 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, 2011 through Midnight, December 31, 2011, 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, New York
 Daily News, Batavia, New York***

and be it

September 14, 2010

RESOLUTION NO. 10-323**September 14, 2010****Page 2**

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: 1596 Noes: Absent: Abstain:
#18

RESOLUTION NO. 10-324**(September 14, 2010)**

By Mr. Gozelski, Chairman of Agriculture Committee:

ORDER OF PROTECTION FOR DEER APPROVED

WHEREAS, The Wyoming County Department of Animal Control has indicated that there is a potential for unnecessary loss to the white tailed deer population within the County of Wyoming due to anticipated weather conditions; now therefore

BE IT RESOLVED, That this Board hereby orders and requires that all dogs in the County of Wyoming shall be securely confined for the period of November 1, 2010 through April 1, 2011, 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:

RESOLUTION NO. 10-324**September 14, 2010****Page 2**

Perry Herald, Perry, New York
Daily News, Batavia, New York

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: 1596 Noes: Absent: Abstain:
#19

RESOLUTION NO. 10-325
(September 14, 2010)

By Mr. Fleischman, Chairman of Planning Committee:

RESOLUTION NUMBER 08-410 AMENDED

WHEREAS, Wyoming County received and accepted a grant award on September 1, 2008, in the amount of four hundred thousand dollars (\$400,000.00) 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 Agri-business Diversification Program; and

September 14, 2010

RESOLUTION NO. 10-325**September 14, 2010****Page 2**

WHEREAS, Pursuant to such grant award, the County entered into a grant agreement with the Wyoming County Business Center, Inc. on December 23, 2008 (hereinafter the “2008 Agreement”) for the implementation of the Wyoming County Microenterprise Loan Program (hereinafter the “Program”); and

WHEREAS, By Resolution Number 08-410 approved by the Board of Supervisors on November 12, 2008, transferring two hundred thousand dollars (\$200,000.00) from this grant to the Wyoming County Business Center for the implementation of the Microenterprise Loan Program and twenty thousand dollars (\$20,000.00) for administrative delivery costs directly related to the Program; and

WHEREAS, The OCR has approved a budget modification for such grant award that provides for an increase in the amount of funding for the Program; now therefore

BE IT RESOLVED, That the County will enter into an agreement with the Wyoming County Business Center, Inc. that amends the 2008 Agreement by granting to the Wyoming County Business Center, Inc. an additional sum of seventy-seven thousand nine hundred sixteen dollars and eighty-eight cents (\$77,916.88) for the purpose of funding Microenterprise loans and nine thousand three hundred eighty dollars (\$9,380.00) for the purpose of funding loan delivery costs.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:



Census Bureau Award presented to the Board of Supervisors by Supervisor Fleischman, T/Java Supervisor Fleischman and Director Shapiro of Planning and Development discuss the importance of filling out the census surveys.

Regular Session

There was a motion by Mr. Rogers T/Pike, to combine resolutions #20 through #22. A voice vote was taken and all voted aye.

#20

**RESOLUTION NO. 10-326
(September 14, 2010)**

By Mr. Rogers, Chairman of Public Safety Committee:

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

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Wilmac, 73 State Street, Rochester, New York 14614 on behalf of the Sheriff's Department. Said contract is for the provision of a maintenance agreement for the NICE Digital Recorder for 24 hour support coverage in an amount not to exceed six thousand one hundred twenty-nine dollars (\$6,129.00); effective September 01, 2010 through August 31, 2011.

Contingent upon availability of funds.

**Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#21**

**RESOLUTION NO. 10-327
(September 14, 2010)**

September 14, 2010

RESOLUTION NO. 10-327**September 14, 2010****Page 2**

By Mr. Rogers, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
WITH ROBERT JAE ON BEHALF OF EMERGENCY
SERVICES**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign an agreement with Robert Jae, 2227 Rt. 20A, Varysburg, New York 14167 on behalf of Emergency Services. Said contract is for consulting services for the redevelopment of the Local Emergency Planning Committee in an amount not to exceed three thousand seven hundred seventy-six dollars (\$3,776.00); effective July 1, 2010 through September 30, 2010.

Contingent upon availability of funds.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#22

**RESOLUTION NO. 10-328
(September 14, 2010)**

By Mr. Rogers, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN VARIOUS GRANT
ACCEPTANCE AWARDS WITH NEW YORK STATE
DIVISION OF CRIMINAL JUSTICE SERVICES, OFFICE
OF PROBATION AND CORRECTIONAL ALTERNATIVES
ON BEHALF OF PROBATION**

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

Regular Session

RESOLUTION NO. 10-328**September 14, 2010****Page 2**

directed to sign the following grant acceptance awards with the New York State Division of Criminal Justice Services, Office of Probation and Correctional Alternatives, 80 Wolf Road, Albany, New York 12205:

- Funding for Probation Eligible Diversion Program (drug court clients), in a minimum amount of ten thousand four hundred ninety dollars (\$10,490.00), effective January 01, 2010 through December 31, 2010.
- Funding for Alternatives to Incarceration (ATI) programs (community service, pre-trial release and data day) in a minimum amount of nineteen thousand three hundred seventy-three dollars (\$19,373.00); effective January 01, 2010 through December 31, 2010.
- Block grant for funding RSA (Regular State Aid), ISP (Intensive Supervision Probation) and ESSO (Enhanced Sex Offender Supervision), in a minimum amount of sixty-six thousand nine hundred forty-eight dollars (\$66,948.00); effective January 01, 2010 through December 31, 2010.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

There was a motion by Mr. Davis T/Covington, to combine resolutions #23 and #27. A voice vote was taken and all voted aye.
#23

RESOLUTION NO. 10-329
(September 14, 2010)

By Mr. Davis, Chairman of Finance Committee:

September 14, 2010

RESOLUTION NO. 10-329**September 14, 2010****Page 2****PAULA PARKER APPOINTED TO THE WYOMING
COUNTY WORKERS' COMPENSATION BOARD OF
TRUSTEES**

BE IT RESOLVED, That Paula Parker, 146 Lake Street, Perry New York 14153 be hereby appointed to the Wyoming County Worker's Compensation Board of Trustees as a designated representative for Wyoming County Community Hospital; effective August 2, 2010 to fill a vacancy created by the retirement of Paul Brozyna; effective July 31, 2010.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#24

**RESOLUTION NO. 10-330
(September 14, 2010)**

By Mr. Davis, Chairman of Finance Committee:

**CHAIRMAN / DIRECTOR OF INFORMATION
TECHNOLOGY AUTHORIZED TO SIGN MAINTENANCE
AGREEMENT WITH MATRIX COMMUNICATIONS ON
BEHALF OF INFORMATION TECHNOLOGY**

BE IT RESOLVED, That the Chairman of this Board and the Director of Information Technology with the approval of the County Attorney are hereby authorized and directed to sign a Maintenance Agreement with Matrix Communications, 126 Dwight Park Circle, Syracuse, New York 13209. Said Agreement for the provision of Annual Support for the Government Center Campus Phone System in an amount not to exceed ten thousand two hundred eighty-one dollars and seventy-one cents

RESOLUTION NO. 10-330

September 14, 2010

Page 2

(\$10,281.71); effective September 23, 2010 through September 22, 2011.

Contingent upon availability of funds.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#25

RESOLUTION NO. 10-331

(September 14, 2010)

By Mr. Davis, Chairman of Finance Committee:

**CORRECTION OF ERRORS IN TOWN OF SHELDON
DENIED**

WHEREAS, Pursuant to the Real Property Tax Law, application has been made for a refund 2008, 2009, and 2010 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 Sheldon Tax Map # 564600 79.-1-38

OWNER: Paul Kirsch
Janet Kirsch
3234 Route 77.
Varysburg, NY 14167

September 14, 2010

RESOLUTION NO. 10-331**September 14, 2010****Page 2****ERROR:** NONE

AUTHORITY: RPTL §550.2(c) Failure to act on exemption application.

ACTION: DENY refund application. Assessor did act on the Ag Building exemption application. The exemption was denied based on the Owners indication that building was incomplete (not in use). Owner did not question or re-file. No BAR complaint registered.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#26

RESOLUTION NO. 10-332
(September 14, 2010)

By Mr. Davis, Chairman of Finance Committee:

SALARY SCHEDULE “S” AND “F” AMENDED

BE IT RESOLVED, That the Wyoming County Salary Plan which became effective January 01, 1967, as amended, is hereby amended as follows:

Schedule S:

Board of Elections:

- Voting Machine Custodians (2) at a rate of \$1,000.00 per election. Not to exceed \$2,000.00 per Voting Machine Custodian.

RESOLUTION NO. 10-332**September 14, 2010****Page 2****Highway:**

- 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;”*** paid out with the first payroll in December of 2010.

Schedule F:**Office for the Aging:**

- Meal Site Managers – increased from \$8.82/hr to \$9.00/hr retroactive to 1/1/10 through 12/31/10. Not to exceed \$1,500.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#27

RESOLUTION NO. 10-333
(September 14, 2010)

By Mr. Davis, Chairman of Finance Committee:

POSITION CREATION(S) APPROVED

BE IT RESOLVED, That the following position(s) are hereby approved within the various Wyoming County Departments:

Public Health:

- One (1) position of Emergency Preparedness Coordinator (Wyoming County) (1.00 FTE) at \$40,000.00 annually to be placed on Salary Schedule “G”; effective October 03, 2010.

September 14, 2010

RESOLUTION NO. 10-333**September 14, 2010****Page 2****County Attorney:**

- Extend one (1) position of **Secretary I (Temporary) (1.00 FTE)**, as created by Resolution Number 10-305 on August 17, 2010, housed in the Department of Social Services through September 17, 2010 at \$15.00 per hour.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

Chairman Berwanger asked if there was any Supervisor who objected to the presentation of unanimous consent resolutions #28. Hearing none, the Chairman asked Board Clerk Ketchum to read the unanimous consent resolution prior to the roll call vote.

Chairman Berwanger commented briefly on the creation of the position in the District Attorney's office in anticipation of the upcoming election. Once the election is over the incumbent will move into the ADA 2nd position. Supervisor Rogers, T/Pike and Chairman of the Public Safety Committee concurred.

UC#28**RESOLUTION NO. 10-334
(September 14, 2010)**

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

POSITION CREATION(S) APPROVED

BE IT RESOLVED, That the following position(s) are hereby approved within the various Wyoming County Departments:

RESOLUTION NO. 10-334**September 14, 2010****Page 2****District Attorney:**

- One (1) position of Assistant District Attorney (3rd) (1.00 FTE) at \$40,000.00 annually to be placed on Salary Schedule “S”; effective September 14, 2010.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

Chairman Berwanger reminded everyone that today is Primary Day, so go out and exercise your right to vote.

Chairman Berwanger also stated that the New York State Association of Counties Conference is next week and Wyoming County will play host to the prestigious President’s Reception and Dinner Event at The Lodge at Hidden Valley Animal Adventure in Varysburg N. Y.

Chairman Berwanger expressed the Board’s appreciation to Laura Lane, Exec. Director of the Wyoming County Chamber of Commerce and Brian Fleischman, Exec. Director of Wyoming County Tourism for their involvement in planning the NYSAC event...

There being no further business to come before this Board, Senior Supervisor Bush, T/Gainesville, adjourned the meeting at 3:20 PM with a rap on his desk.

Respectfully submitted,

Cheryl J. Ketchum

Cheryl J. Ketchum, Board Clerk

September 14, 2010

REGULAR SESSION

(October 12, 2010)

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 Dadd; Budget Officer, Janis Cook; Clerk to the Board of Supervisors, Cheryl Ketchum and Deputy Clerk to the Board, Brenda Ferrell.

At 2:46 PM Chairman Berwanger, T/Arcade, called the meeting to order.

The Veteran leading the Pledge of Allegiance for the October 2010 Meeting is:

EDWARD C. KRUEGER

Mr. Krueger's service to his country comes while serving during World War II. Mr. Krueger had been working for Irving Air Chute when he enlisted in the United States Army Air Force on August 24, 1942. He completed his Basic Training at Atlantic City, New Jersey and then Advanced Individual Training at Wrights Field, Ohio and became qualified as a Parachute Rigger and Repairman.

Mr. Krueger worked as a parachute rigger at Wilmington Glider Test Field at Wilmington, Ohio with the 4143 AAP Base unit, Robins Field #2 in Macon, Georgia, the 1008th Air Support Squadron, and 331st B.V. Squadron in Schreveport, Louisiana. His final assignment was with the 329th Army Air Force Base Unit at Alexandria Air Base, Virginia. He continued his duties as a Parachute Rigger and Repairman until November 28, 1945, when

he was Honorably Discharged at Patterson Field, Ohio at the rank of Sergeant.

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

The Good Conduct Medal

The WW II Honorable Service Lapel Pin

The American Theater Ribbon

The World War Victory Medal

Mr. Krueger returned to this area following the war and went to work for Maritime Milling and Eastern State Milling in Buffalo as a laborer loading railroad boxcars for about 3 years. He then went to work for Harrison Radiator in Lockport, N.Y. in assembly for about the next 7 years. In 1952, he changed vocations, for the next 11 years he owned and operated a farm in Pendleton, in Niagara County.

Mr. Krueger and his family then moved to Florida, where he went to work for Saxton Food Service as a warehouse laborer. He relocated back to this area and went to work for Glodal Belting in Buffalo making industrial belts until his retirement in the late 1970's. Mr. Krueger presently lives in the town of Arcade.

The pledge was said by all.

Chairman Berwanger presented Mr. Krueger with the customary certificate of appreciation and offered him an opportunity to address the Board. Mr. Krueger graciously declined the offer.

Chairman Berwanger invited Veteran Services Director Cousins to join him and Mr. Krueger at the podium for an additional presentation. Director Cousins explained that today he will be presenting Mr. Krueger with the medals that were mentioned in his biography. Director Cousins further explained that these medals were lost during Mr. Krueger's career and that it gives him great pleasure to be able to replace them.

October 12, 2010

On a personal note, Chairman Berwanger shared the fact that Mr. Krueger's daughter and son-in-law were his neighbors, Janet and Ted Hobin. He further stated that if you have anything broke Ted Hobin can fix it. They are great neighbors...

Communications:

There were no communications for the month of October.

#1

RESOLUTION NO. 10-335 (October 12, 2010)

By Mr. Davis, Chairman of the Finance Committee:

FUNDS TRANSFERRED TO VARIOUS 2010 ACCOUNTS

BE IT RESOLVED, That funds are hereby transferred to the various 2010 accounts as follows:

Board of Supv./Legis.			
From: 01.31.1010.1.10202 Temporary To: 01.31.1010.4.40406 Employee Mileage 01.31.1010.4.41202 Printing Reason: To complete payment of Journal of Proceedings and Employee Mileage and Wyoming County Flags.	\$1,475.00	125.00 1,350.00	
Board of Supv./Legis. Total			\$1,475.00
Board of Elections			
From: 01.34.1450.4.40301 Election Insp. Training To: 01.34.1450.1.10001 Election Pers. Svc Reason: To pay Inspectors \$1000.00 each for Primary and \$1000.00 each for General Election.	\$4,000.00	\$4,000.00	
Board of Elections Total			\$4,000.00

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

Regular Session

**RESOLUTION NO. 10-336
(October 12, 2010)**

By Mr. Davis, Chairman of the Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2010 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2010 accounts as follows:

Chamber of Commerce			
To: 01.42.6424.4.40942 Wyo. Co. Chamber <i>From any funds available</i>	\$6,704.00	\$6,704.00	
Reason: To cover additional County Promotion expenses (NYSAC Event)			
Chamber of Commerce Total			\$6,704.00
Information Technology			
To: 01.34.1681.2.20401 Misc. Equip. <i>From any funds available</i>	\$23,424.00	\$23,424.00	
Reason: Purchase of 4 Toshiba Copiers for Central Store Room, Treasurer, BOS, and DMV			
Information Technology Total			\$23,424.00
Office For the Aging			
To: 01.44.6772.4.40411 Volunteer Mileage w/ 01.03.6772.1289 Other Dept. Revenue Reason: for Volunteer Mileage reimbursed by Wyo.Co. Comm. Action - Medical Transport	\$3,000.00	\$3,000.00	
Office For the Aging Total			\$3,000.00
Mental Health			
To: 01.38.4220.4.40926 ARA Inc. w/01.03.4220.1289 Other Dept. Revenue Reason: School contributions received for contracted staffing expenses.	\$1,443.80	\$1,443.80	
From: 01.38.4321.4.42422 Suburban Adult Sv w/01.11.4321.3490 Mental Ret. State Aid Reason: Reduction in State Aid - Supported Employment program.	-\$2,491.00	-\$2,491.00	
Mental Health Total			-\$1,047.20

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County Forestland - Reforestation			
To: 01.49.8710.4.40301 Prof. Service Contract w/ 01.08.8710.2652 Reforestation / Sale of Property increased by same. Reason: Pioneer Forestry Forest management Plan and completed timber sale of Hobday Road Forestland.	\$4,260.00	\$4,260.00	
County Forestland - Reforestation Total			\$4,260.00
Sheriff			
To: 01.37.3110.4.40016 Internet Service w/ 01.12.3110.438903 Homeland Security Reason: purchase of 22 air cards and service for balance of 2010 (2009 LETPP grant per resolution 09-444)	\$4,510.00	\$4,510.00	
Sheriff Total			\$4,510.00
Jail			
To: 01.37.3150.4.41711 Inmate Medical w/ 01.04.3150.1525 Prisoner Charges Reason: offset of reimbursement from Erie and Genesee Counties for inmate medical expenses while boarded in our jail.	\$3,411.01	\$3,411.01	
To: 01.37.3150.4.41410 Software Purchase w/ 01.04.3150.1525 Prisoner Charges Reason: module created for JMS for tracking inmate medical appointments.	\$3,000.00	\$3,000.00	
Jail Total			\$6,411.01
Emergency Services			
To: 01.37.3989.4.40301 Prof. Svc. Contr. w/ 01.12.3989.438905 Federal Aid -LEPC Reason: To cover cost of redevelopment of Local Emergency Planning Committee HAZMAT contract.	\$3,776.00	\$3,776.00	
To: 01.37.3020.4.40011 Radio Maint. w/ 01.08.3020.2680 Insurance Recovery Reason: To appropriate funds to cover the cost of radio maintenance required due to a lighting strike. EMS 911	\$2,130.00	\$2,130.00	
Emergency Services Total			\$5,906.00

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Highway			
To: 03.54.5130.2.23001 Equip./Machinery <i>From any funds available</i>	\$137,900.00	\$137,900.00	
Reason: To appropriate funds to purchase a Loader (Tier 3)			
Highway Total			\$137,900.00

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

Mr. Bush, T/Gainesville, Chairman of the Audit Committee, presented bills totaling **\$1,724,873.37** for the month of **September 2010**.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

There was a motion by Mr. Patti T/Attica, to combine resolutions #3 through #6. A voice vote was taken and all voted aye.

#3

RESOLUTION NO. 10-337**(October 12, 2010)**

By Mr. Patti, Chairman of Public Works Committee:

CHAIRMAN AUTHORIZED TO SIGN SUPPLEMENTAL AGREEMENT #1 WITH LU ENGINEERS 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 supplemental agreement #1 with Lu Engineers, 175 Sullys Trail, Suite 202, Pittsford, New York 14534 on behalf of County Highway. Said agreement is for additional work to complete the preliminary design and final design phase for the relocated bridge

October 12, 2010

RESOLUTION NO. 10-337**October 12, 2010****Page 2**

on West Street Bridge, Town of Arcade, PIN 4754.06 in an amount not to exceed eighty-eight thousand dollars (\$88,000.00); effective through December 31, 2012.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#4

RESOLUTION NO. 10-338**(October 12, 2010)**

By Mr. Patti, Chairman of Public Works Committee:

HIGHWAY EQUIPMENT BIDS APPROVED

BE IT RESOLVED, That the Chairman of this Board and the Superintendent of County Highways with the approval of the County Attorney are hereby authorized and directed to award the following bids for the purchase of:

- **2011 John Deere Loader model 644K** to Five Star Equipment, Inc., 60 Paul Road, Rochester, New York 14624-5178 in an amount not to exceed one hundred thirty-seven thousand nine hundred dollars (\$137,900.00) (\$169,900 - \$32,000 trade-in);
- **Classic Blast Machine, 3 cu.ft. w/remote control w/options** from LCI Industrial, A-1 Country Club Road, East Rochester, New York 14445 in an amount not to exceed three thousand eighty-five dollars (\$3,085.00).

Contingent upon the availability of funds.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
 Regular Session

**RESOLUTION NO. 10-339
(October 12, 2010)**

By Mr. Patti, Chairman of Public Works Committee:

**CHAIRMAN AUTHORIZED TO AWARD BIDS AND SIGN
VARIOUS CONTRACTS ON BEHALF OF THE
DEPARTMENT OF SOCIAL SERVICES RENOVATIONS
CAPITAL IMPROVEMENT PROJECT**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney are hereby authorized and directed to award the following bids on behalf of the Department of Social Services Renovations capital improvement project:

- **Access Control System** - Linstar Security , 430 Lawrence Bell Drive, Buffalo, New York 14221, in an amount not to exceed twenty-eight thousand two hundred fifty dollars and forty five cents (\$28,250.45). Starting ASAP, to be completed by December 31, 2011.
- **Single Facility/Management System** - U & S Services, 233 Fillmore Ave, Ste 11, Tonawanda, New York 14150, in an amount not to exceed seventy-seven thousand nine hundred ten dollars (\$77,910.00). Starting ASAP, to be completed by December 31, 2011.
- **Fire Alarm System** - U & S Services, 233 Fillmore Ave, Ste 11, Tonawanda, New York 14150, in an amount not to exceed forty-nine thousand seven hundred dollars (\$49,700.00). Starting ASAP, to be completed by December 31, 2011.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
October 12, 2010

**RESOLUTION NO. 10-340
(October 12, 2010)**

By Mr. Patti, Chairman of Public Works Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
WITH THYSSENKRUPP ELEVATOR 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 Thyssenkrupp Elevator Corporation, 2495 Walden Avenue, Suite 600, Buffalo, New York 14225 on behalf of Buildings and Grounds. Said contract is for maintenance to the Otis elevator at the Wyoming County Courthouse for three (3) years in an amount not to exceed eight thousand one hundred fifty-three dollars and thirty four cents (\$8,153.34); effective September 01, 2009 through August 31, 2012.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

There was a motion by Mrs. Totslin T/Genesee Falls, to combine resolutions #7 through #12. A voice vote was taken and all voted aye.

#7

**RESOLUTION NO. 10-341
(October 12, 2010)**

By Mrs. Totslin, Chairman of Human Services Committee:

Regular Session

RESOLUTION NO. 10-341**October 12, 2010****Page 2****CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
WITH CARRIER COACH 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 Carrier Coach, 271 Buffalo Street, Gowanda, New York 14070 on behalf of the Youth Bureau. Said contract is for Early Intervention Transportation in an amount not to exceed 2009-2011 budget – variable depending on number of services provided; effective September 1, 2010 through August 20, 2011.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#8

**RESOLUTION NO. 10-342
(October 12, 2010)**

By Mrs. Totslie, Chairman of Human Services Committee:

JENNIFER COOKE APPOINTED TO THE YOUTH BOARD

BE IT RESOLVED, That *Jennifer Cooke* (Rural Area Health Education Center), 20 Duncan Street, Warsaw, New York 14569 be hereby appointed to replace J. Horner *as an Agency Representative to fill a two (2) year unexpired vacant term; effective through December 31, 2010.*

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

October 12, 2010

**RESOLUTION NO. 10-343
(October 12, 2010)**

By Mrs. Totsline, Chairman of Human Services Committee:

RESOLUTION NUMBER 09-155 AMENDED

WHEREAS, Resolution Number 09-155 entitled, **“CHAIRMAN AUTHORIZED TO SIGN VARIOUS EARLY INTERVENTION CONTRACTS ON BEHALF OF THE YOUTH BUREAU,”** passed by this Board of Supervisors on April 14, 2009 provides for various contracts on behalf of the Wyoming County Youth Bureau; effective July 01, 2009 – June 30, 2012, *Prices not to exceed 2009 – 2012 budget – amounts vary depending on number of clients served; now therefore

BE IT RESOLVED, That Resolution Number 09-155 be hereby amended to reflect a name change from **“*Diversified Children Services*,”** 450 North Main Street, Warsaw, New York 14569 to **“*Children’s Rehab Services of WNY*”** for purposes of billing on purchase orders; effective September 01, 2010 through June 30, 2012; and be it

FURTHER RESOLVED, That the Chairman of this Board with the approval of the County Attorney be authorized and directed to sign any and all documentation necessary to effectuate this change. All else remains the same.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

**RESOLUTION NO. 10-344
(October 12, 2010)**

By Mrs. Totsline, Chairman of Human Services Committee:

RESOLUTION NUMBER 09-316 AMENDED

WHEREAS, Resolution Number 09-316 entitled, **“CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH KAREN LEATHERBARROW ON BEHALF OF THE YOUTH BUREAU,”** passed by this Board of Supervisors on August 18, 2009 provides for a contract with Karen Leatherbarrow, 10495 Manchester Road, Boston, New York 14025 on behalf of the Youth Bureau for Pre-School related services in an amount not to exceed 2009-2012 budget – variable depending on number of services performed; effective July 01, 2009 through June 30, 2012; now therefore

BE IT RESOLVED, That Resolution Number 09-316 be hereby amended to reflect a name change from **“Karen Leatherbarrow,”** to **“Learning Ladder Therapeutic Association, Inc.”** for purposes of billing on purchase orders; effective September 01, 2009 through June 30, 2012; and be it

FURTHER RESOLVED, That the Chairman of this Board with the approval of the County Attorney be authorized and directed to sign any and all documentation necessary to effectuate this change. All else remains the same.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

October 12, 2010

**RESOLUTION NO. 10-345
(October 12, 2010)**

By Mrs. Totsline, Chairman of Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
WITH THERAPEUTIC LINK FOR CHILDREN 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 Therapeutic Link for Children, 6167 West Quaker Street, Orchard Park, New York 14127 on behalf of the Youth Bureau. Said contract is to provide Pre-School Special Education Services in an amount not to exceed 2009-2011 budget – variable depending on number of services provided; effective October 01, 2010 through June 30, 2012.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#12

**RESOLUTION NO. 10-346
(October 12, 2010)**

By Mrs. Totsline, Chairman of 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,
Regular Session

RESOLUTION NO. 10-346**October 12, 2010****Page 2**

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 policies 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 the Wyoming County Board of Supervisors do hereby proclaim the Month of October 2010 as:

DOMESTIC VIOLENCE AWARENESS MONTH

in Wyoming County, and commend this observance to the citizens of this county.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
October 12, 2010

After the roll call vote was taken and all resolutions were passed, Chairman Berwanger, T/Arcade invited Supervisor Totsline to the podium to present the Domestic Violence Awareness Month proclamation. Supervisor Totsline, in turn, invited Social Services Commissioner Rumsey to join her. Commissioner Rumsey graciously agreed to read the proclamation and invited Brenda Stowell, Agency Domestic Violence Advocate to join them.

Ms. Stowell encouraged everyone to wear purple on October 20th as a way to bring awareness to Domestic Violence in Wyoming County.

There was a motion by Mr. Kushner T/Eagle, to combine resolutions #13 through #16. A voice vote was taken and all voted aye.

#13

**RESOLUTION NO. 10-347
(October 12, 2010)**

By Mr. Kushner, Chairman of Public Health Committee:

**CHAIRMAN / COMMISSION OF HEALTH AUTHORIZED
TO SIGN A GRANT APPLICATION AND ACCEPTANCE
AWARD WITH THE NEW YORK STATE DEPARTMENT
OF HEALTH/HRI 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 is hereby authorized and directed to sign a grant application and grant acceptance award with the New York State Department of Health/HRI, 1 University Place, Rensselaer, New York 12144-3455 on behalf of the County Health Department. Said grant is for funding 2010-2011 Public Health Emergency

RESOLUTION NO. 10-347**October 12, 2010****Page 2**

Preparedness Program Services in a minimum amount of thirty-five thousand seven hundred fifty dollars (\$35,750.00); effective August 10, 2010 through August 9, 2011.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#14

RESOLUTION NO. 10-348**(October 12, 2010)**

By Mr. Kushner, Chairman of Public Health Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
WITH WYOMING
COUNTY STOP DWI ON BEHALF OF THE MENTAL
HEALTH DEPARTMENT**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Wyoming County STOP DWI, PO Box 178, Castile, New York 14427 on behalf of Mental Health. Said contract is to provide funds towards the provision of substance abuse services in a minimum amount of ten thousand dollars (\$10,000.00); effective January 1, 2011 through December 31, 2011.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

October 12, 2010

**RESOLUTION NO. 10-349
(October 12, 2010)**

By Mr. Kushner, Chairman of Public Health Committee:

RESOLUTION NUMBER 09-489 AMENDED

WHEREAS, Resolution Number 09-489 entitled, **“CHAIRMAN AUTHORIZED TO SIGN 2010 RENEWAL CONTRACTS ON BEHALF OF MENTAL HEALTH,”** passed by this Board of Supervisors on December 08, 2009 provides for various Mental Health contracts for 2010; now therefore

BE IT RESOLVED, That Resolution Number 09-489 as amended by Resolution Number 10-228 be hereby further amended to reflect the following changes to the Allegany Rehabilitation Associates, 4222 Bolivar Road, Wellsville, New York 14895 contracts:

- Extension of the 2010 contract for the provision of a Continuing Day Treatment Program to December 31, 2010. No County levy and no direct funding involved. The agreement allows ARA to continue to receive COPS funds from the State for this program;
- Increase of nine thousand five hundred forty-eight dollars (\$9,548.00) in OASAS funds for the Chemical Abuse Men’s Program and for staffing at the Partners for Prevention Program to cover through the end of the year expenses, two thousand eight hundred dollars (\$2,800.00) for the Men’s Program and six thousand seven hundred forty-eight dollars (\$6,748.00) for Partners For Prevention (P4P) Staffing, total amount of year long contract four hundred forty-nine thousand three hundred thirteen dollars

RESOLUTION NO. 10-349**October 12, 2010****Page 3**

(\$449,313.00). 94% State Aid-6% County Levy. No extra funds requested, within 2010 budget; and be it

FURTHER RESOLVED, That the Chairman of this Board with the approval of the County Attorney be authorized and directed to sign any and all documentation necessary to effectuate this change. All else remains the same.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#16

RESOLUTION NO. 10-350**(October 12, 2010)**

By Mr. Kushner, Chairman of Public Health Committee:

RESOLUTION NUMBER 10-270 AMENDED

WHEREAS, Resolution Number 10-270 entitled, **“CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH THE AD COUNCIL OF ROCHESTER ON BEHALF OF MENTAL HEALTH,”** passed by this Board of Supervisors on July 13, 2010 provides for a social marketing plan with the Ad Council of Rochester, 274 North Goodman Street, Rochester, New York in an amount not to exceed five thousand dollars (\$5,000.00); effective May 1, 2010 through November 30, 2010. 100% Federal Grant Funds. No County Levy. Contingent upon the availability of funds; now therefore

BE IT RESOLVED, That Resolution Number 10-270 be hereby amended to reflect increase of nine hundred dollars (\$900.00) for the development of a new website for Partners for Prevention (P4P). Total amount of contract increased to

October 12, 2010

RESOLUTION NO. 10-350**October 12, 2010****Page 2**

\$5,900.00. Federal Grant Money. No County levy involved. No extra funds requested, within 2010 budget; and be it

FURTHER RESOLVED, That the Chairman of this Board with the approval of the County Attorney be authorized and directed to sign any and all documentation necessary to effectuate this change. All else remains the same.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

After the roll call vote was taken and all resolutions were passed, Chairman Berwanger, T/Arcade stated that this would be an appropriate time to discuss the accomplishments of the Wyoming County Countywide Water Research Subcommittee. This Subcommittee is co-chaired by Supervisors Gozelski, T/Castile and Fleischman, T/Java.

This committee met this morning and today we have consultant Patrick Brennan, who advises the county on state and federal issues. He has also been working with the Water District Research Subcommittee in regards to obtaining funding for a study. With Mr. Brennan is Steve Perkins from the County Health Environmental Unit to discuss an upcoming Public Meeting.

Mr. Brennan reviewed the attached Public Water Efficiency Grant Study “Kick Off” Meeting agenda that was prepared for October 19, 2010 at Breezy Hill Party House.

In closing, Mr. Brennan encouraged all of the Supervisors to make reservations and attend this very important “Kick Off.” He continued by stating that he and Mr. Perkins are hoping to increase the attendance to at least 60 attendees...

Mr. Brennan outlined the many informative sessions planned for that day between the hours of 9:30 AM and 3 PM that day.

Mr. Perkins stated that a few weeks ago correspondence went out to the School Districts, Towns and Villages explaining what the day would entail and even though the final agenda was only made available within the past few days the tentative gave a very good and accurate idea of what actually came to be.

Important to have support from the entire community!!! Mr. Brennan stated that it would be equally if not more important to show the state people who have agreed to take part in the “Kick Off” meeting to see that this project is important to the entire community.

#17

**RESOLUTION NO. 10-351
(October 12, 2010)**

By Mr. Gozelski, Chairman of Agriculture Committee:

**CHAIRMAN AUTHORIZED TO SIGN A FOREST
MANAGEMENT PLAN WITH PIONEER FORESTRY
ON BEHALF OF THE BOARD OF SUPERVISORS**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a Forest Management Proposal with Pioneer Forestry, 4000 Skunk Hollow Road, Jamestown, New York 14701 on behalf of the Board of Supervisors. Said plan will provide a Completed Forest Management Plan for the Hobday Road Forestland in Wethersfield consisting of approximately 355 acres in the amount of \$12.00 per wooded acre not to exceed four thousand two hundred sixty dollars (\$4,260.00) which also includes the Completed Timber Sale in “Area B” at the cost of a

October 12, 2010

RESOLUTION NO. 10-351**October 12, 2010****Page 2**

10% Commission (based on the gross proceeds received from the timber sale).

Contingent upon the availability of funds.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#18

RESOLUTION NO. 10-352**(October 12, 2010)**

By Mr. Rogers, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN VARIOUS GRANT
APPLICATION AND ACCEPTANCE AWARDS 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 grant application and acceptance award with the New York State Division of Criminal Justice Services, 4 Tower Place, Albany, New York 12203 on behalf of the Public Defender's Office. Said grants are to continue the Indigent Parolee Program in the minimum amount of:

- Eighty thousand dollars (\$80,000.00) in Federal Byrne Funds; effective April 1, 2010 to March 31, 2011 (contract #BJ10-1067-D00); and
- Eighty thousand dollars (\$80,000.00) in Federal Byrne Funds; effective July 1, 2009 to March 31, 2010 (contract #BJ10-1056-D00).

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

Regular Session

After the roll call vote was taken and all resolutions were passed, Chairman Berwanger, T/Arcade invited Supervisor Rogers, T/Pike to the podium to present a Certificate of Recognition to Probation Officer Gene Traxler for Outstanding Service by a Probation Officer by the State of New York. Mr. Traxler was asked to join Supervisor Rogers at the podium.

The following appeared in an Albany, NY paper regarding Mr. Traxler's award:

**STATE OF NEW YORK PRESENTS TWO AWARDS AT NYS
PROBATION OFFICERS ASSOCIATION CONFERENCE HELD IN
ALBANY**

ALBANY -- Wyoming County Probation Officer Gene Traxler was cited today for "Outstanding Service by a Probation Officer" while Dutchess County Deputy Probation Director Catherine Lane and Dutchess County Deputy Commissioner of Social Services Debra Bonnerwith jointly received an award for "Outstanding Collaboration between Probation and Social Services."

The awards were presented by Robert M. Maccarone, director of the Office of Probation and Correctional Alternatives at the state Division of Criminal Justice Services (DCJS). Mr. Maccarone presented the awards during the annual conference of the New York State Probation Officers Association in Albany.

*Sean M. Byrne, acting commissioner of DCJS, said:
"Probation officials perform an absolutely vital role in our criminal justice system, often behind the scenes and frequently below the radar. All too often, the work they do in protecting our communities in a very cost-efficient and effective manner goes unnoticed. I am very pleased that Catherine Lane, Debra Bonnerwith and Gene Traxler today received the public recognition that they have earned and deserve."*

October 12, 2010

Mr. Traxler, who was honored for exceptional service, dedication and professionalism, joined the Wyoming County Probation Department four years ago after previously serving as a drug and alcohol counselor, a special deputy sheriff in Genesee County, a police dispatcher and a youth board member and chairman. He was nominated by Wyoming County Probation Director Joan Kibler; the nomination was supported by numerous letters from law enforcement, courts, schools, and social services in Wyoming County.

“Gene Traxler works diligently to uphold justice and strengthen community corrections and has earned respect from all segments of the criminal justice system for his strong belief in probation as a change agent, and in promoting public safety and offender accountability,” Director Maccarone said. “Officer Traxler’s testimonials all pay tribute to his tireless professional commitment to the field of probation and his hands-on motivational skills in fostering positive behavioral change in probationers under his supervision.”

Mr. Maccarone said Mr. Traxler has made “an indelible mark in the success of the drug court in Wyoming County” and has earned praise for advocating graduated sanctions consistent with public safety.

“His collaborative spirit, coupled with a balanced and compassionate understanding of drug dependency and addiction, and his efforts in providing monitoring beyond normal business hours, has made a significant difference in the lives of many probationers to secure and continue treatment, maintain sobriety and lead law-abiding lives,” Mr. Maccarone said.

Ms. Lane and Ms. Bonnerwith received an award that recognizes program excellence and collaborative partnership between probation and social services which improves the lives of children and their families. They were nominated by Dutchess County Probation Director Mary Ellen Still, who praised their collaborative efforts in establishing and administering Dutchess County's Juvenile Pretrial Program.

Mr. Maccarone said: "Catherine Lane and Debra Bonnerwith have been instrumental in diverting numerous troubled youth from costly and unnecessary detention services and significantly contributed to the field of juvenile justice by strengthening youth and families through evidence-based practice and programs. Catherine and Debra have demonstrated leadership and partnered successfully in developing, securing funding and implementing innovative programs to improve outcomes for youth and families involved in the juvenile justice system and have made measurable strides in reducing the number of youth at-risk of placement."

Acting Commissioner Byrne said that the work probations officers do with juveniles is critical, especially in light of the fact youth coming out of juvenile facilities have an extraordinarily high rate of recidivism.

"Studies have shown that New York State taxpayers are paying well over \$200,000 a year to house each youth in a juvenile facility, and the return on that investment is an 89 percent recidivism rate for boys and an 81 percent recidivism rate for girls," Acting Commissioner Byrne said. "If there is anywhere that effective alternatives to incarceration are needed, it is in the realm of juvenile justice."

Mr. Maccarone also cited Ms. Lane and Ms. Bonnerwith for advancing new evidence-based policies and procedures to reduce detention.

“The juvenile pretrial programming with a graduated intervention model which incorporates curfew monitoring has helped to better promote early intervention with at-risk youth and their families and has led to more youth successfully remaining in the community without compromising public safety,” Mr. Maccarone said.

Ms. Lane has been with the Dutchess County Probation Department for more than 25 years. She has been a state-credentialed alcoholism and substance abuse counselor for over 20 years, served as president of the New York Association of Pretrial Service Agencies and worked as a youth worker and elementary school teacher. She is currently president of the New York Association of Pretrial Service Agencies. Ms. Bonnerwith has worked with the Dutchess County Social Services Department for over 22 years and has performed child care work and case management at the former New York State Division for Youth and the Hillside Children’s Center.

Mr. Traxler was given the opportunity to make a few comments. He responded by thanking the Board and mostly Director Kibler for her support.

Next, Chairman Berwanger introduced Asst. District Attorney Don O’Geen as he asked to make an introduction. ADA O’Geen introduced 3rd Asst. District Attorney, Marshall Kelly from Perry Center, who will become the 2nd Asst. District Attorney January 1st as a result of the upcoming General Election.

ADA O'Geen stated that Mr. Kelly attended the University of Buffalo Law School and graduated this past December and has been with the DA's office since July.

Mr. Kelly briefly expressed his gratitude to the Board on being hired as the 3rd Asst. District Attorney.

There was a motion by Mr. Davis T/Covington, to combine resolutions #19 through #24. A voice vote was taken and all voted aye.

Prior to the roll call vote being taken Chairman Berwanger extended Supervisor Kushner, T/Eagle the opportunity to comment on the resolutions dealing with the hospital renovations and the hospital's recently awarded grant.

Supervisor Kushner stated that presently the plan is to break ground in the spring on the renovations.

#19

**RESOLUTION NO. 10-353
(October 12, 2010)**

By Mr. Davis, Chairman of Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN VARIOUS
CONTRACTS ON BEHALF OF THE WYOMING COUNTY
COMMUNITY HOSPITAL RENOVATIONS CAPITAL
IMPROVEMENT PROJECT**

BE IT RESOLVED, That the Chairman of this Board and the Hospital Administrator with the approval of the County Attorney are hereby authorized and directed to sign two contracts with Clark Patterson Lee, 205 St. Paul Street, Rochester, New York 14604 on behalf of the Wyoming County Community Hospital Renovations Capital Improvement Project.

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RESOLUTION NO. 10-353**October 12, 2010****Page 2**

- **Contract #1:**

Professional Architect Services for Wyoming County Community Hospital Capital Project – expansion at 400 N. Main Street in an amount not to exceed one million three hundred thousand dollars (\$1,300,000.00); effective September 30, 2010 through Completion of the Project.

- o Construction Administration - \$470,000.00
- o Construction Observation - 830,000.00
- \$1,300,000.00**

***contingent upon County Attorney verification of percentage clause.**

- **Contract #2:**

Professional Services for Wyoming County Community Hospital Capital Project – expansion at 400 N. Main Street for Medical Equipment and Signage Services related to the Wyoming County Community Hospital Capital Project in an amount not to exceed one hundred forty-four thousand two hundred twenty-eight dollars (\$144,228.00); effective September 30, 2010 through Completion of the Project.

- o Needs Analysis/Budget - \$48,313.00
- o Major Equipment Specifications - 38,500.00
- o Minor Equipment Specifications - 19,250.00

Sub-Total \$106,063.00

- o Plus Signage, Way finding, and Environmental Graphic Design 38,165.00

Grand Total \$144,228.00

***contingent upon County Attorney verification of percentage clause.**

Contingent upon the availability of funds.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
Regular Session

**RESOLUTION NO. 10-354
(October 12, 2010)**

By Mr. Davis, Chairman of Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A GRANT
APPLICATION AND ACCEPTANCE AWARD WITH THE
STATE OF NEW YORK DEPARTMENT OF HEALTH ON
BEHALF OF THE WYOMING COUNTY COMMUNITY
HEALTH SYSTEM**

BE IT RESOLVED, That the Chairman of this Board and the Hospital Administrator with the approval of the County Attorney are hereby authorized and directed to sign a grant application and acceptance award with the State of New York Department of Health, Corning Tower, The Governor Nelson A. Rockefeller Empire State Plaza, Albany, New York 12237 on behalf of the Wyoming County Community Health System. Said grant is to provide funding for a Health Care Efficiency and Affordability Law for New Yorkers (HEAL NY) Grant Program (RGA#1006230102) in order to fund viable alternatives to Residential Health Care Facilities (RHCF) for long term care populations while downsizing RHCF beds in our region in a minimum amount of four million seven hundred fifty-six thousand seven hundred thirty-seven dollars (\$4,756,737.00); effective October 01, 2010 through September 30, 2012.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

October 12, 2010

**RESOLUTION NO. 10-355
(October 12, 2010)**

By Mr. Davis, Chairman of Finance Committee:

**CHAIRMAN / COUNTY TREASURER / INFORMATION
TECHNOLOGY DIRECTOR AUTHORIZED TO SIGN A
CONTRACT WITH ACS ON BEHALF OF ALL WYOMING
COUNTY DEPARTMENTS**

BE IT RESOLVED, That the Chairman of this Board, Wyoming County Treasurer, and Information Technology Director with the approval of the County Attorney are hereby authorized and directed to sign a contract with ACS a Xerox Company, 130 Division St , Waite Park, Minnesota 56387 on behalf of all Wyoming County Departments. Said contract is for the provision of Application Hosting and Technology Support Services in an amount not to exceed one million three hundred eight thousand seven hundred eighty-four dollars (\$1,308,784.00); effective January 1, 2011 through December 31, 2015.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

**RESOLUTION NO. 10-356
(October 12, 2010)**

By Mr. Davis, Chairman of Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A
CONTRACT WITH VENESKY AND COMPANY 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 the following contracts with Venesky and Company, 6114 Route 31, Cicero, New York 13039 on behalf of the Treasurer's Office:

- **Cost Allocation contract** - for the provision of a Building Component Cost Analysis (onetime project that will calculate the accelerated building depreciation and is required by the Federal and NYS authorities. The annual building depreciation determined by the building cost report will be integrated within the Space Occupancy Cost Analysis.) in an amount not to exceed fourteen thousand dollars (\$14,000.00); effective October 12, 2010 through the completion of the project.
- **A-87 Cost Allocation Plan (CAP) and Space Occupancy Cost Analysis (SOCA) contract** - annual project that includes A-87 indirect costs and Maintenance in Lieu of Rent (MLR) costs. These annual reports are required by the Federal and NYS authorities in an amount not to exceed fourteen thousand dollars (\$14,000.00) per year, effective October 12, 2010 through October 11, 2013.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

October 12, 2010

**RESOLUTION NO. 10-357
(October 12, 2010)**

By Mr. Davis, Chairman of Finance Committee:

RESOLUTION NUMBER 10-333 AMENDED

WHEREAS, Resolution Number 10-333 entitled, **“POSITION CREATION(S) APPROVED,”** passed by this Board of Supervisors on September 14, 2010 provides for the creation of various positions throughout Wyoming County Departments; now therefore

BE IT RESOLVED, That Resolution Number 10-333 be hereby amended to reflect an expiration date of October 01, 2010 to the Secretary I (Temp.) in the County Attorney’s Office. All else remains the same.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#24

**RESOLUTION NO. 10-358
(October 12, 2010)**

By Mr. Davis, Chairman of 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:

RESOLUTION NO. 10-358**October 12, 2010****Page 2****Schedule S:****County Attorney:**

- Asst. Co. Attorney **FT** (Supervisor) to Asst. Co. Attorney **PT** (Supervisor) and set the salary at \$42,000.00 annually; effective September 20, 2010.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

At this time Chairman Berwanger reminded all of the Supervisors that the Workmen's Compensation Board of Trustees' meeting will take place immediately following this meeting.

Chairman Berwanger asked if there was any Supervisor who objected to the presentation of unanimous consent resolutions #25. Hearing none, the Chairman asked Board Clerk Ketchum to read the unanimous consent resolution prior to the roll call vote.

UC#25**RESOLUTION NO. 10-359****(October 12, 2010)**

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

RESOLUTION NUMBER 09-253 AMENDED

WHEREAS, Resolution Number 09-253 entitled, **“POSITION CREATIONS APPROVED,”** passed by this Board of Supervisors on June 09, 2009 provides for the creation of various positions throughout Wyoming County Departments; now therefore

BE IT RESOLVED, That Resolution Number 09-253 be hereby amended to reflect an extended expiration date of “through
October 12, 2010

RESOLUTION NO. 10-359**October 12, 2010****Page 2**

the medical leave of a current Highway employee” to the Motor Equipment Operator with position code #083.163 in County Highway. All else remains the same.

Carried: XXX Ayes: 1596 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

**REGULAR SESSION
(November 09, 2010)**

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 Dadd; Budget Officer, Janis Cook; Clerk to the Board of Supervisors, Cheryl Ketchum and Deputy Clerk to the Board, Brenda Ferrell.

At 2:32 PM Chairman Berwanger, T/Arcade, called the meeting to order.

The Veteran leading the Pledge of Allegiance for the November 2010 Meeting is:

Russell H. Watson

Mr. Watson's service to his country comes while serving during World War II. Mr. Watson enlisted in the United States Navy June 28, 1943. He completed Basic Training at Sampson Naval Training Station and then Advanced Individual Training at Bainbridge Naval Base in Maryland and became qualified as a Navy Corpsman.

Mr. Watson was shipped overseas to England where he was assigned duties as a Corpsman at the Base Hospital in Plymouth, England. He also served as a Corpsman during the European invasion and continued until VE-Day and then returned to the United States and was assigned to the USS Rixey as a Corpsman with a destination in the Pacific to Japan. The bombing of Japan with the Atomic Bomb ended the destination of the USS Rixey, so the ship returned to Hawaii, where Mr. Watson was reassigned to

November 09, 2010

the Island of Palmyra in the Pacific as a Corpsman. Here he worked with the Ambulance Service as planes returned from Australia with wounded soldiers. Following his tour in the Pacific, Mr. Watson returned to the United States and was Honorably Discharged at Sampson Naval Base on March 4, 1946 at the rank of HA1c (Hospital Apprentice 1st Class).

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

The World War II Victory Medal

The American Campaign Medal

The Asiatic-Pacific Campaign Medal

The European-African-Middle East Campaign Medal

Following the War, Mr. Watson took advantage of the GI Bill by enrolling in Syracuse University, taking courses with the Simons School of Embalming and graduated as a Mortician. After graduating, he returned to this area and went to work for the Eaton Funeral Home as a Mortician for the next 20 years. He then purchased the funeral home and it became the Eaton-Watson Funeral Home for another 20 years.

Mr. Watson owned and operated the Harmon Watson Funeral home (with his son Gerry) until his retirement. Since retiring, he has continued to stay active in his field and occasionally works for the Robinson-Hackemer Funeral Home in Warsaw.

Mr. Watson has also been very active in his community. He has been a long time member of the American Legion and the VFW, a Member and Past President of the Perry Rotary Club, a member of the Perry Constellation Lodge of the Masons and served on the Perry Town Council for 14 years.

Mr. Watson enjoys playing Golf and stills lives in the Village of Perry.

The pledge was said by all.

Regular Session

Chairman Berwanger presented Mr. Watson with the customary certificate of appreciation and offered him an opportunity to address the Board. Mr. Watson graciously thanked Chairman Berwanger for the offer. Because of a recent trip to Washington, D.C. through “Honor Flight,” Mr. Watson encouraged the Supervisors to make donations to “Honor Flight,” to help fulfill “Honor Flight’s” mission to transport America’s veterans to Washington, D.C. to visit those memorials dedicated to honor their service and sacrifices.

Communications:

Clerk Ketchum explained that Assemblyman Burling’s Office and Senator Volker’s office continue to acknowledge resolutions sent on behalf of Wyoming County. Governor Paterson continues to acknowledged Wyoming County resolutions, as well...

#1

**RESOLUTION NO. 10-360
(November 9, 2010)**

By Mr. Davis, Chairman of the Finance Committee:

FUNDS TRANSFERRED TO VARIOUS 2010 ACCOUNTS

BE IT RESOLVED, That funds are hereby transferred to the various 2010 accounts as follows:

Board of Supervisors			
From: 01.31.1010.4.40301 Professional Svc To: 01.48.8020.4.42487 Water Feasibility Study Reason: To move grant funds originally appropriated to the Board of Supervisor's budget to a special project in the Planning Budget which would more accurately record the transactions associated with the Water Feasibility Study.	\$45,000.00	45,000.00	

November 09, 2010

RESOLUTION NO. 10-360**November 9, 2010****Page 2**

From: 01.11.1010.3089 State Aid BOS To: 01.11.8020.3089 State Aid Planning Reason: To move grant funds originally appropriated to the Board of Supervisor's budget to a special project in the Planning Budget which would more accurately record the transactions associated with the Water Feasibility Study.	\$45,000.00	\$45,000.00	
Board of Supervisors Total			\$90,000.00
Social Services			
From: 01.40.6109.4.42252 TANF To: 01.39.6010.2.23001 Motor Vehicle Reason: To cover purchase of 3 cars and 1 van, that were cut from the 2011 Budget. Cars are available through State Contract Rates; however, the van will need to be put out to bid.	\$75,000.00	\$75,000.00	
From: 01.40.6109.4.42252 TANF To: 01.40.6101.4.42248 Medical Asst. Reason: Transfer necessary to cover 2010 costs	\$29,000.00	\$29,000.00	
Social Services Total			\$104,000.00
Veteran Services			
From: 01.43.6510.4.40101 Property 01.43.6510.4.40103 Auto 01.43.6510.4.40402 Conf./Conv. 01.43.6510.4.40503 Gas 01.43.6510.4.40507 Hwy Dept Repair 01.43.6510.4.40707 Notary Pub. Fee 01.43.6510.4.41010 Ofc. Supplies 01.43.6510.4.41101 Paper 01.43.6510.4.41204 Advertising 01.43.6510.4.41402 Computers 01.43.6510.4.41404 Copiers 01.43.6510.4.41405 Printers 01.43.6510.4.41410 Software To: 01.43.6510.2.20401 Misc. Equip. Reason: To purchase more vertical rotary file cabinets to upgrade filing system. Adjustments are within present budget.	\$9.56 461.65 214.74 950.45 200.00 61.21 750.00 1.41 556.25 240.74 1,188.52 133.02 250.00	\$5,017.55	
Veteran Services Total			\$5,017.55

RESOLUTION NO. 10-360
November 9, 2010
Page 3

OFA			
From: 01.44.6772.1.10001 Salary S/D/I To: 01.44.6772.4.40924 Homemaker Svc Reason: Transfer needed to cover EISEP expenses.	\$31,000.00	\$31,000.00	
OFA Total			\$31,000.00
County Attorney			
From: 01.34.1420.1.10001 Salary S/D/I To: 01.34.1420.4.40902 Legal Svc Reason: To pay Wendy Sisson, Esq. pursuant to Resolution #10-322	\$10,000.00	\$10,000.00	
County Attorney Total			\$10,000.00

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#2

RESOLUTION NO. 10-361
(November 9, 2010)

By Mr. Davis, Chairman of the Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2010 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2010 accounts as follows:

Treasurer			
To: 01.50.9060.8.89005 Cobra Fed. 65% Emp Insurance w/01.12.9060.4089 Cobra Ins Fed Stimulus 65% Reason: Cover to year end - Health Insurance CIP	\$4,000.00	\$4,000.00	
Treasurer Total			\$4,000.00

November 09, 2010

RESOLUTION NO. 10-361**November 9, 2010****Page 2**

Planning & Development			
To: 01.48.8020.4.42487 Water Feasibility Study <i>From any funds available</i> Reason: To cover the 10% match required for the Water Feasibility Study Grant awarded by the Department of State	\$5,000.00	\$5,000.00	
Planning & Development Total			\$5,000.00
Industrial Development Agency			
To: 01.42.6421.4.42477 Sm. Cities Grant w/01.12.6421.408916 Federal Aid Reason: To appropriate funds for Small Cities (CDBG) Grant project, RS Maher & Son, Inc.	\$90,809.00	\$90,809.00	
To: 01.42.6421.4.42477 Sm. Cities Grant w/01.12.6421.408916 Federal Aid Reason: To appropriate funds for Small Cities (CDBG) Grant project, Steel & O'Brien Manufacturing,, Inc.	\$105,000.00	\$105,000.00	
Industrial Development Agency Total			\$195,809.00
Jail			
To: 01.37.3150.4.40401 Training 01.37.3150.4.41711 Inmate Medical w/01.04.3150.1525 Prisoner Charges Reason: To appropriate funds for inmate medical expenses and training for Jail employees.	\$1,650.00 15,000.00	\$16,650.00	
Jail Total			\$16,650.00
Wyoming County Chamber of Commerce			
To: 01.42.6424.4.40942 Wyoming Co. Chamber <i>From any funds available</i> Reason: To cover additional County Promotion expenses (NYSAC Event)	\$728.37	\$728.37	
Wyo. Co. Chamber of Commerce Total			\$728.37

RESOLUTION NO. 10-361**November 09, 2010****Page 3**

Emergency Services			
To: 01.37.3645.4.40301 Prof Svc Contract w/01.12.3645.438901 Federal Aid Reason: Funds from State Homeland Security Grant	\$50,000.00	\$50,000.00	
Emergency Services Total			\$50,000.00
Sheriff			
To: 01.37.3110.1.10301 Overtime w/ 01.12.3110.438902 Fed. Grants/Aid Reason: to appropriate amount expended for overtime for STEP grant enforcement	\$8,758.01	\$8,758.01	
Sheriff Total			\$8,758.01

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

Mr. Bush, T/Gainesville, Chairman of the Audit Committee,
presented bills totaling **\$1,315,873.21** for the month of **October**
2010.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

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

#3**RESOLUTION NO. 10-362****(November 9, 2010)**

By Mrs. Totslin, Chairman of Human Services Committee:

November 09, 2010

RESOLUTION NO. 10-362**November 9, 2010****Page 2****CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
WITH PEER PLACE NETWORKS, LLC 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 Peer Place Networks, LLC 300 Main Street, Suite 4-205, East Rochester, NY 14445 on behalf of the Office for the Aging. Said contract is for software to provide required data management for client files as well as state and federal reporting in an amount not to exceed eight thousand two hundred fifty-two dollars (\$8,252.00); effective November 1, 2010 through December 31, 2011.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#4

**RESOLUTION NO. 10-363
(November 9, 2010)**

By Mrs. Totstline, Chairman of Human Services Committee:

**NATIONAL FAMILY 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

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RESOLUTION NO. 10-363**November 9, 2010****Page 2**

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 our County's most important natural resources; and

WHEREAS, The need for family caregivers is growing. We are blessed to live in a time when medicine and technology have helped us live longer. As a result, persons with disabilities are living longer and people over 85 are the fastest growing segment of our population. Family caregivers can be found in every city and town in America. It is likely that we all know at least one family caregiver; and

WHEREAS, Family caregivers deserve our lasting gratitude and respect. This month, as we honor the many contributions that family caregivers make to the quality of our national life, let us resolve to work through our community, religious, social, business and other organizations to offer programs and services that will provide caregivers the support and encouragement they need to carry out their vital responsibilities; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors, do hereby proclaim November 2010 as:

National Family Caregivers Month
in
Wyoming County

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

November 09, 2010

RESOLUTION NO. 10-364
(November 9, 2010)

By Mrs. Totsline, Chairman of Human Services Committee:

ADOPTION AWARENESS MONTH PROCLAIMED

WHEREAS, November 2010 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 2010, one of Wyoming County's foster families adopted children that were in foster care. Wyoming County still has one pending adoption remaining for this year; and

WHEREAS, There are approximately 36 children in Wyoming County currently in foster care; and there are 10 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

RESOLUTION NO. 10-364**November 9, 2010****Page 2**

BE IT RESOLVED, That the Wyoming County Board of Supervisors do hereby proclaim the month of November 2010 as:

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: 1596 Noes: Absent: Abstain: #6

RESOLUTION NO. 10-365
(November 9, 2010)

By Mrs. Totslin, Chairman of Human Services Committee:

RESOLUTION NUMBER 09-317 AMENDED

WHEREAS, Resolution Number 09-317 entitled, **“CHAIRMAN AUTHORIZED TO SIGN A GRANT APPLICATION AND ACCEPTANCE AWARD FOR NEW YORK CONNECTS (LONG TERM CARE) GRANT,”** passed by this Board of Supervisors on August 18, 2009 provides for 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, 2009 through September 30, 2010; now therefore

November 09, 2010

RESOLUTION NO. 10-365**November 9, 2010****Page 2**

BE IT RESOLVED, That Resolution Number 09-317 be hereby amended to reflect extended contract dates of October 01, 2010 through March 31, 2011; all else remains the same.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

After the roll call vote was taken and the above resolutions passed, Chairman Berwanger invited Supervisor Totline, T/Genesee Falls to the podium to present proclamations for National Family Caregivers Month and Adoption Awareness Month.

Supervisor Totline, T/Genesee Falls read the National Family Caregivers Month proclamation and presented it to Deputy Director of the Office for the Aging, Angie Proper.

Social Services Commissioner, Dave Rumsey graciously agreed to read the Adoption Awareness Month proclamation and accepted the proclamation on behalf of Wyoming County Social Services.

There was a motion by Mr. Kushner T/Eagle, to combine resolutions #7 and #8. A voice vote was taken and all voted aye.

#7

RESOLUTION NO. 10-366**(November 9, 2010)**

By Mr. Kushner, Chairman of Public Health Committee:

**NATIONAL HOME CARE MONTH
PROCLAIMED**

WHEREAS, Home care services provide high quality and compassionate health care services to those in need, especially at times of personal health care crisis; and

WHEREAS, Home care is the most preferred method of health care delivery among the elderly, disabled and ill individuals eager to live independently in their own homes as long as they possibly can; and

WHEREAS, Home care services allow families to stay together, provide for greater health, dignity and comfort to the residents in our communities; and

WHEREAS, Home care is a growing alternative to hospitalization or other institution-based forms of health care for acute and chronic illnesses; and

WHEREAS, Everyday heroes in Wyoming County such as home care nurses, therapists, support staff and aides work together to provide professional health care to our residents in need of quality health services in their homes; and

WHEREAS, These dedicated home care professionals, volunteers and caregivers form a support network that plays a vital role in health care delivery for Wyoming County's disabled, infirm and aging population; and

WHEREAS, The Wyoming County Health Department recognizes November 2010 as National Home Care Month and honors staff of the Certified Home Health Agency for their excellence in service and commitment to compassionate high-

November 09, 2010

RESOLUTION NO. 10-366**November 9, 2010****Page 3**

quality care at home throughout the year; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors in joining with the Wyoming County Health Department, do hereby proclaim November 2010 as:

NATIONAL HOME CARE MONTH

in the County of Wyoming and encourage the support and participation of all citizens in learning more about home care for the elderly, disabled, and infirm.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#8

RESOLUTION NO. 10-367
(November 9, 2010)

By Mr. Kushner, Chairman of Public Health Committee:

RESOLUTION NUMBER 09-489 AMENDED

WHEREAS, Resolution Number 09-489 entitled, **“CHAIRMAN AUTHORIZED TO SIGN 2010 RENEWAL CONTRACTS ON BEHALF OF MENTAL HEALTH,”** passed by this Board of Supervisors on December 08, 2009 provides for various Mental Health contracts for the year 2010, including but not limited to:

- **Suburban Adult Services, Inc.**, 960 West Maple Court, Elma, NY 14059, renewal contract for the period of January 1, 2010 through December 31, 2010 for \$130,348.00. (Sheltered Work - \$41,984.00; Supported Employment - \$88,364.00); Contingent upon the availability of funds; and

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RESOLUTION NO. 10-367**November 9, 2010****Page 2**

WHEREAS, Resolution Number 10-70 entitled, **“RESOLUTION NUMBER 09-489 AMENDED,”** passed by this Board of Supervisors on February 05, 2010 provides for various amendments to the contracts approved in resolution number 09-489 including but not limited to:

- **Suburban Adult Services, Inc.**, 960 West Maple Court, Elma, NY 14059, renewal contract for the period of January 1, 2010 through December 31, 2010 for \$130,540.00 **(an increase of \$192.00)**. (Sheltered Work - \$42,176.00; Supported Employment - \$88,364.00); now therefore

BE IT RESOLVED, That Resolution Number 09-489, as amended by Resolution Number 10-70 be hereby further revised to increase the contract with Suburban Adult Services to reflect an increase of three hundred dollars (\$300.00) to the Supported Employment initiative for a total of \$88,664.00 not to exceed a total contract amount of one hundred thirty thousand eight hundred forty dollars (\$130,840.00) for contract year 2010; all else remains the same.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

After the roll call vote was taken and the above resolutions passed, Chairman Berwanger invited Supervisor Kushner, T/Eagle to the podium to present the proclamation for National Home Care Month. Supervisor Kushner, T/Eagle invited Public Health Administrator, Laura Paolucci to join him and read the proclamation.

The original plan was to include several of the Certified Home Health Agency Nurses in this presentation. Unfortunately, for this meeting, and fortunately for Wyoming County residents in need of services they were all in the field working during this

November 09, 2010

time. Administrator Paolucci read and graciously accepted the proclamation on behalf of the department.

Chairman Berwanger reminded everyone in attendance that it was not that long ago when the CHHA nurses averaged .9 visits per day. Today they average 4-5 visits per day.

#9

**RESOLUTION NO. 10-368
(November 9, 2010)**

By Mrs. Meeder, Chairman of Human Resources 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(2) years***; effective ***January 01, 2011 through December 31, 2012.***

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

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

#10

**RESOLUTION NO. 10-369
(November 9, 2010)**

By Mr. Fleischman, Chairman of Planning Committee:

RESOLUTION NO. 10-369**November 9, 2010****Page 2****RESOLUTION NUMBER 08-330 AMENDED**

WHEREAS, Resolution Number 08-330 entitled, **“CHAIRMAN AUTHORIZED TO SIGN CDBG SMALL CITIES GRANT AGREEMENT,”** passed by this Board of Supervisors on September 09, 2008 provides for a four hundred thousand dollars (\$400,000.00) Small Cities/Office of Community Renewal grant (Project #1279ME119-08) with the New York State Housing Trust Fund Corporation and Office of Community Renewal, Hampton Plaza, 38-40 State Street, Albany, NY 12207 to be used by the Wyoming County IDA to provide financial assistance to qualified microenterprise businesses effective September 01, 2008 through September 30, 2010; now therefore

BE IT RESOLVED, That Resolution Number 08-330 be hereby amended to reflect a contract extension of October 31, 2010 through December 6, 2010 to close remaining microenterprise and farm diversification loans. All other provisions including the contract dollar amount of \$400,000.00 remain the same.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#11

RESOLUTION NO. 10-370
(November 9, 2010)

By Mr. Fleischman, Chairman of Planning Committee:

RESOLUTION NUMBER 08-459 AMENDED

November 09, 2010

RESOLUTION NO. 10-370**November 9, 2010****Page 2**

WHEREAS, Resolution Number 08-459 entitled, **“CHAIRMAN AUTHORIZED TO SIGN AN AGREEMENT WITH H. SICHERMAN & COMPANY INC. FOR OFFICE OF COMMUNITY RENEWAL CONSULTING SERVICES,”** passed by this Board of Supervisors on December 08, 2008 provides for a contract 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 dollars (\$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; now therefore

BE IT RESOLVED, That Resolution Number 08-459 be hereby amended to reflect an extension of this contract from October 31, 2010 through January 31, 2011 to close remaining microenterprise and farm diversification loans; all else remains the same.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#12

RESOLUTION NO. 10-371
(November 9, 2010)

By Mr. Fleischman, Chairman of Planning Committee:

RESOLUTION NUMBER 08-410 AMENDED

RESOLUTION NO. 10-371**November 9, 2010****Page 2**

WHEREAS, Resolution Number 08-410 entitled, **“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,”** passed by this Board of Supervisors on November 12, 2008 provides for a grant agreement with the Wyoming County Business Center, Inc. for implementation of 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 Federal funding for the continuation of the Wyoming County Microenterprise and Downtown Revitalization Program and for implementation of the Wyoming County Farm Diversification Program under terms and conditions fully reviewed and agreed to by the County Attorney; and

WHEREAS, Such OCR grant includes funding in the amount of \$200,000.00 to capitalize a Microenterprise Loan Program (hereinafter the “Program”) and funding in the amount of \$20,000.00 for delivery costs related to that 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); and

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RESOLUTION NO. 10-371**November 9, 2010****Page 3**

WHEREAS, Resolution Number 10-325 entitled, **“RESOLUTION NUMBER 08-410 AMENDED,”** passed by this Board of Supervisors on September 14, 2010 amends Resolution Number 08-410 by entering into an agreement with the Wyoming County Business Center, Inc. that amends the 2008 Agreement by granting to the Wyoming County Business Center, Inc. an additional sum of seventy-seven thousand nine hundred sixteen dollars and eighty-eight cents (\$77,916.88) for the purpose of funding Microenterprise loans and nine thousand three hundred eighty dollars (\$9,380.00) for the purpose of funding loan delivery costs; now therefore

BE IT RESOLVED, That Resolution Number 08-410 as amended by 10-325 be hereby further amended to reflect an extension of deadlines for the two contractual agreements between the Wyoming County Business Center and the County of Wyoming for downtown revitalization and microenterprise loan delivery and financial administration for the farm diversification program from October 31, 2010 through January 31, 2011; all else remains the same.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#13

RESOLUTION NO. 10-372
(November 9, 2010)

By Mr. Fleischman, Chairman of Planning Committee:

WYOMING COUNTY PLANNING BOARD MEMBERS
REAPPOINTED

Regular Session

RESOLUTION NO. 10-372**November 9, 2010****Page 2**

BE IT RESOLVED, That the following members are hereby appointed/reappointed to the Wyoming County Planning Board *for a term of three (3) years; effective January 1, 2011, through December 31, 2013:*

- Leslie Shearing (Town of Gainesville) 4592 Shearing Road, Gainesville, NY 14066
- Douglas Wolcott (Town of Middlebury) 1247 Dale Road, Dale, NY 14039
- Mel Kensinger (Town of Orangeville) 3336 Syler Road, Varysburg, NY 14167

Alternate Members for a term of one (1) year; effective January 1, 2011, through December 31, 2011:

- Alternate #1, Paul Bijouwer, 217 Park Street, Arcade, NY 14009
- Alternate #2, Gerald Pfeifer, 39 Mount View Avenue, Warsaw, NY 14569

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

There was a motion by Mr. Rogers T/Pike, to combine resolutions #14 through #18. A voice vote was taken and all voted aye.

#14**RESOLUTION NO. 10-373****(November 9, 2010)**

By Mr. Rogers, Chairman of Public Safety Committee:

CHAIRMAN AUTHORIZED TO SIGN A GRANT APPLICATION AND ACCEPTANCE AWARD WITH THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES ON BEHALF OF THE DISTRICT ATTORNEY'S OFFICE

November 09, 2010

RESOLUTION NO. 10-373**November 9, 2010****Page 2**

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 Division of Criminal Justice Service (DCJS), 4 Tower Place, Albany, New York 12203-3764 on behalf of the District Attorney's Office. Said contract is for Violence Against Women's Act Grant (VAWA) funding in a minimum amount of thirty-one thousand two hundred dollars (\$31,200.00); effective January 01, 2011 through December 31, 2011.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#15

RESOLUTION NO. 10-374
(November 9, 2010)

By Mr. Rogers, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN VARIOUS
AGREEMENTS AND CONTRACTS ON BEHALF OF THE
2011 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 2010; effective January 01, 2011 through December 31, 2011:

RESOLUTION NO. 10-374**November 9, 2010****Page 2**

- **Governors Traffic Safety Committee**, 6 Empire Plaza, Room 414, Albany, NY 12228 for the provision of the 2011 STOP-DWI Plan Agreement in a minimum amount of one hundred twenty-nine thousand six hundred dollars (\$129,600.00).
- **Sheriff's Department**
 - DWI Coordinator (\$2,500.00); Deputy DWI Coordinator (2,500.00) and Stop DWI Plan Secretarial Services (\$2,000.00);
 - 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)
- **District Attorney's Office**
 - Prosecution of DWI cases; in an amount not to exceed fifty-eight thousand dollars (\$58,000.00);
 - Secretarial services in relation to prosecution of DWI cases, in an amount not to exceed five thousand dollars (\$5,000.00).
- **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).
- **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.

November 09, 2010

Contingent on the availability of funds.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#16

RESOLUTION NO. 10-375
(November 9, 2010)

By Mr. Rogers, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN AN AGREEMENT
WITH THE NEW YORK STATE DEPARTMENT OF
STATE, BUREAU OF FISCAL ADMINISTRATION,
CONTRACT ADMINISTRATION UNIT ON BEHALF OF
WYOMING COUNTY EMERGENCY SERVICES**

BE IT RESOVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign an agreement with New York State Department of State, Bureau of Fiscal Administration, Contract Administration Unit – LEWP, One Commerce Plaza, 11th Floor, Albany, New York 12231 on behalf of Wyoming County Emergency Services. Said agreement is for the Local Enhanced Wireless 911 Program for reimbursement of costs associated with the provision of Wireless 911 services. Allocation in a minimum amount of twenty-two thousand four hundred twenty-five dollars (\$22,425.00); effective April 1, 2010 through March 31, 2013 is.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

**RESOLUTION NO. 10-376
(November 9, 2010)**

By Mr. Rogers, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN AN
MEMORANDUM OF UNDERSTANDING WITH NIAGARA
COUNTY IN CONJUNCTION WITH GENESEE, ORLEANS
AND WYOMING COUNTIES**

WHEREAS, The Wyoming County Board of Supervisors have recently supported a number of Shared Municipal Services agreements in collaboration with neighboring counties and the 16 Towns within Wyoming County; now therefore

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a Memorandum of Understanding with the County of Niagara in conjunction with Genesee, Orleans, and Wyoming Counties with funding secured through New York State Office of Homeland Security Hazardous Material Grant Fiscal Year 2008, for the purchase of an AreaRae Detection Meter, designed to measure and analyze hazardous substances; effective November 09, 2010.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#18

**RESOLUTION NO. 10-377
(November 9, 2010)**

By Mr. Rogers, Chairman of Public Safety Committee:

November 09, 2010

RESOLUTION NO. 10-377**November 9, 2010****Page 2****RESOLUTION NUMBER 09-174 AMENDED**

WHEREAS, Resolution Number 09-174 entitled, **“CHAIRMAN AUTHORIZED TO SIGN AN AGREEMENT WITH ROBERT JAE ON BEHALF OF EMERGENCY SERVICES,”** passed by this Board of Supervisors on April 14, 2009 provides for consulting services with Robert Jae, 2227 Route 20A, Varysburg, New York 14167 on behalf of Emergency Services on new plans and revisions of existing plans in the amount of forty dollars (\$40.00) per hour, not to exceed twelve thousand six hundred fifty-two dollars and forty cents (\$12,652.40) to be paid with remaining funding for services with New York State Homeland Security Program 2007 grant. Contingent upon the availability of funds; now therefore

BE IT RESOLVED, That Resolution Number 09-174 be hereby amended to reflect an increase of thirty-seven thousand three hundred forty-seven dollars and sixty cents (\$37,347.60) and an extended effective date of December 31, 2010; all else remains the same.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

There was a motion by Mr. Patti T/Attica, to combine resolutions #19 through #24. A voice vote was taken and all voted aye.

#19

RESOLUTION NO. 10-378
(November 9, 2010)

By Mr. Patti, Chairman of Public Works Committee:

Regular Session

RESOLUTION NO. 10-378**November 9, 2010****Page 2****MEMBERS 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 14, 2010 through November 13, 2013:*

- James Daniel (T/Orangeville) 4286 Liberty St., Warsaw, NY 14569
- James Wright (T/Perry) 2462 Simmons Rd., Perry, NY 14530
- David Ricketson (T/Sheldon) 2011 French Rd., Varysburg, NY 14167
- Shirley Humphrey (T/Warsaw) 3459 Truesdale Rd., Warsaw, NY 14569
- John Copeland (T/Wethersfield) 5888 Sheppard Rd., Bliss, NY 14025

Carried: XXX Ayes: 1596 Noes: Absent: Abstain: #20

**RESOLUTION NO. 10-379
(November 9, 2010)**

By Mr. Patti, Chairman of Public Works Committee:

**RESOLUTION CALLING ON THE NEW YORK STATE
PUBLIC SERVICE COMMISSION TO REJECT
NATIONAL GRID RATE INCREASE PROPOSAL AND
FOR THE WESTERN NEW YORK DELEGATION TO THE
NEW YORK STATE LEGISLATURE TO EXPRESS
OPPOSITION TO RATE INCREASE TO PUBLIC SERVICE
COMMISSION**

November 09, 2010

RESOLUTION NO. 10-379**November 9, 2010****Page 2**

WHEREAS, National Grid, a U.S. subsidiary of the United Kingdom-based National Grid plc, has sought to impose a 20% increase in delivery charges per annum, or approximately \$396 million, which would be borne by paying customers of the power and gas monopoly residing throughout Upstate New York, and

WHEREAS, said proposed increase comes in the midst of an ongoing economic downturn and high unemployment throughout Upstate New York, and

WHEREAS, the New York State Public Service Commission did discover various questionable charges to New Yorkers within the requested \$396 million increase, including charging Upstate New York customers 73% of the costs associated with computer upgrades made exclusively in Rhode Island and Massachusetts, a \$25 million increase to cover employee bonuses, paying for employees that departed on early retirement to return as consultants and double-dip, sponsorship of the Adirondack Phantoms hockey team, and

WHEREAS, the New York State Public Service Commission did specifically condemn \$26 million excessive and lavish charges that National Grid intended to pass on to ratepayers, including \$1,254 in shipping costs for an executive's wine collection to Europe, repair of another executive's washing machine, \$54,000 in tuition payments for private school for yet another executive's children, and \$1,200 for "cat transportation", and

WHEREAS, David Manning, a former executive vice president, charged ratepayers \$2,179 to attend the Democratic National Convention in Denver and \$4,363 to attend the inauguration of President Barack Obama, and

RESOLUTION NO. 10-379**November 9, 2010****Page 3**

WHEREAS, the median household income in Wyoming County, per 2008 U.S. Census Bureau, is \$48,472 projections per annum before application of taxes, and

WHEREAS, in Cape Cod in the Commonwealth of Massachusetts, National Grid gas charges are only set to increase by 2.3% per annum, despite the median household income in Massachusetts, per 2008 U.S. Census Bureau projections, being \$65,304, and

WHEREAS, the Chairman of the New York State Senate Energy Committee, the Honorable George D. Maziarz, Senator for the 62nd District, scheduled a committee hearing for October 19, 2010, to review both National Grid's application for increases in rates and the company's lavish spending on unjustifiable expenses to subsidize a luxurious lifestyle for National Grid plc executives, and

WHEREAS, Chairman Maziarz did state that "The timetable for the rate hike must be re-evaluated, not only in light of the questions and answers presented in the Senate hearing, but also because the PSC and National Grid are launching their own investigations into the matter. More details are going to come to light, and the PSC must refrain from following any sort of pre-determined timetable," and

WHEREAS, the Honorable Charles E. Schumer, United States Senator for New York, did issue, on September 20, 2010, a letter calling upon the Public Service Commission to suspend review and action on National Grid's rate increase request until completion of a formal investigation of the utility's misspending, and

RESOLUTION NO. 10-379**November 9, 2010****Page 4**

WHEREAS, Senator Schumer did state in the same letter that "National Grid's electric prices are among the highest in the nation, and have consistently been a hindrance when trying to attract or expand businesses to the region—especially ones that require a great deal of power. In 2008, residential rates were 37% higher than the national average and commercial rates were over 60% higher, according to Department of Energy statistics", and

WHEREAS, such increases as have been sought by National Grid would further penalize the citizens of Wyoming County and Western New York, and

WHEREAS, it is the view of the Wyoming County Board of Supervisors that the proposed increase in utility rates would be to the substantial detriment of the citizens of this county, Western New York, and all of Upstate New York, and that such detriment would go beyond those penalties already imposed through enactment of § 18-a surcharges, now, therefore, be it

RESOLVED, that the Wyoming County Board of Supervisors does hereby call upon the New York State Public Service Commission to reject the increases in residential electrical and natural gas rates sought by National Grid, and be it further

RESOLVED, that the Wyoming County Board of Supervisors calls upon the entire Western New York delegation to the New York State Legislature, and those chairmen and ranking minority members of relevant committees in the New York State Senate and Assembly, to provide letters to the Public Service Commission expressing their opposition to the National Grid increase, and be it further

RESOLUTION NO. 10-379**November 9, 2010****Page 5**

RESOLVED, that the Wyoming County Board of Supervisors does hereby commend Senator Maziarz and Senator Schumer for their actions in this matter, and does call upon their colleagues to unite behind their opposition to this unjustifiable rate hike, and be it further

RESOLVED, that the Clerk to this Board be hereby directed to forward copies of this Resolution to Governor David A. Paterson; U.S. Senator Charles E. Schumer; U.S. Senator Kirsten E. Gillibrand; Senator Elect Patrick Gallivan, Assemblyman Daniel Burling, Chairman of the Public Service Commission; Commissioner Patricia L. Acampora; Commissioner Robert E. Curry Jr.; Commissioner Maureen F. Harris, Esq.; Commissioner James L. Larocca; Jaclyn A. Brilling, Secretary to the Commission, and all others deemed necessary and proper.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#21

RESOLUTION NO. 10-380
(November 9, 2010)

By Mr. Patti, Chairman of Public Works Committee:

**AUTHORIZING THE IMPLEMENTATION, AND
 FUNDING IN THE FIRST INSTANCE 100% OF THE
 FEDERAL-AID AND STATE "MARCHISELLI"
 PROGRAM-AID ELIGIBLE COSTS, OF A
 TRANSPORTATION FEDERAL-AID PROJECT AND
 APPROPRIATING FUNDS THEREFORE**

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RESOLUTION NO. 10-380**November 9, 2010****Page 2**

WHEREAS, A Project for the **Replacement of Griffith Road Bridge over East Koy Creek, Town of Pike, Wyoming County, P.I.N. 4755.02; BIN 3320120** (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 and ROW 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 **\$170,000.00** is hereby appropriated from Board of Supervisors and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, That in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Board of Supervisors shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof, and it is further

RESOLVED, That the Chairman of the Board of Supervisors be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the Board of Supervisors with the New York State Department of Transportation in connection with the

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RESOLUTION NO. 10-380**November 9, 2010****Page 3**

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: 1596 Noes: Absent: Abstain:
#22

RESOLUTION NO. 10-381**(November 9, 2010)**

By Mr. Patti, Chairman of Public Works Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
WITH SIMPLEXGRINNELL, 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 SimplexGrinnell LP, 90 Goodway Drive, Rochester, NY 14623 on behalf of Buildings and Grounds. Said contract is for alarm and sprinkler testing at the Wyoming County Courthouse, Government Center, and Jail for three (3) years in an amount not to exceed nineteen thousand eight hundred

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RESOLUTION NO. 10-381**November 9, 2010****Page 2**

seventy-five dollars (\$19,875.00); effective January 01, 2011 through December 31, 2013.

Contingent upon the availability of funds.

**Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#23**

RESOLUTION NO. 10-382**(November 9, 2010)**

By Mr. Patti, Chairman of Public Works Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
WITH
JOE LONGHINI'S DRAIN SERVICE 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 Joe Longhini's Drain Service, 58 Elizabeth Street, Dansville, NY 14437 on behalf of Buildings and Grounds. Said Contract is for relining existing cast pipe and reinstating all lateral tie-ins at the jail in an amount not to exceed twenty-two thousand three hundred fifty-six dollars (\$22,356.00); effective September 07, 2010 through completion of project.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

**RESOLUTION NO. 10-383
(November 9, 2010)**

By Mr. Patti, Chairman of Public Works Committee:

SPACE HEATER POLICY APPROVED

BE IT RESOLVED, That the above mentioned Space Heater Policy is hereby approved and annexed hereto.

**WYOMING COUNTY
ADMINISTRATIVE POLICY AND PROCEDURE**

Effective Date: November 9, 2010	Reviewed By: E. Dadd, Co Attorney Human Resource Committee	Department(s) Affected: County wide
Date Developed: 10/2010	Prepared By: Wyoming Co Human Resource Wyoming Co Buildings & Grounds	Supersedes: Memo dated February 24, 2006
Approval: A. D. Berwanger Chairman of the Board Res # 10 - 383		References:

Space Heater Policy

Wyoming County strives to provide a climate controlled work space within all County buildings for its employees.

The buildings heating and cooling systems are set to maintain a reasonable temperature throughout the year. It has been

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RESOLUTION NO. 10-383**November 9, 2010****Page 2**

determined that the use of space heaters continues to interfere with maintaining a constant temperature in the buildings. Portable space heaters in the workplace can pose a major fire hazard. Fires can be caused by space heaters without adequate safety features, space heaters near combustibles, or space heaters that are improperly plugged in.

Therefore no space heaters shall be allowed in any County Building unless installed as part of the building heating system, employees should dress appropriately for the season.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

At this time Chairman Berwanger stated that he would be diverting from the printed agenda in order to show a Power Point presentation prepared and distributed by the New York State Association of Counties entitled 9 for 90, this presentation is regarding 9 state unfunded mandated programs utilizing 90% of the tax levy across the state.

Because the media are department heads are joining the Board members today, Chairman Berwanger felt it would be a great opportunity to get this message presented. He stated that an invitation had been sent to Assemblyman Burling and Senator Elect Gallivan to attend today's meeting, however they were unavailable. Todd Aldinger, a representative from Senator Elect Gallivan's office was able to attend the meeting in his absence.

Chairman Berwanger stated that in Wyoming County's case the 9 unfunded state mandates devour 112% of the tax levy. That means that 12% of the sales tax collected goes toward these state mandated services. Chairman Berwanger asked Budget Officer Cook to prepare a spreadsheet that depicts Wyoming County's 9 for 90 budget impact along with a spreadsheet prepared by

Regular Session

Budget Officer Cook with assistance from DSS Fiscal Administrator Miles entitled, Medicaid Expenditures 04/01/09-03/31/10 for Wyoming County.

In addition to the information Chairman Berwanger just presented he provided a copy of an article that appeared in the Buffalo Evening News October 1st, 2010 edition entitled, New York only state to broaden Medicaid.

Chairman Berwanger explained that in response to a very difficult budget year the Wyoming County Board of Supervisors has identified minimal reductions in the county workforce. He explained several new state mandates in Fire and Building Codes, the County Jail and the new Ignition Interlock requirement to Leandra's Law and its impact to the Probation Department.

Chairman Berwanger shared a newspaper article that explained the assistance Assemblyman Burling lobbied for to offset monitoring costs. He stated that this assistance amounted to a one time, one year appropriation from the state in the amount of \$7,000.00. In order for Wyoming County to monitor this provision another Probation Officer would need to be hired at an additional cost of around \$50,000.00. The net result of this assistance is an additional burden of \$43,000.00 to the already austere budget.

Chairman Berwanger further explained a requirement of the 2008 manpower audit conducted by the New York State Department of Corrections. Since the erection of the jail in the early 1990's, with no escapes or major incidents a manpower audit by the state of New York was only recently conducted. Chairman Berwanger stated that the state's directive was to add seven (7) full time correction officers to man the jail, while it was clear to the Sheriff and the Wyoming County Board of Supervisors that this directive was excessive. To that end a

compromise was made to add three (3) full time correction officers over the next year and a half.

Chairman Berwanger challenged State Representatives to explain to him how this minimal assistance could be working for the betterment of the residents of New York State!!

Chairman Berwanger quoted his friend and Chautauqua County Executive Greg Edwards, "...I think, in theory, it's a wonderful thing if there's a corresponding obligation on the state to end unfunded mandates. It has been proposed, in fact, (Gov.) Paterson has proposed and, I believe, all three of the governor candidates have proposed it, but nobody has tied it to the reality of ending unfunded mandates.

Without an end to unfunded mandates a tax cap ties the county's hands.

It would mean that we would have to cut more from our roads and bridges, more from our public safety, more from economic development and more from our seniors, as all those are the only areas we can control. So it starts and ends in Albany. Counties are so close to the people and our operations are so transparent that there's no confusion there."

Chairman Berwanger continued by stating that a Property Tax would be a great thing if the State could offer some assurance that they could control their spending so based on the state's history that assurance does not look promising to New York State Counties.

After opening the floor up to the public Supervisor Rogers, T/Pike pointed out that Court Security is required whether court is being conducted or not.

Property Tax Cap Proposals, State Mandates, and 2011 County Budgets



NYSAC
NEW YORK STATE
ASSOCIATION OF COUNTIES

1



Hon. William Ryan
President
NYS Association of Counties

Legislator, Westchester County



Stephen J. Acquario
Executive Director
NYS Association of Counties



NYSAC
NEW YORK STATE
ASSOCIATION OF COUNTIES

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November 09, 2010

A Primer on the Property Tax Cap

September 2010

Hon. William J. Ryan
President



NYSAC
NEW YORK STATE
ASSOCIATION OF COUNTIES

Stephen J. Acquario
Executive Director

3

Governor Proposes and Senate Passes Property Tax Cap

- Applies to all local governments
- Lower of 4% or 120% of CPI (*For 2011, the property tax cap would limit growth of local taxes to 1%.*)
- 2/3 vote of local legislature required to override property tax cap
- Big 5 School Districts exempt
- NYC exempt
- No moratorium on unfunded mandates



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NYSAC Response to the Cap

- Reducing property taxes has been a priority for county leaders for decades.
- This has always been contingent on aggressive realignment of the service delivery structure in NYS – currently 90% of the county property tax levy pays for nine state mandates.
- Fiscal responsibility for services should reside with the level of government that has the decision-making authority over those services.
- State mandates and fixed costs (pensions and health care) consume up to 75 to 85 percent of county budgets.
- Counties need more authority—not less—to manage our own governments and finances.



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California

Cap Enacted in 1978 – Proposition 13

- Sets the general purpose property tax rate at 1% of assessed value
- A property's assessed value can increase at the lower of inflation or 2 percent
- Property taxes can be increased to pay for the acquisition or improvement of real property with 2/3 voter approval
- The maximum property tax rate cannot be raised to cover operating expenses...period



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Massachusetts

Cap Enacted in 1980

- Limits property tax revenues to 2.5% of a community's assessed value (Levy Ceiling) and caps annual growth in a community's property tax revenue at 2.5% (Levy Limit)
- Allows localities to adjust their levy limit upward to account for "new growth" (increase in tax base not related to revaluation)
- Capital and debt service can be treated outside the cap.
- A locality's voters can permanently increase, or override, their levy limit or levy ceiling through a majority vote
 - Localities cannot assess local sales or income taxes



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ASSOCIATION OF COUNTIES

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New Jersey

Latest Cap enacted in 2010

- 2007 – cap limits property tax growth to 4% per year for 5 years, includes 14 exemptions to cap such as:
 Debt service, lease payments with county improvement authorities, replacement of reduced state school aid, pension contributions, reserve for uncollected taxes, health care costs, accrued pension liability, capital leases, energy costs, insurance, also allows waivers for extraordinary costs
- 2010 – cap limits property tax growth to 2% per year and is permanent, exemptions reduced to four:
 capital expenditures and debt service, pension contributions and accrued liabilities, health care costs, extraordinary costs associated with a declared emergency



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Other Plans Being Advanced

- One Proposal
 - Lower of inflation or 2%
 - Cap can be overridden by majority vote of local legislature and a 60 percent majority of voters
 - Exceptions for emergency declarations, large legal settlements and extraordinary capital expenditures
 - Exceptions for counties for state social service programs that are not capped
- Another Proposal
 - Proposes a property tax cap of 2.5% of the assessed value of the home
 - Allows for voter approved override to increase local spending for specific purposes (references the Massachusetts model)



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The Facts

- “New York has the highest local taxes in America as a percentage of personal income – 79 percent above the national average.”
- “When property taxes are measured as a percentage of home value, the top 16 counties in the nation are all in New York.”
- “The local tax burden in New York has been the highest in the nation 17 of the last 20 years.”



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ASSOCIATION OF COUNTIES

10

Reform Will Bring Relief

- Simply capping property taxes will not reduce the cost of State Government and its programs and services imposed on property taxpayers
- Ironically, it preserves the status quo—that New Yorker's pay the highest property taxes in the nation
- The State must reform the service delivery system to effectively reduce property taxes



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ASSOCIATION OF COUNTIES

11

New York's Property Tax Funded Mandates

9 State mandates consume 90% of the county property tax levy collected statewide

September 2010

Hon. William J. Ryan
President



NYSAC
NEW YORK STATE
ASSOCIATION OF COUNTIES

Stephen J. Acquario
Executive Director

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The Loss of Local Autonomy

- 60 years ago County Government was very different than today – addressing local needs like infrastructure, public safety, economic development, caring for the needy in areas like operating a nursing home, maintaining parks and providing other quality of life programs
- Gradually, as the State expanded public services, it imposed the cost for those programs on local property taxpayers.



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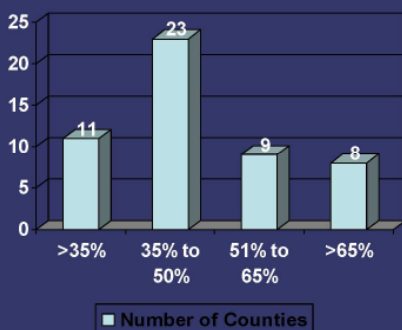
NY's Top Property Tax Funded Mandate

- Medicaid was the first and remains the biggest state imposed property tax
 - In 1966, the property tax share was \$115 million
 - In 1980, the property tax share was \$1.2 billion
 - In 1990, the property tax share was \$2.4 billion
 - In 2000, the property tax share was \$5 billion
 - In 2010, the property tax share is \$7 billion.



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Medicaid as a % of Property Tax Levy 2010



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Other Property Tax Funded Public Services

- Public Assistance/Safety Net – \$1 billion local tax impact
- Child Welfare protect/prevention – \$800 million local tax impact
- Special Education Pre-k – \$420 million local tax impact
- Indigent Defense – \$300 million local tax impact
- Probation – \$340 million local tax impact
- Early intervention – \$185 million local tax impact
- Pensions – \$600 million local tax impact
- Youth Detention – \$84 million local tax impact



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Other State Imposed Programs Funded by the Property Tax

Among the many State mandated, property tax-funded policies include:

- Corrections/public safety/court facility construction
- Taylor Law (1967)
 - Triborough Amendment
- Wick's Law
- Community Colleges, especially the chargeback provision



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9 Mandates consume 90% of the Property Tax Levy

- The total County real property tax levy in 2010 was \$4.4 billion.
- County property taxes (excl. NYC) for these programs are close to \$4 billion.



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Let Locals Set The Levy!

- The State imposed property tax levy has caused New York State's property taxes to be 79% above the national average.
- When all mandates and fixed costs are considered, many counties have only about 20 percent of their Budget available for local discretionary programs.
- Counties can no longer use local tax dollars to address local needs.
- If the State wants property tax relief, they must let locally elected officials set the property tax levy.



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Please contact NYSAC at 518.465.1473 or
via email at events@nysac.org with any
further questions pertaining to this
presentation.



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There was a motion by Mr. Davis T/Covington, to combine resolutions #25 through #40. A voice vote was taken and all voted aye.

#25

**RESOLUTION NO. 10-384
(November 9, 2010)**

By Mr. Davis, Chairman of Finance Committee:

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

BE IT RESOLVED, That Janet Miller, 6009 Curriers Rd., Arcade, NY 14009 is hereby reappointed to the Wyoming County Community Hospital Board of Managers *for a term of five (5) years; effective January 01, 2011 through December 31, 2015.*

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#26

**RESOLUTION NO. 10-385
(November 9, 2010)**

By Mr. Davis, Chairman of Finance Committee:

2011 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 2011 budget of \$2,306,102.00 (total budget of \$2,254,742.00 minus a \$51,360.00 interfund transfer) are as follows:

November 09, 2010

RESOLUTION NO. 10-385**November 9, 2010****Page 2****TOWNS**

Arcade	28,205
Attica	31,572
Bennington	38,217
Castile	26,823
Covington	17,769
Eagle	22,098
Gainesville	23,455
Genesee Falls	13,698
Java	23,374
Middlebury	25,679
Orangeville	20,435
Perry	24,459
Pike	20,297
Sheldon	29,407
Warsaw	29,420
Wethersfield	18,567
Total	393,475

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.

RESOLUTION NO. 10-385**November 9, 2010****Page 3****COUNTY & OUTSIDE AGENCIES**

County Government	199,450
County Highway Department	137,568
Wyom. Co Community Hospital	544,386
Community Action	27,260
Wyom. Co. Volunteer Fire Depts	292,432
Soil & Water Conservation	2,926
Total	1,204,022

VILLAGES

Arcade	63,285
Attica-pays in June	47,705
Castile	6,019
Gainesville	23
Perry	51,579
Silver Springs	6,060
Warsaw-pays in June	81,313
Wyoming	5,500
Total	261,484

SCHOOL DISTRICTS

Attica Central School	119,567
Perry Central School	73,379
Pioneer Central School	170,933
Warsaw Central School	7,029
Wyoming Central School	24,853
Total	395,761

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

November 09, 2010

RESOLUTION NO. 10-386
(November 9, 2010)

By Mr. Davis, Chairman of Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN 2011 INSURANCE
RENEWAL RATES ON BEHALF OF RETIRED COUNTY
EMPLOYEES**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign Univera Health Insurance and Excellus BC/BS Insurance renewal rates for Retired County Employees for **2011**:

- **Univera Medicare PPO High Option**
 - o Single \$283.87
- **Univera Medicare PPO Low Option**
 - o Single \$250.30
- **Excellus Medicare PPO**
 - o Single \$223.58
- **MVP Medicare Gold Anywhere**
 - o Single \$232.32 (holding for signature)

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#28

RESOLUTION NO. 10-387
(November 9, 2010)

By Mr. Davis, Chairman of Finance Committee:

Regular Session

RESOLUTION NO. 10-387**November 9, 2010****Page 2****RELEVY OF UNPAID SCHOOL AND VILLAGE TAXES****AT THE REQUEST OF:** County Treasurer

WHEREAS, The Real Property Tax Lax requires that all Wyoming County School Districts return their respective unpaid 2010-2011 school taxes to the County Treasurer for inclusion in the following year's town and county levy, and

WHEREAS, The Board of Supervisors entered into an agreement with the various villages within the county that, upon notification to the county, by the villages, within the time period as defined in the agreement, the unpaid village taxes will be relieved as part of the town and county levy; now, therefore

BE IT RESOLVED, That the County Board of Supervisors does hereby authorize all unpaid school taxes and unpaid village taxes be relieved against the various towns in the County of Wyoming immediately upon receipt by the County Treasurer's Office.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#29

RESOLUTION NO. 10-388**(November 9, 2010)**

By Mr. Davis, Chairman of Finance Committee:

APPROVES PROPERTY AUCTION SALES

November 09, 2010

RESOLUTION NO. 10-388**November 9, 2010****Page 2**

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.

Serial#16 Donald R. Hoffman, 12122 Savage Road, Chaffee, NY 14030 has offered \$21,500 for property located on 173-175 Main Street E., Town of Arcade. Tax Map #183.14-3-5.

Serial#41 Joseph E. Jasiczek, 3713 NW Archer St. #101, Lake City, FL 32055 has offered \$6,100 for property located on 499 Genesee Rd., Town of Arcade. Tax Map #172.-1-24.

Serial#84 Michael G. Harding, 20 North View Park, Attica, NY 14011 has offered \$10,000 for property located on 4 Water Street, Town of Attica. Tax Map #6.14-2-18.

Serial#182 John & Susanne Becker, 1524 Perry Road, North Java, NY 14113 has offered \$500 for property located on 15 North Main Street, Town of Castile. Tax Map #147.7-3-37.

Serial#288 Shane McMahon, 181 Lakeview Drive, Arcade, NY 14009 has offered \$100 for property located on NYS Route 39, Town of Eagle. Tax Map #176.-2-25.131.

Serial#321 Jeffery John Shade, 18 Church Street, Leroy, NY 14482 has offered \$6,500 for property located on 21 Benedict Street, Town of Gainesville. Tax Map #122.20-3-23.

RESOLUTION NO. 10-388**November 9, 2010****Page 3**

Serial#326 Tracy J. Gernstl, 11924 North Road, Freedom, NY 14065 has offered \$16,500 for property located on 37 East Duncan Avenue, Town of Gainesville. Tax Map #122.20-3-36.

Serial#416/417/418/419 Walter J. Miller, 121 Satinwood Drive, Cheektowaga, NY 14225 has offered \$900 for property located on Lakeshore Drive/Park Drive/S. Lakeshore Drive/Lakeshore Drive, Town of Java. Tax Map #140.8-8-21.1/140.8-8-20/140.8-8-28/140.8-8.30.

Serial#424 Amber & Nancy Brittain, 106 Bernadette Terrace, West Seneca, NY 14224 has offered \$100 for property located on Block F, Town of Java. Tax Map #140.8-6-28.

Serial#425 Volk Land Company, Inc. , 6137 Bauer Road, Warsaw, NY 14569 has offered \$700 for property located on Block A, Town of Java. Tax Map #140.8-1-21.

Serial#428 Patric Sikorski, 71 Gregory Drive, West Seneca, NY 14224 has offered \$13,000 for property located on Block F, Town of Java. Tax Map #140.8-7-42.

Serial#434 Amber & Nancy Brittan, 106 Bernadette Terrace, West Seneca, NY 14224 has offered \$100 for property located on Block F, Town of Java. Tax Map #140.8-6-15.

Serial#441 Amber & Nancy Brittain, 106 Bernadette Terrace, West Seneca, NY 14224 has offered \$100 for property located on Block F, Elmwood, Town of Java. Tax Map #140.8-7-11.

Serial#464 William D. Tate, Jr., 10 Joseph Drive, Lancaster, NY 14086 has offered \$1,700 for property located on Dale Road, Town of Middlebury. Tax Map #21.-2-19.

November 09, 2010

RESOLUTION NO. 10-388**November 9, 2010****Page 4**

Serial#487 Robert W. Doran II, 10328 Pavilion Center Road, Pavilion, NY 14525 has offered \$6,000 for property located on Wilder Road, Town of Orangeville. Tax Map #96.-1-21.

Serial#496 Jennifer Hall, 1021 Olean Road, East Aurora, NY 14052 has offered \$7,500 for property located on 2901 Route 98, Town of Orangeville. Tax Map #81.-3-10.

Serial#500 Shannon Szalay, 1546 Allegany Road, PO Box 205, Attica, NY 14011 has offered \$4,000 for property located on Deer Pond, Town of Orangeville. Tax Map #82.-2-43.12.

Serial#515 GFOM, Inc, 1 Lake Street, Perry, NY 14530 has offered \$9,000 for property located on 17 Tempest Street, Town of Perry. Tax Map #100.6-2-31.

Serial#516 GFOM, Inc. , 1 Lake Street, Perry, NY 14530 has offered \$9,000 for property located on 32 Lake Street, Town of Perry. Tax Map #100.7-6-12.

Serial#539 John Smigiel, 43 Miller Street, Gowanda, NY 14070 has offered \$9,500 for property located on 10 Callahan Street, Town of Perry. Tax Map #100.11-3-32.1.

Serial#551 Marc Carpretto, 1354 Davis Road, West Falls, NY 14170 has offered \$6,000 for property located on 12 Grove Street, Town of Perry. Tax Map #88.19-3-10.

Serial#591 Tracy J. Gernstl, 11924 North Road, Freedom, NY 14065 has offered \$800 for property located on 25 Main Street, Town of Pike. Tax Map #179-10-1-44.

RESOLUTION NO. 10-388**November 9, 2010****Page 5**

Serial#599 Ervin Nissley, 11838 CR 36, Freedom, NY 14065 has offered \$4,500 for property located on Route 39, Town of Pike. Tax Map #168.-1-48.4.

Serial#629 Donald & Nancy Brittain, 106 Bernadette Terrace, West Seneca, NY 14224 has offered \$3,500 for property located on Minkle Road-Pioneer Trail, Town of Sheldon. Tax Map #104.-1-5.

Serial#724 James Keough, 2150 Sayre Road, Wyoming, NY 14591 has offered \$6,000 for property located on Buffalo Road, Town of Warsaw. Tax Map #73.-1-18.

Serial#725 James Keough, 2150 Sayre Road, Wyoming, NY 14591 has offered \$7,500 for property located on Buffalo Road, Town of Warsaw. Tax Map #73.-1-19.2.

Serial#731 Kristen Austen, 4549 Liberty Street Road, Warsaw, NY 14569 has offered \$800 for property located on Liberty Street Road, Town of Warsaw. Tax Map #84.-2-20.13.

Serial#744 Richard T. Arnone, 714 Parker Blvd., Tonawanda, NY 14223 has offered \$17,000 for property located on Hobday Road, Town of Wethersfield. Tax Map #143.-1-1.312.

BE IT RESOLVED, That the above are hereby approved and accepted and the County Treasurer, in the name of the County, is hereby authorized to execute and deliver a referee deed to the purchaser, providing payment of said purchase price is received by her on or before December 10, 2010.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

November 09, 2010

**RESOLUTION NO. 10-389
(November 9, 2010)**

By Mr. Davis, Chairman of Finance Committee:

2010 TOWN BALANCES APPROVED

BE IT RESOLVED, That the statement of the County Treasurer as to TOWN BALANCES is hereby accepted, and be it

FURTHER RESOLVED, That the Clerk of the Board is hereby directed to credit or charge the amounts stated to the 2011 Tax Rolls of the respective towns:

Town	Debit	Credit
Arcade	\$130.32	
Attica	565.55	
Bennington	0	
Castile	0	
Covington	0	
Eagle	0	
Gainesville	0	
Genesee Falls	0	
Java	0	
Middlebury	0	
Orangeville	0	
Perry	1121.87	
Pike	60.34	
Sheldon	0	
Warsaw	0	
Wethersfield	0	
Total	\$1,878.08	0

Dated: November 2, 2010

Cheryl D. Mayer, Treasurer

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
Regular Session

**RESOLUTION NO. 10-390
(November 9, 2010)**

By Mr. Davis, Chairman of Finance Committee:

2011 EQUALIZATION TABLE PRESENTED AND TABLED

BE IT RESOLVED, That the 2011 Equalization Table is hereby presented; and be it

FURTHER RESOLVED, That its adoption be tabled for at least one day.

2011 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
91.30%	ARCADE	214,986,530	235,472,651	0.118480451	214,973,680
100.00%	ATTICA	169,974,040	169,974,040	0.085524161	169,962,140
50.00%	BENNINGTON	111,672,206	223,344,412	0.112378005	111,645,177
100.00%	CASTILE	206,791,117	206,791,117	0.104049047	206,771,767
100.00%	COVINGTON	63,350,673	63,350,673	0.031875533	63,346,473
100.00%	EAGLE	53,376,228	53,376,228	0.026856790	53,368,928
100.00%	GAINESVILLE	86,262,202	86,262,202	0.043403701	86,250,752
100.00%	GENESEE FALLS	25,653,633	25,653,633	0.012907885	25,643,133
93.00%	JAVA	114,354,571	122,961,904	0.061869529	114,347,071
100.00%	MIDDLEBURY	80,797,709	80,797,709	0.040654186	80,797,109
100.00%	ORANGEVILLE	77,434,519	77,434,519	0.038977303	77,433,119
100.00%	PERRY	179,237,980	179,237,980	0.090185407	179,222,030
100.00%	PIKE	48,429,708	48,429,708	0.024367899	48,429,708
93.00%	SHELDON	128,671,823	138,356,799	0.069615626	128,646,723

November 09, 2010

RESOLUTION NO. 10-390**November 9, 2010****Page 2**

100.00%	WARSAW	231,112,785	231,112,785	0.116286741	231,109,785
100.00%	WETHERSFIELD	44,100,316	44,100,316	0.022189521	44,086,616
	TOTALS	1,836,206,040	1,986,656,676	1.000000000	1,836,034,211

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#32

RESOLUTION NO. 10-391
(November 9, 2010)

By Mr. Davis, Chairman of Finance Committee:

DATE OF PUBLIC HEARING FOR
2011 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 2011 will be held in the Supervisors' Chambers at the Wyoming County Government Center, 143 N. Main St., in the Village of Warsaw, NY, on ***Tuesday, November 23rd, 2010 at 2:00 PM*** and that copies of that tentative County Budget will be available at the Public Hearing and after 3:00 P.M. on November 12, 2010, 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

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RESOLUTION NO. 10-391**November 9, 2010****Page 2**

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 23, 2010.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#33

RESOLUTION NO. 10-392**(November 9, 2010)**

By Mr. Davis, Chairman of Finance Committee:

RESOLUTION NUMBER 04-70 AMENDED

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 URS Corporation, 77 Goodell Street, Buffalo, NY 14203, for the provision of continued Supplemental Hydrogeologic Investigation at the Wyoming County Fire Training Center Facility, as per the draft work plan submitted to New York State Department of Environmental Conservation in an additional amount not to exceed fifteen thousand five hundred eighty-three dollars (\$15,583.00); effective through the completion of the project.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

November 09, 2010

**RESOLUTION NO. 10-393
(November 9, 2010)**

By Mr. Davis, Chairman of Finance Committee:

408 NORTH MAIN MEDICAL BUILDING COMPLETE

BE IT RESOLVED, That the Wyoming County Board of Supervisors recognizes and accepts that the 408 North Main Medical Building project has been completed, has paid all vendor and suppliers in full for their final invoice payments, and wishes to move forward with the loan close out through the United States Department of Agriculture, Rural Development.

**Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#35**

**RESOLUTION NO. 10-394
(November 9, 2010)**

By Mr. Davis, Chairman of Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A SOFTWARE
MAINTENANCE CONTRACT WITH CORNING DATA
SERVICES, 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 sign a Software Maintenance contract for IBM E Series with Corning Data Services, Inc., 139 Wardell St., Corning, NY 14830 on behalf of Information Technology. Said contract is for Hardware & Software Maintenance in an amount not to exceed

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RESOLUTION NO. 10-394**November 9, 2010****Page 2**

two thousand eight hundred thirty dollars and seventy-four cents (\$2,830.74); effective January 1, 2011 through December 31, 2011.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#36

RESOLUTION NO. 10-395**(November 9, 2010)**

By Mr. Davis, Chairman of Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A MAINTENANCE
AND SUPPLY AGREEMENT WITH TOSHIBA BUSINESS
SYSTEMS, 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 sign a Maintenance & Supply agreement with Toshiba Business Systems, Inc., 6000 North Bailey Avenue, Suite 1F, Amherst, NY 14226 on behalf of Information Technology. Said agreement is for copier maintenance and supplies in an amount not to exceed twenty-one thousand dollars (\$21,000.00); effective November 9, 2010 to November 9, 2015.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

November 09, 2010

RESOLUTION NO. 10-396
(November 9, 2010)

By Mr. Davis, Chairman of Finance Committee:

Mr. Davis, Chairman of the Finance Committee, presented the **SEMI-ANNUAL MORTGAGE TAX REPORT** for the period of April 1, 2010 through September 30, 2010 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 **\$180,929.56** 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	\$27,395.84	\$6,113.23	\$21,282.61
Attica	\$19,672.76	\$3,888.78	\$15,783.98
Bennington	\$18,066.67		\$18,066.67
Castile	\$15,452.21	\$1,203.70	\$13,298.11
Perry Village		\$950.40	
Covington	\$5,791.63		\$5,791.63
Eagle	\$5,215.46		\$5,215.46
Gainesville	\$5,981.87	\$192.10	\$5,140.24
Silver Springs Village		\$649.53	
Genesee Falls	\$2,526.23		\$2,526.23
Java	\$10,949.96		\$10,949.96
Middlebury	\$6,210.80	\$562.57	\$5,648.23

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RESOLUTION NO. 10-396**November 9, 2010****Page 2**

Orangeville	\$6,684.76		\$6,684.76
Perry	\$19,277.60	\$5,172.98	\$14,104.62
Pike	\$3,628.77		\$3,628.77
Sheldon	\$8,767.43		\$8,767.43
Warsaw	\$22,362.61	\$6,857.48	\$15,505.13
Wethersfield	\$2,944.96		\$2,944.96
Total:		\$25,590.77	\$155,338.79
Grand Totals:	\$180,929.56		

Let This Be Your Warrant for Such Payment: **\$180,929.56** IN
WITNESS WHEREOF, I have hereunto set my hand and seal of
the Board of Supervisors this 9th day of November 2010.

s/ Cheryl J. Ketchum, Clerk
Board of Supervisors

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#38

RESOLUTION NO. 10-397
(November 9, 2010)

By Mr. Davis, Chairman of Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
WITH THE BRENNAN GROUP CONSULTING, LLC ON
BEHALF OF THE BOARD OF SUPERVISORS**

November 09, 2010

RESOLUTION NO. 10-396**November 9, 2010****Page 2**

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 Brennan Group Consulting, LLC, 7705 Sally Road, Waterville, NY 13480 for the provision of strategic advice on the development of a County-wide Water District, and the coordination of Stakeholders in an amount not to exceed five thousand dollars (\$5,000.00); effective November 01, 2010 through December 31, 2010.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#39

RESOLUTION NO. 10-398
(November 9, 2010)

By Mr. Davis, Chairman of Finance Committee:

**URGING NEW YORK STATE TO ADDRESS THE ROOT
CAUSE OF PROPERTY TAXES BY RELIEVING
COUNTIES OF FINANCING 9 UNFUNDED STATE
MANDATES**

WHEREAS, New York State property taxes are nearly 80 percent above the national average; and

WHEREAS, County leaders have long recognized the need for lower property taxes and have strongly advocated for lowering the local tax burden for decades; and

RESOLUTION NO. 10-398**November 9, 2010****Page 2**

WHEREAS, In 2010 across the State (outside of New York City) nearly \$4.4 billion was raised through county property taxes, of which \$4 billion or 90 percent was consumed by 9 unfunded State mandates; and

WHEREAS, Individual counties do not have a choice over how to spend most of their locally raised revenues, as mandates from Albany and other fixed costs make up the vast majority of a typical county budget, including these 9 major State mandates:

- Medicaid
- Public Assistance
- Early Intervention Services
- Pre-School Special Education
- Child Welfare
- Youth Detention
- Probation
- Indigent Defense
- Pension Costs; and
-

WHEREAS, Current property tax cap proposals coming from the State Capitol do nothing to lower property taxes or eliminate current and future State mandates on counties; and

WHEREAS, Simply proposing to cap property taxes without addressing the root causes and reforming service delivery and financing only preserves the distinction of having the highest property taxes in the nation without achieving any tangible benefit in local communities; now therefore

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RESOLUTION NO. 10-398**November 9, 2010****Page 2**

BE IT RESOLVED, That the Wyoming County Board of Supervisors do hereby encourage the State to enact policies so that fiscal responsibility for services resides with the level of government that has the decision-making authority over those services; this will in turn bring about government accountability, reduce the property tax burden and put New York back on the right track; and be it

FURTHER RESOLVED, that copies of this Resolution be forward to the Governor, members of the New York State Legislature and all those deemed necessary and proper.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#40

RESOLUTION NO. 10-399
(November 9, 2010)

By Mr. Davis, Chairman of 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 add the following department, titles and stipends:

SHERIFF

Stop DWI:

effective January 01, 2011, payable with the first payroll in December 2011 as follows:

RESOLUTION NO. 10-399**November 9, 2010****Page 2**

- Stop-DWI Coordinator, with an annual stipend of \$2,500.00
- Deputy Stop-DWI Coordinator, with an annual stipend of \$2,500.00
- Secretary to the Stop-DWI Coordinator, with an annual stipend of \$2,000.00

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

Chairman Berwanger asked if there was any Supervisor who objected to the presentation of unanimous consent resolutions #41 and 42. Hearing none, the Chairman asked Board Clerk Ketchum to read unanimous consent resolutions #41 and #42 prior to the roll call vote.

UC#41

RESOLUTION NO. 10-400
(November 9, 2010)

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
 WITH MUNICIPAL SOLUTIONS, INC. ON BEHALF OF
 THE BOARD OF SUPERVISORS**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Municipal Solutions, Inc., 83 Myrtle Street, LeRoy, New York 14482 on behalf of the Board of Supervisors. Said contract is for consulting the Board of Supervisors in regard to the Federal Reserve System's decision to under take Quantitative Easing II (QEII) and what that means to Wyoming County financially in the amount of \$110/hr. not to exceed two

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RESOLUTION NO. 10-400**November 9, 2010****Page 2**

thousand five hundred dollars \$2,500.00; effective November 09, 2010 through May 08, 2011.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
UC#42

RESOLUTION NO. 10-401**(November 9, 2010)**

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

**WYOMING COUNTY SHERIFF'S EMPLOYEES
ASSOCIATION (S.E.A.)
AND WYOMING COUNTY DEPUTY SHERIFF'S
ASSOCIATION (D.S.A.)
MEMORANDUM OF AGREEMENT APPROVED**

BE IT RESOLVED, That the Wyoming County Board of Supervisors hereby adopts the attached Memorandum(s) of Agreement which have the effect of amending the Wyoming County Sheriff's Employees Association (S.E.A) and the Wyoming County Deputy Sheriff's Association (D.S.A.) agreements dated January 01, 2009 to December 31, 2011, respectively, regarding health insurance, subject to approval by the office of the County Attorney.

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

Regular Session

RESOLUTION NO. 10-401

November 9, 2010

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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: 1542 Noes: Absent: Abstain: 54 (Orangeville)

County Attorney Dadd requested that the members of the Board of Supervisors join him in a round of Happy Birthday in celebration of Chairman Berwanger's 60th Birthday.

There being no further business to come before this Board, Senior Supervisor Bush, T/Gainesville, adjourned the meeting at 3:42 PM with a rap on his desk.

Respectfully submitted,

Cheryl J. Ketchum

Cheryl J. Ketchum, Board Clerk

**SPECIAL SESSION
(November 23, 2010)**

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, except Supervisor Brick, T/Perry. Also present were Budget Officer, J. Cook and Clerk to the Board of Supervisors, Cheryl Ketchum.

At 2:00 PM Chairman Berwanger, T/Arcade, called the meeting to order.

The Veteran leading the Pledge of Allegiance this meeting was Vietnam Veteran:

Supervisor Copeland, T/Wethersfield

The pledge was said by all.

Communications:

- *Town Budgets are now due in the Budget Office*
- *Board of Supervisors' calendar can now be accessed on the county web site at: www.wyomingco.net . (Go to the drop down Calendar option to the left of the main screen.)*

Open Public Hearing:

Adoption of Wyoming County Tentative Budget for the Year 2011

Special Session
Budget Hearing

RESOLUTION NO. 10-402
(November 23, 2010)

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

2010 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 2010 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. NROLLED VOTERS	AMOUNT OF LEVY	SPECIAL ELECTION
Arcade	2451	\$1985.00	
Attica	2489	2016.00	
Bennington	2287	1852.00	
Castile	1963	1590.00	
Covington	764	619.00	
Eagle	798	646.00	
Gainesville	1526	1236.00	
Genesee Falls	309	250.00	
Java	1413	1145.00	
Middlebury	985	798.00	
Orangeville	887	718.00	
Perry	2820	2284.00	
Pike	663	537.00	
Sheldon	1691	1370.00	
Warsaw	3299	2672.00	
Wethersfield	591	479.00	
Total	24,936	\$20,197.00	0

Very truly yours,

Board of Elections

Carried: XXX Ayes: 1404 Noes: Absent: 192 (Perry) Abstain:

November 23, 2010

**RESOLUTION NO. 10-403
(November 23, 2010)**

By Mr. Davis, Chairman of the Finance Committee:

LIFT THE 2011 EQUALIZATION TABLE AND ADOPT

BE IT RESOLVED, That the 2011 Equalization Table, which was tabled on November 9, 2010, be lifted from the table, and be it

FURTHER RESOLVED, That the said following Equalization Table sets forth the percentage of County Tax to be paid by each Town for 2011 is hereby adopted as presented.

2011 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
91.30%	ARCADE	214,986,530	235,472,651	0.118527098	214,973,680
100.00%	ATTICA	169,974,040	169,974,040	0.085557833	169,962,140
50.00%	BENNINGTON	111,672,206	223,344,412	0.112422249	111,645,177
100.00%	CASTILE	206,791,117	206,791,117	0.104090012	206,771,767
100.00%	COVINGTON	63,350,673	63,350,673	0.031888083	63,346,473
100.00%	EAGLE	53,376,228	53,376,228	0.026867364	53,368,928
100.00%	GAINESVILLE	86,262,202	86,262,202	0.043420790	86,250,752
100.00%	GENESEE FALLS	25,653,633	25,653,633	0.012912967	25,643,133
93.00%	JAVA	114,354,571	122,961,904	0.061893887	114,347,071
100.00%	MIDDLEBURY	80,797,709	80,797,709	0.040670192	80,797,109
100.00%	ORANGEVILLE	77,434,519	77,434,519	0.038977303	77,433,119
100.00%	PERRY	179,237,980	179,237,980	0.090220913	179,222,030
100.00%	PIKE	48,429,708	48,429,708	0.024377492	48,429,708
93.00%	SHELDON	128,671,823	138,356,799	0.069643034	128,646,723
100.00%	WARSAW	231,112,785	231,112,785	0.116332524	231,109,785
100.00%	WETHERSFIELD	44,100,316	44,100,316	0.022198257	44,086,616
	TOTALS	1,836,206,040	1,986,656,676	1.000000000	1,836,034,211

Special Session
Budget Hearing

RESOLUTION NO. 10-403**November 23, 2010****Page 2****2010 FINANCE COMMITTEE**

Jerry Davis	Sally Meeder	Larry Rogers	Jean Totstline	E. Joseph Gozelski
Douglas Patti	John Knab	James Brick	Joseph Kushner	

Carried: XXX Ayes: 1404 Noes: Absent: 192 (Perry) Abstain:

BOARD OF SUPERVISORS 2011 BUDGET MESSAGE

On behalf of A. Douglas Berwanger, chairman and the Wyoming County Board of Supervisors, it is my honor to present the TENTATIVE 2011 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.

Recently, the New York State Association of Counties (NYSAC) has embarked on a public awareness campaign. The “9 for 90” campaign was developed to illustrate the constraints counties face under the current mandate system the Legislature in Albany has created to pay for the many public service programs available. In simple terms, nine State mandated programs consume roughly 90% of the County tax levy. These programs include; Medicaid, Public Assistance/Safety Net, Child Welfare protection/prevention, Special Education Pre-K, Indigent Defense, Probation, Early Intervention, Youth Detention and Pensions. Although some Counties’ percentage may be less and some more, the fact remains that as more mandates are passed down to the Counties, the tax levy amount available to spend on local needs such as roads, bridges, public safety as well as our

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elderly, is dwindling. These nine State mandated programs represent 112% of the tax levy in Wyoming County. What that means, is that every dollar that is raised in County tax levy plus additional revenue such as, the local sales tax, goes to cover these programs. There are many more mandates that aren't included in the campaign. These are referred to as "hidden" mandates such as Corrections/Public Safety, Wick's Law and the chargeback provision from Community Colleges.

Annually the County must develop a tentative budget for the upcoming year. Although the past years have been challenging, Wyoming County was able to continue to maintain staffing by reducing other areas in the budget. Due to several budgetary factors, this year the Board of Supervisors was required to make many difficult decisions that are reflected in the 2011 Tentative Budget. Unfortunately, those decisions did include the elimination of 10 County positions. Unlike other Counties in New York State, the sales tax revenue generated in Wyoming County continues to be sluggish, which is unfortunately, a reflection of the economy. This factor combined with high unemployment rates and the knowledge that the State and Federal governments are projecting huge deficits, proposing a balanced 2011 budget has proven to be a very challenging and sometimes frustrating process. With Wyoming County receiving roughly \$7.6 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. Although economic indicators point to some relief from this recession, the continued uncertainty of State mandates coupled with the proposed tax cap legislation continue to have an effect on the taxpayers of Wyoming County.

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 2011 Tentative Budget that maintains services for the residents of Wyoming County with a minimal tax increase.

Taxable Valuation Table:

	2011	2010	Increase / (Decrease)
Taxable Valuation	1,836,034,211	1,744,878,803	91,155,408
Taxable Full Valuation	1,986,656,676	1,947,871,127	38,785,549
Co. Tax Rate with 100% Equalization Rate - Full Value /1,000	7.367	7.314	\$ 0.053

The proposed 2011 budget appropriations total \$118,366,741.45 reflecting an increase of 2.76% or \$3,115,212.56. Estimated revenues in the amount of \$100,831,929.89 have been proposed increasing by \$1,674,993.23 or 1.73%. In an effort to reduce the tax rate, surplus funds have been applied from the General Fund of \$2,200,000. Additionally, a reduction to the Reserve for Uncollectable taxes in the amount of \$200,000 will be deducted from the total tax levy to further reduce the liability incurred by the taxpayers of Wyoming County.

The proposed 2011 County property tax levy in this budget is reflected at \$14,634,811.56, representing an increase of \$390,219.33 (2.86%) as compared to the 2010 tax levy. While the actual tax dollars being raised by the County are increasing at 2.86%; the actual increase in the County tax rate per one thousand dollars of assessment is increasing at a rate of .78%. For most towns, the 2011 proposed rate per 1,000 is increasing \$.05 (five cents) from a rate of \$7.31 per 1,000 in 2010 to \$7.36 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 \$584.80 in 2010 would pay \$589.38 in 2011 for an increase of \$4.58. It is important to note that these numbers reflect the levy based on the basic County operations budget 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.

Over the past several years, revenue generated by Sales Tax increased on an average of 3% per year. In 2009, those receipts fell by 5% compared to the previous year. Although the 2010 sales tax revenue has consistently been more favorable than the 2009 figures, projections indicate the amount generated will fall short of the anticipated budget. To budget conservatively in 2011, sales tax revenue of \$ 14,300,000 has been estimated. This is \$100,000 less than the amount that was budgeted for 2010. In 2011, Wyoming County will again benefit from Federal Stimulus dollars through the American Recovery and Reinvestment Act (ARRA). Specifically, roughly \$350,000 of Federal Medical Assistance Percentage (FMAP) revenue will be used to reduce the local share of Medicaid cost to the County.

The County continues to work cooperatively with the Insurance Task Force. The Task Force has worked very hard over the past few years to negotiate a high deductible option for the employees of Wyoming County. In 2011, all management staff will be required to move from the traditional PPO plan to this new plan. All union employees were given the opportunity to enroll as well. The plan has many benefits. The premiums are considerably lower than the traditional PPO plan. The new plan also has an Active Rewards component which allows the employees to earn money by engaging in healthy lifestyle choices. Additionally, the high deductible plan enables the participant to become a

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Budget Hearing

better consumer of health care. The County continues to offer the traditional PPO plan, with a premium increase of 6.1%.

The following chart illustrates the breakdown of the 2011 tentative budget by fund:

FUND	EXPENDITURE	%
General Fund	53,491,089.04	45.19%
Hospital Fund	52,257,565.00	44.15%
Machinery Fund	1,159,674.00	0.98%
Highway Fund	8,852,311.41	7.48%
Workers Compensation Fund	2,306,102.00	1.95%
Job Training Fund	300,000.00	0.25%
Building Equipment Capital Reserve	0.00	0.00%
Total Budgeted Expenditures	118,366,741.45	100.00%

The following chart illustrates the breakdown of the major components of the General Fund 2011 tentative budget:

GENERAL FUND	EXPENDITURE	%
Social Services	10,102,610.04	18.89%
Medicaid*	6,836,327.00	12.78%
Public / Mental Health	7,160,157.28	13.39%
Public Safety	9,416,397.23	17.60%
Education	3,216,991.36	6.01%
County Roads & Bridges	4,928,826.41	9.21%
Wyo. Co. Comm. Hospital*	.00	0.00%
All Other	11,829,779.72	22.11%
Total Budgeted Expenditures	53,491,089.04	100.00%

In 2011, Wyoming County employees represented by the Sheriff Employees' Association and the Deputy Sheriff's Association, the general unit of the CSEA bargaining unit as well as the Schedule E CSEA Supervisory unit (WCCH) will be given salary increases as previously negotiated in the respective collective bargaining agreements. The proposed 2011 tentative budget includes comparable salary increases for management and elected personnel.

The only capital expenditures budgeted reflects the cost of Computer Capital Equipment purchased by the Information Technology Department. County Departments were directed to keep their contractual line items at the same level as 2010 adopted figures. All contract agencies were funded at the same level as 2010.

The 2011 Medicaid expense has been budgeted at \$6,836,327. \$1.5 million of that amounts to the local share of IGT and DISH payments from the Federal and State government to the County Nursing Home and Hospital. Although the cost of Medicaid continues to represent approximately 47% of the County's proposed tax levy, Federal stimulus dollars allocated in 2011 will likely offset this cost by \$350,000.

The total indebtedness for Wyoming County as of November 13th, 2010 is in the amount of \$17,191,000. This is roughly \$149,000 more than the 2009 amount of \$17,041,900. This debt reflects the commitment made by the Board of Supervisors to improve the infrastructure of Wyoming County. The County continues to support the "Better Pavement Program" which has ensured the reconstruction of various roads throughout the County. The capital investment made to the Department of Social Services Building was an enormous undertaking but continues to be a successful project with a completion date anticipated in July

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of 2011. The other changes in debt reflects the Board's unwavering support of the Wyoming County Community Hospital's goal to upgrade its facility and equipment so that it may remain competitive in the industry and continue to be an asset to our community. 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 2011 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

Public Comment:
None

Chairman Berwanger, T/Arcade stated that based on NYSAC's 9 for 90 campaign and 112% of Wyoming County's tax levy going towards state mandates he is constantly watching for more things from the state that are not in the county's best interest.

Yesterday Budget Officer Cook brought to the Chairman's attention another "game" being played by the state with our Health Department. Sarah Matthews, Public Health Fiscal Admin. has been asked to describe the state's latest scheme for extracting, rather extorting money from the counties.

Ms. Laura Paolucci, Public Health Administrator requested to briefly address the Board of Supervisors as a resident first, and then as an employee of the Health Department. Ms. Paolucci stated that when she watches the NYS news or talks with homeowners, taxpayers and residents of other counties, she is reminded how proud she is of Wyoming County. She feels her

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taxes are fair and services to residents are good. The Board of Supervisors has showed no hesitancy to ask difficult questions of politicians in Albany on behalf of the residents of Wyoming County and expect reasonable answers about the way in which our state government is run.

Ms. Sarah Matthews, Fiscal Administrator and Ms. Paolucci went on to discuss the following: The Wyoming County Health Department is faced with new challenges in 2010, navigating a complex fiscal environment made more difficult by the NYS Department of Health mid-year regulatory and policy updates. There is no doubt about the need to make changes to the way NYS government programs are run, but making changes reactively, rather than proactively creates inefficiencies and waste.

The Wyoming County Health Department is required to submit various documents to the NYSDOH as part of base grant funding, including the Community Health Assessment, the Municipal Public Health Services Plan, the Health Education Grid, the Annual Performance Report, the annual State Aid Application and quarterly vouchers. In 2009, those documents were accepted and subsequently approved by the NYSDOH. Early in 2010, when the WCHD had still not been paid by the NYSDOH for 2009 general public health works, the Wyoming County Board of Supervisors demanded payment via a letter to Governor David A. Paterson for services rendered in good faith by the WCHD. The NYSDOH subsequently released those payments.

*This year, 2010 documents submitted by the WCHD (along with every other county in New York State) were rejected by the NYSDOH, requiring substantial revisions which are in process. Those rejections, in some cases, are for programs that have been provided by the WCHD to Wyoming County residents for years. Additional regulatory updates, as of July 7th are necessitating further mid-year adjustments in the budget for now non-eligible expenses. **In some cases, the labor cost of document revisions***

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will exceed the program expense. An example is glucose and cholesterol screenings. For years, screenings have been available from the WCHD at community and employer health fairs as part of the preventive health program. The annual cost of test strips is approximately \$258 and the charge is generally \$5 per screening. NYSDOH is now deeming this an ineligible NYSDOH Article 6 program expense, requiring detailed budget adjustments for a \$258 expense and corresponding revenue. This is just one example. NYSDOH has made regulatory and policy changes which will effectively delay reimbursement for services already rendered in good faith by the local health department for residents of Wyoming County.

The Wyoming County Department of Health was pleased to report on the success of the Certified Home Health Agency, in providing high quality care in a financially responsible manner for the residents of Wyoming County. The Certified Home Health Agency in Wyoming County is the sole provider of home health services to residents of Wyoming County. As such, expenses in excess of revenue for the CHHA are reimbursable under NYSDOH Article 6 State Aid. The WCHD CHHA is one of approximately fifteen remaining publicly owned CHHA's statewide. We are very blessed in Wyoming County.

Chairman Berwanger again asked for a Senator or an Assemblyman to tell him where the justice is in doing this...

PH Admin. Paolucci stated that it is her belief that prior to any funds being released by the state for this year's programming, the adjustments associated with the amended regulations will need to be addressed.

Chairman Berwanger mentioned that he would again invite Assemblyman Burling and Senator Elect Gallivan to the next full Board of Supervisors meeting on December 14, 2010 to address these concerns.

Motion made by Supervisor Gozelski, T/Castile to close the public hearing. The motion was seconded by Supervisor Rogers, T/Pike.

Public Hearing Closed:

At 2:25 PM there was a motion by Supervisor Kushner to enter an executive session to discuss the employment and performance history of a particular employee. Motion carried.

Clerk Ketchum was asked to join the Supervisors in the Supervisors' Committee Room.

At 2:50 PM there was a motion by Supervisor Bush to end the executive session and continue the regular meeting. This was seconded by Supervisor Meeder and all voted aye.

**Public Hearing
#3**

**RESOLUTION NO. 10-404
(November 23, 2010)**

By Mr. Davis, Chairman of the Finance Committee:

**TENTATIVE 2011 BUDGET FOR WYOMING COUNTY
ADOPTED**

BE IT RESOLVED, That the tentative budget for the year 2011, as filed with the Clerk of this Board, is hereby adopted as the county budget for the year 2011, which requires the raising by tax levy in the amount of fourteen million six hundred thirty-four thousand eight hundred eleven dollars and fifty-six cents (\$14,634,811.56); and be it

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RESOLUTION NO. 10-404**November 23, 2010****Page 2**

FURTHER RESOLVED, That the said sum of fourteen million six hundred thirty-four thousand eight hundred eleven dollars and fifty-six cents (\$14,634,811.56) 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, 2011.

Carried: XXX Ayes: 1404 Noes: Absent: 192 (Perry) Abstain:

There being no further business to come before this Board, Senior Supervisor Bush, T/Gainesville, adjourned the meeting at 3:00 PM with a rap on his desk.

Respectfully submitted,

Cheryl J. Ketchum

Cheryl J. Ketchum, Board Clerk

November 23, 2010

**REGULAR SESSION
(December 14, 2010)**

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 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 for the December 2010 Meeting is:

William E. Wilkinson Jr.

Mr. Wilkinson is a 22 yr. multi-branch service veteran. He entered the ***United States Marine Corp.*** in March of 1976 and became an ***Aviation Crash and Rescue Specialist*** serving four years at Camp Lejeune and Cherry Point. He was honorably discharged from the Marine Corp. in October of 1980 with the ***Good Conduct Medal*** and ***Small Arms Expert Badge***.

In October of 1981, Mr. Wilkinson joined the ***United States Air Force*** and became an ***Air Force Security Specialist***. Overseas duty included tours in Turkey, Granada, Sicily, Bosnia, and France. His high level and advanced leadership training included positions as ***Chief of Security Police, Presidential Security,*** and ***Priority "A" Aircraft Security***. Mr. Wilkinson was honorably discharged from active duty in December of 1998, with the following awards and decorations:

Regular Session

- **National Defense Service Medal**
- **NCO Professional Development Ribbon with 1 device**
- **Armed Forces Expeditionary Medal**
- **Air Force Outstanding Unit Award with 1 device**
- **Air Force Good Conduct Medal**
- **Small Arms Expert Badge**
- **Air Force Achievement Medal with 3 devices**
- **Air Force Commendation medal with 2 devices**
- **Meritorious Service Medal with 1 device**

Mr. Wilkinson returned to Warsaw and worked for Ed Hulme Inc. as a Construction Foreman for 4 years. He then went to work for Wyoming County in Building Maintenance for 4 years, which included part-time as a County Correction Officer, and is currently the Assistant Director of Veterans Services for Wyoming County.

Mr. Wilkinson has been very active in community service. He joined the Warsaw Fire Department and Rescue Squad in 1999 and also has been active with the Fire Police and Wyoming County Hazmat Unit. Mr. Wilkinson has been active with the American Legion, Walter Klein Post 532, and attended the American Legion College.

Mr. Wilkinson married to his wife Diane. They have 3 sons and live in the village of Warsaw.

The pledge was said by all.

Chairman Berwanger presented Mr. Wilkinson with the customary certificate of appreciation and invited Supervisor Ryan, T/Warsaw to come forward with an additional Certificate of Appreciation in honor of his being awarded “Citizen of the Year” by the Warsaw Kiwanis. Supervisor Ryan offered the following narrative on behalf of Mr. Wilkinson’s award:

William Wilkinson received the Citizen of the Year Award presented by Kiwanis member Brain Kaczmarek at a dinner ceremony held September 27, 2010 at the Hole In The Wall Restaurant in Perry.

After a distinguished 22 year military career; four in the Marines and eighteen in the Air Force where he received numerous medals, Wilkinson returned to his home town of Warsaw in 1998 with his family.

Kiwanis president Vanessa McCormick said, "When she asked members to think of someone in the community that you always hear about and see the most as far as involvement in the community; Bill's name came up time after time in the vote."

Mr. Wilkinson's devotion to community service and the well-being of its citizens became apparent after his return from the military. He joined the Warsaw Fire Department and Rescue Squad in 1999 and is an active volunteer fireman, along with the Fire Police, and is also currently holding office as vice-president in the department. He is also an active member and officer with the Wyoming County Hazmat Unit.

Continuing his service to fellow veterans, Mr. Wilkinson has been a devoted member of the American Legion, Walter Klein Post 532 for twelve years, serving on a state level, and as a local past Post Commander. Besides the numerous Legion events that he is active with, he organizes and attends numerous military funerals to ensure the family of that veteran is honored for their service to their country.

Mr. Wilkinson helps veterans and their families on a daily basis as Deputy Director of the Veterans Services of Wyoming County.

He also could be seen around town this year with his involvement in the bunting, banner, and flag project to help area merchants

and residents, along with taking part in the Liberty Way military flag dedication.

Award recipient and American Legion member, Beanie Head commented, “Bill is very deserving of this Citizen of the Year Award. Most people don’t know that he will and does put in so much extra time of himself to help out where and when needed. He puts his heart and soul in to it.”

Chairman Berwanger offered Asst. Director Wilkinson an opportunity to address the Board. He very graciously thanked the Board for the opportunity...

Communications:

1. **Governor Paterson** ~ November 17, 2010 ~ acknowledging receipt of Resolution Numbers **10-379** (***Resolution Calling on the New York State Public Service Commission to Reject National Grid Rate Increase Proposal and for the Western New York Delegation to the New York State Legislature to Express Opposition to Rate Increase to Public Service Commission***) and **10-398** (***Urging New York State to Address the Root Cause of Property Taxes by Relieving Counties of Financing 9 Unfunded State Mandates***).
2. **Assembly Majority Leader Ron Canestrari** ~ November 22, 2010 ~ acknowledging receipt of Resolution Number **10-398** (***Urging New York State to Address the Root Cause of Property Taxes by Relieving Counties of Financing 9 Unfunded State Mandates***).
3. **Assemblyman Burling** ~ November 29, 2010 ~ acknowledging receipt of Resolution Numbers **10-379** (***Resolution Calling on the New York State Public Service Commission to Reject National Grid Rate Increase Proposal and for the Western New York Delegation to the New York State Legislature to Express Opposition to Rate***

December 14, 2010

Increase to Public Service Commission) and 10-398 (Urging New York State to Address the Root Cause of Property Taxes by Relieving Counties of Financing 9 Unfunded State Mandates).

4. ***Jaclyn A. Brilling, Secretary (NYS Dept. of Public Service) ~ December 02, 2010 ~ acknowledging receipt of Resolution Number 10-379 (Resolution Calling on the New York State Public Service Commission to Reject National Grid Rate Increase Proposal and for the Western New York Delegation to the New York State Legislature to Express Opposition to Rate Increase to Public Service Commission).***

#1

**RESOLUTION NO. 10-405
(December 14, 2010)**

By Mr. Davis, Chairman of the Finance Committee:

FUNDS TRANSFERRED TO VARIOUS 2010 ACCOUNTS

BE IT RESOLVED, That funds are hereby transferred to the various 2010 accounts as follows:

Board of Supervisors			
From: 01.31.1010.1.10202 Temporary Wages	\$2,809.00		
01.31.1010.1.10601 Unused Benefit Time	656.70		
To: 01.31.1010.4.40301 Professional Svc Cont		\$1,515.82	
01.31.1010.4.40407 Supervisor Mileage		1,949.88	
Reason: To cover misc. expenses through the end of the year.			
Board of Supervisors Total			\$3,465.70

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Information Technology			
From: 01.34.1681.2.20201 Computers CIP 01.34.1681.4.41410 Software CIP To: 01.38.4050.2.20201 Computers - Homecare 01.38.4050.4.41402 Computers - Homecare Reason: To cover the cost of new laptops for the Health Department CHHA.	\$4,000.00 400.00	\$4,000.00 400.00	
Information Technology Total			\$4,400.00
Youth Bureau			
From: 01.38.4059.4.40502 Vehicle Leasing 01.38.4059.4.40103 Auto Insurance 01.38.4059.4.40402 Conf & Conv. 01.38.4059 4 40503 Gasoline 01.38.4059.4.40508 Private Auto Repair 01.38.4059.4.41201 Postage To: 01.38.4059.2.20201 Computer Equipment Reason: To cover the cost of an HP Procurve Networking Switch – Early Intervention	\$1,570.00 154.25 419.00 300.00 100.00 215.75	\$2,759.00	
From: 01.36.2960.4.41501 PS Tuition To: 01.38.4059.4.41503 EI Tuition Reason: To cover remaining mandated 2010 Early Intervention Tuition	\$75,000.00	\$75,000.00	
Youth Bureau Total			\$77,759.00
Public Health			
From: 01.38.4010.4.40604 Copiers To: 01.38.4010.2.20401 Misc Equipment Reason: For purchase of Toshiba Copier from NYS bid, as approved at October PHC meeting; to replace older model that no longer has parts available.	\$9,422.00	\$9,422.00	
Public Health Total			\$9,422.00

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

December 14, 2010

RESOLUTION NO. 10-406
(December 14, 2010)

By Mr. Davis, Chairman of the Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2010 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2010 accounts as follows:

Board of Supv./Legis.			
To: 01.31.1010.8.89001 Medical / Hosp 01.31.1010.4.40301 Prof. Svc Cont <i>From any funds available</i> Reason: To cover one additional Health Insurance policy for 2010 and Municipal Solutions contract.	\$1,864.88 3,782.53	\$5,647.41	
Board of Supv./Legis. Total			\$5,647.41
Planning & Development			
To: 16.65.6422.4.40301 Professional Svc. w/16.12.6422.408903 Federal Aid CDGB Reason: The reduction is for unspent funds relating to Small Cities/ Micro Enterprise Program (#1279ME41-06)	(\$10,132.34)	(\$10,132.34)	
To: 16.65.6422.4.40301 Professional Svc. w/16.12.6422.408903 Federal Aid CDGB Reason: The reduction is for unspent funds relating to Small Cities/ Micro Enterprise Program (#1279ME119-08)	(\$18,471.36)	(\$18,471.36)	
Planning & Development Total			(\$28,603.70)

RESOLUTION NO. 10-406**December 14, 2010****Page 2**

Public Health			
To: 01.38.4189.1.10101 FT CSEA Contract 01.38.4189.8.81001 Retirement 01.38.4189.8.82002 CSEA Disability 01.38.4189.8.83001 FICA 01.38.4189.8.85001 Medicare – FICA 01.38.4189.8.89001 Medical / Hosp w/01.10.4189.280113 WCCH EP – Public Health WCCH Svcs Reason: Shared Emergency Preparedness Coordinator position created at the HD per Resolution #10-333 effective 11/1/10. (General Fund – Interfund Revenues)	\$2,758.68 328.28 10.84 171.04 40.00 851.42	\$4,160.26	
Public Health Total			\$4,160.26
Coroner			
To: 01.32.1185.4.40908 Autopsy Transport w/01.03.1185.1289 Med Examiner Other Income Reason: To cover Autopsy transports to Monroe Co. Medical Examiner through the end of the year.	\$2,300.00	\$2,300.00	
Coroner Total			\$2,300.00
Weights and Measures			
To: 01.43.6610.2.23001 Vehicle Purchased <i>From any funds available</i> Reason: Purchase of a 2011 E250 Econoline Van	\$18,197.00	\$18,197.00	
Weights and Measures Total			\$18,197.00
Animal Control			
To: 01.37.3510.2.23001 Vehicle Purchased <i>From any funds available</i> Reason: Purchase of a 2010 F150 and a full size short bed 4 stall animal box to be fitted on the truck.	\$28,117.82	\$28,117.82	
Animal Control Total			\$28,117.82
District Attorney			
To: 01.32.1165.1.10601 Unused Benefit Time 01.32.1165.8.83001 FICA 01.32.1165.8.85001 Medicare <i>From any funds available</i> Reason: In order to pay unbudgeted unused benefit time to pay the First Assistant DA in Schedule S as he transitions over to Schedule I.	\$12,199.99 756.39 176.89	\$13,133.27	
District Attorney Total			\$13,133.27

December 14, 2010

RESOLUTION NO. 10-406**December 14, 2010****Page 3**

Jail			
To: 01.37.3150.4.40301 Professional Services w/01.12.3150.4389 Federal Aid-SCAAP- JBI Reason: to pay invoice of 22% of SCAAP FY 2010 Award amount of \$16,257.00	\$3,576.54	\$3,576.54	
Jail Total			\$3,576.54
Treasurer			
To: 08.56.4510.4.40305 Other BOND Exp w/08.05.4510.2401 Interest Reason: To cover cost of Bond issuance from revenue at closing - WCCH CIP Renovations.	\$46,558.47	\$46,558.47	
To: 61.61.6010.4.40305 Other BOND Exp w/61.05.6010.2401 Interest Reason: To cover cost of Bond issuance from revenue at closing - DSS Renovations.	\$11,930.61	\$11,930.61	
Treasurer Total			\$58,489.08

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

Mr. Bush, T/Gainesville, Chairman of the Audit Committee,
presented bills totaling **\$2,138,556.14** for the month of **November 2010**.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#3

RESOLUTION NO. 10-407
(December 14, 2010)

By Mr. Patti, Chairman of Public Works Committee:

EQUIPMENT PURCHASE APPROVED

RESOLUTION NO. 10-407**December 14, 2010****Page 2**

BE IT RESOLVED, That the following Highway equipment purchase is being recommended to the Full Board of Supervisors by the Public Works Committee:

- Miller Air Pak welder / generator / compressor
 - o from Mahany Welding Supply 115 Fedex Way, Rochester, NY 14624 in an amount not to exceed nine thousand four hundred thirty-five dollars (\$9,435.00)

Contingent upon the availability of funds

Carried: XXX Ayes: 1596 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.

#4

**RESOLUTION NO. 10-408
(December 14, 2010)**

By Mrs. Totsline, Chairman of Human Services Committee:

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

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

December 14, 2010

RESOLUTION NO. 10-408**December 14, 2010****Page 2****Community Rep.~**

For a term of three (3) years; effective January 1, 2011 through December 31, 2013

- **Steve Tarbell**, P.O. Box 178, Castile, NY 14427 (has agreed to represent the minority)
- **James McIlroy (T/Covington)**, 7806 Big Tree Road, Pavilion, NY 14525
- **Rose George (T/Eagle)**, 6660 Railroad Avenue, Bliss, NY 14024
- **Rita Simmons (Genesee Falls)**, 6610 Pike Street, P.O. Box 313, Portageville, NY 14536
- **Joanne Almeter (Java)**, 2077 Perry Road, North Java, NY 14113
- **Charles Perl (Sheldon)**, 1025 Centerline Road, Strykersville, NY 14145

Agency Rep.~

For a term of three (3) years; effective January 1, 2011 through December 31, 2013

- **Deb Gage (Foster Grandparent Program)**, 8 Murray Hill Dr., Mt. Morris, NY 14510
- **Colleen Eccleston (Peers Helping Peers)**, 27 West Buffalo Street, Warsaw, NY 14569

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

**RESOLUTION NO. 10-409
(December 14, 2010)**

By Mrs. Totline, Chairman of Human Services Committee:

**CHAIRMAN / DIRECTOR OF AGING AND YOUTH
AUTHORIZED TO SIGN VARIOUS 2011 CONTRACTS ON
BEHALF OF THE OFFICE FOR THE AGING**

BE IT RESOLVED, That the Chairman of this Board and the Director of Aging and Youth with the approval of the County Attorney are hereby authorized and directed to sign various contracts and agreements on behalf of Wyoming County Office for the Aging for 2011 as follows:

- **WCJW, 3258 Merchant Road, Warsaw, NY 14569**
 - o Radio Advertising in an amount not to exceed five thousand dollars (\$5,000.00); effective January 01, 2011 through December 31, 2011.
 - o Information and Outreach to Caregivers in Wyoming County in an amount not to exceed five thousand two hundred eighty dollars (\$5,280.00); effective January 01, 2011 through December 31, 2011.
- **The Pine Lounge, 164 Clinton Street Cowlesville, NY 14037**
 - o Congregate Meals for seniors 60+. Variable amount depending on use. Not to exceed 2011 budget effective January 01, 2011 through December 31, 2011.

December 14, 2010

RESOLUTION NO. 10-409**December 14, 2010****Page 2**

- **The Cloister, 171 N. Maple Street, Warsaw, NY 14569**
 - o Respite services to caregivers in Wyoming Co. as part of the Title III-E grant– variable depending on use. Not to exceed 2011 budget effective January 01, 2011 through December 31, 2011
- **Catholic Family Center, 30 North Clinton Street, Rochester, NY 14604**
 - o Legal services to residents 60+ in Wyoming County in an amount not to exceed nine thousand dollars (\$9,000.00); effective January 01, 2011 through December 31, 2011.
- **Community Care of WNY, 1225 West State Street, Olean, NY 14760**
 - o In-Home Services to residents 60+ in Wyoming County – services to be provided based on need – budgeted. Effective January 01, 2011 through December 31, 2011.
- **Nancy M. Reding, 69 High Street, Attica, NY 14011**
 - o Dietician services to OFA as required by NYSOFA and the Older Americans Act in an amount not to exceed fifteen thousand dollars (\$15,000.00); effective January 01, 2011 through December 31, 2011.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

**RESOLUTION NO. 10-410
(December 14, 2010)**

By Mrs. Totslin, Chairman of Human Services Committee:

**CHAIRMAN / DIRECTOR OF AGING AND YOUTH
AUTHORIZED TO SIGN A GRANT APPLICATION AND
ACCEPTANCE AWARD WITH THE NEW YORK STATE
OFFICE FOR THE AGING ON BEHALF OF WYOMING
COUNTY OFFICE FOR THE AGING**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a grant application and a grant acceptance award with the New York State Office for the Aging, 2 Empire State Plaza, Albany, NY 12223 on behalf of the Wyoming County Office for the Aging. Said grant is to provide funding for Title's IIIB, C1, C2, D, E, EISEP, CSE, CSI, SNAP, HIICAP, WRAP and Transportation in a minimum amount of six hundred forty-three thousand one hundred seventy-nine dollars (\$643,179.00); effective January 01, 2011 through December 31, 2011 or April 01, 2011 through March 31, 2012.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#7

**RESOLUTION NO. 10-411
(December 14, 2010)**

By Mrs. Totslin, Chairman of Human Services Committee:

December 14, 2010

RESOLUTION NO. 10-411**December 14, 2010****Page 2****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** as follows:

Community members

For a term of three (3) years; effective January 1, 2011 through December 31, 2013

- **Patty Jarnot (YMCA Branch Director)**, 15 Linwood Ave., Warsaw, NY 14569
- **Valerie Lundy (Early Headstart Warsaw)** 11 Shearing Road, Gainesville, NY 14066
- **Fran Livingston (Headstart Warsaw)** 3870 Centerline Road, Warsaw, NY 14569

Youth Members

For a term of one (1) year; effective January 1, 2011 through December 31, 2011

- **Kara George (2nd year)** 1656 Burroughs Road Cowlesville, NY 14037

Agency Members

For a term of two (2) years; effective January 1, 2011 through December 31, 2012

- **Gordon Lew (Wyoming County DSS)**, P.O. Box 231, Warsaw, NY 14569
- **Jennifer Cooke (Rural Area Health Education Center)**, P.O. Box 152, 20 Duncan St., Warsaw, NY 14569
- **Shawn Tiedi (Cornell Cooperative Extension)**, 401 North Main St., Warsaw, NY 14569

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

Regular Session

**RESOLUTION NO. 10-412
(December 14, 2010)**

By Mrs. Totsline, Chairman of Human Services Committee:

**CHAIRMAN / COMMISSIONER OF SOCIAL SERVICES
AUTHORIZED TO SIGN VARIOUS 2011 CONTRACTS ON
BEHALF OF SOCIAL SERVICES**

BE IT RESOLVED, That the Chairman of this Board and the Commissioner of Social Services with the approval of the County Attorney are hereby authorized and directed to sign various contracts and agreements on behalf of the Department of Social Services for the year 2011 as follows:

- **David H. Nelson, 11 Exchange Street, Attica, NY 14011**
 - o Resource recovery at a charge of \$70.00/hr. effective January 01, 2011 through December 31, 2011.
- **Spectrum Human Services, 227 Thorn Avenue, P.O Box 631 Orchard Park NY 14127-0631**
 - o Court ordered mental health evaluations, DV intervention, anger management programs, and drug and alcohol assessments in an amount not to exceed thirteen thousand six hundred thirty dollars (\$13,630.00); effective January 01, 2011 through December 31, 2011.
- **Allegany Rehabilitation Associates, Inc. 4222 Bolivar Road, Wellsville, NY 14895**

December 14, 2010

RESOLUTION NO. 10-412**December 14, 2010****Page 2**

- o Court ordered mental health evaluations and counseling (MHC), chemical abuse and day treatment sessions for mental health recipients (CDT) and anger management program in an amount not to exceed six thousand eight hundred fifteen dollars (\$6,815.00); effective January 01, 2011 through December 31, 2011.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#9

RESOLUTION NO. 10-413
(December 14, 2010)

By Mrs. Totslie, Chairman of Human Services Committee:

MEMBERS REAPPOINTED TO THE 2-1-1 BOARD

BE IT RESOLVED, That the following members are hereby reappointed to the 2-1-1 Board for a ***term of one (1) year; effective January 1, 2011 through December 31, 2011;***

- ***Marty Mucher, (Wyoming County Community Action)***, 6470 Route 20A, Suite 1, Perry, NY 14530-9799
- ***David Rumsey (Department of Social Services)***, 466 North Main Street, P. O. Box 231, Warsaw NY 14569
- ***James Fleischman (Board of Supervisors)***, 5824 Java Lake Road, Arcade, NY 14009

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

Chairman Berwanger introduced Assemblyman Burling and thanked him for attending today's Board meeting in order to discuss NYSAC's Nine for Ninety Campaign that outlines the nine most prominent state mandated programs and their effect on local governments.

Every month Chairman Berwanger intends to invite a county department to explain these mandates and the impact to their budget. Chairman Berwanger explained to Assemblyman Burling that this outline will showcase the dysfunction of the state.

Director Aldinger highlighted New York State Youth Bureau reimbursement requirements bulleted below:

- **07/30/09 – Medicaid Alert #09-3** is issued directing counties and school districts not to submit Medicaid claims with a service date of 07/01/09 or later. Also included in this alert is a summary of what brought us to this point. In a nutshell, the Federal government did an audit of some school districts and found that they were wildly out of compliance with Medicaid regulations. This caused the federal government to disallow over \$1 billion of claims. NYS settled with the federal government however and in return for the federal government reducing the repayment to \$539 million, NYS agreed to implement a Program Integrity Agreement, which would include the intensive oversight we are dealing with now.
- **05/17/10 – Medicaid Alert #10-1** is issued which explains that a new State Plan Amendment (SPA) has been approved by the federal government. This SPA fulfills the aforementioned Program Integrity Agreement. In this alert it becomes clear that the new Medicaid requirements are going to retro back to 09/01/09; making it impossible for most counties and school districts to be able to submit Medicaid claims for any services for the 2009/10 school year. There is no way we could be in compliance with regulations that were not yet in existence.

- ***The Work to get into Compliance -***

- o ***12/01/10*** – Wyoming County Preschool contract addendums are mailed out. The addendums outline exactly what our providers need to have in place in order for the county to be able to bill Medicaid for their services. At this time a couple of providers are already in compliance with the new Medicaid regulations. We hope to have all providers in compliance by January 01, 2011. Director Aldinger reports keeping copies of all session notes/log sheets for services that may be eligible for Medicaid claiming so that we can bill for these services in the future. At this point we are still not allowed to send Medicaid claims. The Director has sent out inquiries to several people and has learned that Medicaid anticipates that billing will resume in February 2011. Until that time the Director will continue holding onto necessary paperwork for services that are Medicaid billable.
- o ***Rockland, Nassau and Suffolk Counties filing an Article 78*** against Commissioner Daines, the Commissioner of the NYS Health Department. Schenectady is also considering filing. The Article 78 files are appealing the fact that the new regulations in the SPA are retroactive, calling it “arbitrary and capricious.” There is a deadline of four months in order to file an Article 78. Rockland is filing based on the date their fiscal manager took the Medicaid training, which is when it became apparent to the county how much money they were going to lose because the SPA regulations came into effect retroactively. Wyoming County has already missed the deadline to file an Article 78. \$1.5 million total (59.5% reimbursement plus a small amount of administration.)

- o ***Wyoming County has lost an estimated \$70,000*** in Medicaid revenue due to the State Plan Amendment becoming effective on 09/01/09 in addition to the \$370,000 in tardy state aid. Wyoming County as well as other counties are feeling the frustration and are deciding whether to appeal article 78.

Budget Officer Cook added that this lack of reimbursements have made the budgeting process very difficult, especially when it's hard to calculate and rely on the funding.

Supervisor Rogers questioned the amount of staff time it took to compile these numbers. Director Aldinger stated that she didn't keep track of the staff time. She did state that it took a lot of time to recreate forms that the state would not readily share as well as the review of the retro claims.

Chairman Berwanger questioned Assemblyman Burling as to how this type of thing could be allowed to happen at the state level. Is the state legislature responsible??

Assemblyman Burling responded by stating that his election to county legislature was more enjoyable than the state level. The state legislature has proven more difficult. He explained what he believed to be one of biggest obstacles stating that there is a huge difference in thinking between upstate, downstate and New York City power. Compounding the problem, the state is just not paying...

Assemblyman Burling addressed the state's initiative to pass a Property Tax Cap, stating that 75% of New Yorkers support this initiative and State Legislators across the state are looking to be re-elected so the majority of State Representatives will be voting in favor of this proposal.

Chairman Berwanger continually asked the Assemblyman how it happens that the State is able to pass legislation allowing New York State to provide the Cadillac of Medicaid Programs. He also stated that the new legislation would be easier to accept if the state were paying. The state is not providing promised reimbursements!!

There was a motion by Mr. Kushner T/Eagle, to combine resolutions #10 through #14. A voice vote was taken and all voted aye.

#10

**RESOLUTION NO. 10-414
(December 14, 2010)**

By Mr. Kushner, Chairman of Public Health Committee:

**DR. GREGORY COLLINS REAPPOINTED MEDICAL
DIRECTOR, PT**

BE IT RESOLVED, That *Dr. Gregory Collins, DO, MPH, 4820 Darby Rd., Avon, NY 14414* be hereby reappointed as Medical Director, PT; effective January 01, 2011 through December 31, 2011.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#11

**RESOLUTION NO. 10-415
(December 14, 2010)**

By Mr. Kushner, Chairman of Public Health Committee:

**CHAIRMAN / COMMISSIONER OF HEALTH
AUTHORIZED TO SIGN VARIOUS CONTRACTS AND
AGREEMENTS ON BEHALF OF THE HEALTH
DEPARTMENT AND CERTIFIED HOME HEALTH
AGENCY FOR THE YEAR 2011**

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 the following Contracts and Agreements for the year 2011 on behalf of the Health Department and the Certified Home Health Agency. All amounts reflect amounts not to exceed:

**** all contracts and agreements will be equal to or less
than the maximum amount indicated****

Clearpath Diagnostics	Per Price List
Clinical Laboratory testing services MWHS	TBD based on usage
January 1 – December 31, 2011	Not to exceed amount budgeted

Quest Diagnostics	Per Price List
Clinical Laboratory testing services	TBD based on usage
January 1 – December 31, 2011	Not to exceed amount budgeted

December 14, 2010

RESOLUTION NO. 10-415**December 14, 2010****Page 2**

Benchmark Analytics, Inc. Per Price List
 Environmental laboratory - water testing services TBD based on usage
 January 1 – December 31, 2011 Not to exceed amount budgeted

Cattaraugus County Health Department Per Price List
 Environmental laboratory – water testing services TBD based on usage
 January 1 – December 31, 2011 Not to exceed amount budgeted

Environmental Laboratory Testing Services Per Price List
 Environmental laboratory – water testing services TBD based on usage
 January 1 – December 31, 2011 Not to exceed amount budgeted

Clark Patterson Lee \$75 / hour max plus expenses
 Professional Engineering Services TBD based on usage
 January 1 – December 31, 2011 Not to exceed amount budgeted

Freed Maxick and Battaglia, PC \$19,825 / year
 Audit and Consulting Services (MWHS and CHHA)
 January 1 – December 31, 2011

Monroe County Department of Health \$34,686 2011
 Medical Examiner Services \$35,553 2012
 Multi-year agreement 1/1/11 – 12/31/13 \$36,442 2013

Susan Schell, RD \$40.00 / hr PH
 Registered Dietician Services \$45.00 / visit CHHA
 (CHHA & Public Health) TBD based on usage
 January 1 – December 31, 2011 Not to exceed amount budgeted

Scott Treutlein, MD \$6,000 / year
 Medical Director Services MWHS
 January 1 – December 31, 2011

United Church of Christ \$450 / month
 Building Use Agreement WIC
 January 1 – December 31, 2011

RESOLUTION NO. 10-415**December 14, 2010****Page 3**

Buffalo Hospital Supply
 Medical Supplies CHHA
 January 1 – March 31, 2010

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

Community Care of WNY
 dba Homecare & Hospice
 Home Health Aide Services
 January 1 – December 31, 2011

\$28.00 one hour visit
 \$22.22 /hr (> 1 hour visit)
 TBD based on usage
 Not to exceed amount budgeted

Denise Goodberlet
 MWHS Mid-Level Practitioner Services
 January 1 – December 31, 2011

\$45.00 / hr.
 TBD based on usage
 Not to exceed amount budgeted

Karen Nelson, MSW
 service
 Medical Social Worker Services
 January 1 – December 31, 2011

\$75.00 / visit & \$40.00 / hr in-
 TBD based on usage
 Not to exceed amount budgeted

Step-by-Step Physical Therapy
 Physical Therapy Services
 January 1 – December 31, 2011

\$66.20 / visit
 TBD based on usage
 Not to exceed amount budgeted

RMS
 HH-CAHPS (CMS required survey vendor)
 January 1 – December 31, 2011

\$5.25 per client surveyed
 TBD based on usage
 Not to exceed amount budgeted

Planned Parenthood of WNY
 Youth Community Education
 January 1 – December 31, 2011

\$14,000 / yr

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

**RESOLUTION NO. 10-416
(December 14, 2010)**

By Mr. Kushner, Chairman of Public Health Committee:

**CHAIRMAN AUTHORIZED TO SIGN 2011 RENEWAL
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 various contracts on behalf of Mental Health for the year 2011 as follows:

1. Livingston/Wyoming ARC, 18 Main St., Mt. Morris, NY 14510

- Contract renewal for sheltered workshop program for the mentally ill population; effective January 1, 2011 through December 31, 2011 in an amount not to exceed forty-four thousand six hundred nineteen dollars (\$44,619.00);

•

2. Suburban Adult Services, Inc., 960 West Maple Court, Elma, NY 14059

- Contract renewal for sheltered workshop program for the mentally ill population; effective January 1, 2011 through December 31, 2011 in an amount not to exceed thirty-nine thousand six hundred seventy-six dollars (\$39,676.00);

Regular Session

RESOLUTION NO. 10-416**December 14, 2010****Page 2****3. Wyoming County Community Hospital, 400 North Main Street,
Warsaw, NY 14569**

- Contract renewal in an amount not to exceed one hundred seventy-six thousand forty-seven (\$176,047.00) as follows:

A. PAO screenings -	\$22,630.00
B. Forensic case management -	32,022.00
C. Jail based Chemical Dependency services in the jail -	3,000.00
D. MICA/Homeless - Case Management -	11,428.00
E. Crisis Outreach Program -	68,875.00
F. Mobile Treatment Team -	16,906.00
G. Case Management AOT -	<u>21,186.00</u>

Effective January 1, 2011 through December 31, 2011.

**4. Mental Health Association of Rochester/Monroe County, Inc.,
320 North Goodman Street, Rochester, NY 14607**

- Contract renewal in an amount not to exceed two hundred fifteen thousand five hundred seventy-one dollars (\$215,571.00) as follows:

A. Consumer Run Thrift Store -	\$32,865.00
B. Drop-in Center -	91,494.00
C. Transportation Program -	45,046.00
D. MICA & Social Club -	25,878.00
E. Peer Advocacy -	9,846.00
F. Temporary Housing -	<u>10,442.00</u>

Effective January 1, 2011 through December 31, 2011.

RESOLUTION NO. 10-416**December 14, 2010****Page 3****5. Hillside Children's Center, 1183 Monroe Ave., Rochester, NY
14620-1699**

- Contract renewal in an amount not to exceed sixty-four thousand one hundred seventy-nine dollars (\$64,179.00) as follows:

A. Crisis respite for children -	\$17,900.00
B. GLOW Family Support -	16,906.00
C. Home Based Crisis Intervention -	14,420.00
D. Parent Advocate -	<u>14,953.00</u>

E. MOU for Customized Services in an amount not to exceed four thousand one hundred eighteen dollars (\$4,118.00).

Effective January 1, 2011 through December 31, 2011.

**6. Spectrum Human Services, Inc., 227 Thorn Ave., Orchard Park,
NY 14127**

- Contract in an amount not to exceed five hundred six thousand twenty-two dollars (\$506,022.00) as follows:

A. Adult Case Management	\$25,944.00
B. Service Dollars	<u>33,852.00</u>
	\$59,796.00
C. Child & Youth ICM/SCM	\$28,000.00
D. Wrap around Funds	<u>20,312.00</u>
	\$48,312.00
E. Mental Health Clinic and Crisis -	22,408.00
F. Child & Family Clinic Plus -	52,772.00
G. Chemical Abuse Treatment Program -	300,104.00
H. PROS -	TBD
I. MICA -	18,280.00
J. C&Y SPOA -	<u>\$4,350.00</u>

Effective January 1, 2011 through December 31, 2011.

RESOLUTION NO. 10-416**December 14, 2010****Page 4**

7. **Living Opportunities of DePaul, 2240 Old Union Road, Cheektowaga, NY 14227-2728**
 - Contract renewal in an amount not to exceed one hundred seventy-three thousand one hundred ten dollars (\$173,110.00) as follows:

A. Four-bed treatment apartments -	\$4,972.00
B. Supported Housing (20 SLOTS) -	168,138.00

8. **Coordinated Care Services, Inc. of Rochester, 1099 Jay Street, Building J, Rochester, NY 14611-1153**
 - Contract renewal in an amount not to exceed six hundred eight thousand four hundred fifty-six dollars (\$608,456.00) as follows:

A. Service Coordination -	\$132,103.00
B. Dual Diagnosis Coordination -	75,610.00
C. Coordinated Children's Services Init.-	75,485.00
D. Performance Measurements -	7,995.00
E. Substance Abuse Prevention -	309,563.00
F. NY Care Coord. Local Adv. Group -	2,700.00
G. Technical Assistance -	5,000.00

Effective January 1, 2011 through December 31, 2011.

9. **Buzz and Val Properties, 100 Allen Street, Warsaw, NY 14569**
 - Lease for the downstairs office space at 108 N. Main Street, Warsaw for the Partners for Prevention program in the amount of \$825.00 monthly, not to exceed nine thousand nine hundred dollars (\$9,900.00) annually; effective January 1, 2011 – December 31, 2011

10. **Wyoming County Community Hospital, 400 North Main Street, Warsaw, NY 14569**
 - Lease for office space at 338 North Main Street, Warsaw in an amount not to exceed fourteen thousand nine hundred eighty-eight dollars (\$14,988.00) annually; effective January 1, 2011 – December 31, 2011.

RESOLUTION NO. 10-416**December 14, 2010****Page 5****11. East Hill Storage, 5351 Miller Road, Warsaw, NY 14569**

- Ongoing Lease for storage space for Partners For Prevention program materials in the amount of \$50.00 monthly, not to exceed six hundred dollars (\$600.00) annually; effective January 1, 2011 – December 31, 2011

12. Colling's Cleaning Service, 18 Tuna Street, Perry, NY 14530

- Contract to clean Partners For Prevention Office at 108 Main, Warsaw, NY 14569 in an amount not to exceed three hundred sixty dollars (\$360.00) annually; effective January 1, 2011 – December 31, 2011

13. Allegany Rehabilitation Associates, 4222 Bolivar Road, Wellsville, NY 14895

- Adolescent Treatment Program in an amount not to exceed fifty-five thousand one hundred nine dollars (\$55,109.00); effective January 1, 2011 – December 31, 2011

ALL CONTRACTS CONTINGENT UPON THE AVAILABILITY OF FUNDING.

**Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#13**

**RESOLUTION NO. 10-417
(December 14, 2010)**

By Mr. Kushner, Chairman of Public Health Committee:

RESOLUTION NUMBER 09-489 AMENDED

**WHEREAS, Resolution Number 09-489 entitled,
“CHAIRMAN AUTHORIZED TO SIGN 2010 RENEWAL
CONTRACTS ON BEHALF OF MENTAL HEALTH,” passed**

Regular Session

RESOLUTION NO. 10-417**December 14, 2010****Page 2**

by this Board of Supervisors on December 08, 2010 provides for various Mental Health contracts for 2010; effective January 01, 2010 through December 31, 2010; now therefore

BE IT RESOLVED, That Resolution Number 09-489 be hereby amended to reflect an increase to the 2010 contract between Spectrum Human Services, 227 Thorn Ave., Orchard Park, NY 14127 and Wyoming County Mental Health Department for \$425.00. State aid – no county levy. Money is budgeted; all else remains the same.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#14

RESOLUTION NO. 10-418
(December 14, 2010)

By Mr. Kushner, Chairman of Public Health Committee:

**MEMBERS APPOINTED / REAPPOINTED TO THE
VARIOUS MENTAL HEALTH BOARDS AND
SUBCOMMITTEES**

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

December 14, 2010

RESOLUTION NO. 10-418**December 14, 2010****Page 2****Community Services Board:**

For a term of four (4) years; effective January 1, 2011 through December 31, 2014

- Robert Kelley, 608 Starr Road, Wyoming, NY 14591 (re-appointment)
- Kay Kilburn (Pioneer Central School), P.O. Box 639, County Line Road, Yorkshire, NY 14173-0639 (re-appointment)
- Joyce Horner, 1085 Darien Alexander Townline Road, Darien Center, NY 14040 (re-appointment)

Alcohol and Substance Abuse Subcommittee:

For a term of four (4) years; effective January 1, 2011 through December 31, 2014

- Robert Kelley, 608 Starr Road, Wyoming, NY 14591 (re-appointment)
- Vincent A. Hemming, Atty., Wyoming County District Attorney's Office, 147 North Main Street, Warsaw, NY 14569 (filling Gerald Stout's expiring term)

Mental Health Subcommittee:

For a term of four (4) years; effective January 1, 2011 through December 31, 2014

- Pam Wilkie, Ph.D. (Letchworth School), 5550 School Road, Gainesville, NY 14066 (re-appointment)

Developmental Disabilities Subcommittee:

For a term of four (4) years; effective January 1, 2011 through December 31, 2014

- Renee Gilmore Messecar, 3709 Main Street, Apt. 4, Strykersville, NY 14145 (re-appointment)

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

**RESOLUTION NO. 10-419
(December 14, 2010)**

By Mr. Kushner, Chairman of Public Health Committee and Mr. Rogers, Chairman of Public Safety Committee:

**CHAIRMAN / COMMISSIONER OF HEALTH /
DIRECTOR OF FIRE AND EMERGENCY MANAGEMENT
AUTHORIZED TO SIGN A GRANT APPLICATION AND
ACCEPTANCE AWARD WITH NEW YORK STATE
DIVISION OF HOMELAND SECURITY AND
EMERGENCY SERVICES ON BEHALF OF THE HEALTH
DEPARTMENT AND 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 application and acceptance award with New York State Division of Homeland Security and Emergency Services, State Office Campus, 1220 Washington Ave., Building 7A, 6th Floor, Albany, NY 12242 on behalf of the Health Department and Emergency Services. Said grant is in cooperation with the New York State Department of Health for the provision of funding to meet a set of contract deliverables developed by New York State Department of Health in a minimum amount of fourteen thousand two hundred fifty dollars (\$14,250.00); effective August 01, 2010 through July 31, 2013.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

There was a motion by Mrs. Meeder T/Middlebury, to combine resolutions #16 through #19. A voice vote was taken and all voted aye.

December 14, 2010

**RESOLUTION NO. 10-420
(December 14, 2010)**

By Mrs. Meeder, Chairman of 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 (2) years***; effective ***January 01, 2011 through December 31, 2012***.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#17

**RESOLUTION NO. 10-421
(December 14, 2010)**

By Mrs. Meeder, Chairman of Human Resource Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
WITH ELECTIONS SYSTEMS AND SOFTWARE, INC. ON
BEHALF OF THE BOARD OF ELECTIONS**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a renewal contract with Elections Systems and Software, Inc. (ES&S), 6055 Paysphere Circle, Chicago, IL 60674 on behalf of the Board of Elections. Said contract is for support service, updates and software license fee in an amount not to exceed four thousand four hundred thirty-six dollars and twenty-

RESOLUTION NO. 10-421**December 14, 2010****Page 2**

five cents (\$4,436.25); effective November 11, 2010 to November 10, 2011.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain: #18

RESOLUTION NO. 10-422**(December 14, 2010)**

By Mrs. Meeder, Chairman of Human Resource Committee:

**CHAIRMAN AUTHORIZED TO SIGN VARIOUS
CONTACTS
ON BEHALF OF HUMAN RESOURCES**

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 Human Resources:

- **People Systems, P. O. Box 4816, Syracuse, NY 13221**
 - o Unemployment claims administration in an amount not to exceed three thousand dollars (\$3,000.00) annually, plus \$750 as a one time start-up fee; effective January 1, 2011 through December 31, 2011
- **David Lippitt, Power Boulevard, Suite 732, 16 W. Main St., Rochester, NY 14614**

December 14, 2010

RESOLUTION NO. 10-422**December 14, 2010****Page 2**

- o Union agreement negotiation services in the amount of \$165.00/hr. plus travel expense (one way), effective December 1, 2010.
- **Clarion Call, LLC, (Jackie Stroh, Pres.), 299 Berryman Dr., Amherst, NY 14226**
 - o Human Resources trainings in the amount of \$125.00/hr.; effective January 1, 2011 through December 31, 2011.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#19

RESOLUTION NO. 10-423
(December 14, 2010)

By Mrs. Meeder, Chairman of Human Resource Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
WITH ERIC T. DADD 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 Eric T. Dadd, 11 Exchange St., Attica, NY 14011 on behalf of the County Attorney's Office. Said agreement is for lease of Office Space for the County Attorney in an amount not to exceed four thousand eight hundred dollars (\$4,800.00); effective January 1, 2011 through December 31, 2011.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

There was a motion by Mr. Fleischman T/Java, to combine resolutions #20 through #23. A voice vote was taken and all voted aye.

#20

**RESOLUTION NO. 10-424
(December 14, 2010)**

By Mr. Fleischman, Chairman of Planning Committee:

**ART BUCKLEY APPOINTED TO VARIOUS GLOW
BOARDS AND COMMITTEES**

BE IT RESOLVED, That Art Buckley, 6470 Route 20 A, Suite 4, Perry, NY 14530 (replacing Drew Shapiro/Planning & Development Representative) be hereby appointed to the following GLOW Committees as the Planning Department Representative:

- **GLOW Solid Waste Planning Committee**
 - o *One (1) Yr. term; effective January 1, 2011 through December 31, 2011*
- **GLOW Regional Solid Waste Management Committee**
 - o *One (1) Yr. term; effective January 1, 2011 through December 31, 2011*
- **GLOW Solid Waste Advisory Committee**
 - o *One (1) Yr. term; effective January 1, 2011 through December 31, 2011*

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

December 14, 2010

**RESOLUTION NO. 10-425
(December 14, 2010)**

By Mr. Fleischman, Chairman of Planning Committee:

**JOAN PETZEN REAPPOINTED TO THE
GLOW SOLID WASTE ADVISORY COMMITTEE**

BE IT RESOLVED, That **Joan Petzen (Cornell Cooperative Extension)** 401 N. Main St., Warsaw, NY 14569 be hereby reappointed to the **GLOW Solid Waste Advisory Committee** as a *Private Sector Representative for a term of one (1) year; effective January 1, 2011 through December 31, 2011.*

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#22

**RESOLUTION NO. 10-426
(December 14, 2010)**

By Mr. Fleischman, Chairman of Planning Committee:

RESOLUTION NUMBER 09-277 AMENDED

WHEREAS, Resolution Number 09-277 entitled, “**CHAIRMAN AUTHORIZED TO SIGN AN AGREEMENT WITH THE WYOMING COUNTY BUSINESS CENTER (LDC) ON BEHALF OF PLANNING AND DEVELOPMENT**,” passed by this Board of Supervisors on July 14, 2009 provides for implementation of the Agri-Business Diversification Program under the New York State Housing Trust Fund Corporation/Office of Community Renewal (Grant #1279ME119-08). The agreement shall be an amount not to exceed fifty thousand dollars

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RESOLUTION NO. 10-426**December 14, 2010****Page 2**

(\$50,000.00) contingent upon the availability of funds; now therefore

BE IT RESOLVED, That Resolution Number 09-277 be hereby amended to reflect an extended contract date for the financial administration of the farm diversification program from October 31, 2010 until January 31, 2011. All other provisions remain the same.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#23

RESOLUTION NO. 10-427**(December 14, 2010)**

By Mr. Fleischman, Chairman of Planning Committee:

**JEROME MARLEY APPOINTED TO THE WYOMING
COUNTY PLANNING BOARD**

BE IT RESOLVED, That **Jerome Marley (T/Gainesville)**, 5717 Hardys Road, Gainesville, NY 14066 be hereby appointed to the **Wyoming County Planning Board** (replacing Leslie Shearing who will be resigning on December 31, 2010) **for term of three (3) years; effective January 1, 2011 through December 31, 2013.**

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

There was a motion by Mr. Rogers, T/Pike, to combine resolutions #24 through #31. A voice vote was taken and all voted aye.

December 14, 2010

**RESOLUTION NO. 10-428
(December 14, 2010)**

By Mr. Rogers, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A NEW YORK
STATE GOVERNOR'S TRAFFIC SAFETY COUNCIL
GRANT APPLICATION AND ACCEPTANCE AWARD ON
BEHALF OF THE SHERIFF'S DEPARTMENT**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a grant application and a acceptance award with the NYS Governor's Traffic Safety Council, 6 Empire State Plaza, Room 414, Albany NY 12228 on behalf of the Sheriff's Department. Said grant is for funding the Selective Traffic Enforcement Program (STEP) in a minimum amount of twelve thousand dollars (\$12,000.00); effective October 1, 2010 through September 30, 2011.

**Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#25**

**RESOLUTION NO. 10-429
(December 14, 2010)**

By Mr. Rogers, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
WITH LEXIS NEXIS ON BEHALF OF THE SHERIFF'S
DEPARTMENT**

RESOLUTION NO. 10-429**December 14, 2010****Page 2**

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 Lexis Nexis, 1275 Broadway, Albany NY 12204 on behalf of the Sheriff's Department. Said contract is for a law library to meet SCOC standards and will also be utilized by the Deputies in an amount not to exceed twelve thousand one hundred eighty dollars (\$12,180.00) (cost will be split between the Sheriff and Jail budgets); effective November 01, 2010 through December 31, 2012.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

#26**RESOLUTION NO. 10-430****(December 14, 2010)**

By Mr. Rogers, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A GRANT
APPLICATION AND ACCEPTANCE AWARD WITH THE
NEW YORK STATE DIVISION 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 application and acceptance award with the New York State Division of Homeland Security, State Office Building Campus, 1220 Washington Ave., Bldg 7A, 6th Floor, Albany NY 12242-1800 on behalf of the Sheriff's Department. Said grant is for funding to support law enforcement initiatives in a

December 14, 2010

RESOLUTION NO. 10-430**December 14, 2010****Page 2**

minimum amount of thirty-eight thousand five hundred sixteen dollars (\$38,516.00); effective August 1, 2010 through July 31, 2013.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#27

RESOLUTION NO. 10-431
(December 14, 2010)

By Mr. Rogers, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A 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 contract with EM Systems Inc, 4043 Maple Road, Suite 211, Amherst NY 14226-4499 on behalf of the Sheriff's Department. Said contract is for annual maintenance of the "LEMS Records Management System (RMS)" software in an amount not to exceed eight thousand five hundred dollars (\$8,500.00); effective January 1, 2011 through December 31, 2011.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

**RESOLUTION NO. 10-432
(December 14, 2010)**

By Mr. Rogers, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
WITH SIMPLEX GRINNELL, LP 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 SimplexGrinnell LP, 90 Goodway Drive, Rochester NY 14623 on behalf of the County Jail. Said contract is for fire alarm maintenance in an amount not to exceed six thousand one hundred thirty-five dollars (\$6,135.00); effective January 01, 2011 through December 31, 2011.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#29

**RESOLUTION NO. 10-433
(December 14, 2010)**

By Mr. Rogers, Chairman of Public Safety Committee:

**FARRIS S. HEIMANN APPOINTED STOP-DWI
COORDINATOR**

BE IT RESOLVED, That Farris S. Heimann, 19 Buffalo St., Attica, NY 14011 be hereby appointed as the Stop-DWI

December 14, 2010

RESOLUTION NO. 10-433**December 14, 2010****Page 2**

Coordinator, PT; effective January 01, 2011 through December 31, 2011.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#30

RESOLUTION NO. 10-434
(December 14, 2010)

By Mr. Rogers, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A GRANT
APPLICATION AND ACCEPTANCE AWARD WITH NEW
YORK STATE DIVISION OF HOMELAND SECURITY
AND EMERGENCY SERVICES 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 application and acceptance award with the New York State Division of Homeland Security and Emergency Services, State Office Campus, 1220 Washington Ave., Building 7A, 6th Floor, Albany, NY 12242 on behalf of Emergency Services. Said grant is for funding to support planning, equipment, training and exercise needs in a minimum amount of eighty-five thousand two hundred thirty-four dollars (\$85,234.00); effective August 01, 2010 through July 31, 2013.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

**RESOLUTION NO. 10-435
(December 14, 2010)**

By Mr. Rogers, Chairman of Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTACT WITH
FRED A. NUDD CORPORATION 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 with Fred A. Nudd Corporation, 1743 Route 104, Box 577, Ontario, NY 14519 on behalf of Emergency Services. Said contract to supply and install (2) new red strobe tubes and (3) new white strobes at the Fire Training Center tower in an amount not to exceed three thousand four hundred fifty dollars (\$3,450.00); effective December 14, 2010 through the completion of the project.

Contingent upon the availability of funds.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

There was a motion by Mr. Davis T/Covington, to combine resolutions #32 through #44. A voice vote was taken and all voted aye.

#32

**RESOLUTION NO. 10-436
(December 14, 2010)**

December 14, 2010

RESOLUTION NO. 10-436**December 14, 2010****Page 2**

By Mr. Davis, Chairman of Finance Committee:

**J. THOMAS REAGAN, MD REAPPOINTED TO THE
WYOMING COUNTY COMMUNITY HOSPITAL BOARD
OF MANAGERS**

BE IT RESOLVED, That J. Thomas Reagan, MD, 3148 Merchant Road, Warsaw, NY 14569 be hereby reappointed to the Wyoming County Community Hospital Board of Managers *for a term of five (5) years; effective January 01, 2011 through December 31, 2015.*

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#33

**RESOLUTION NO. 10-437
(December 14, 2010)**

By Mr. Davis, Chairman of Finance Committee:

SEMI-ANNUAL REVENUE SHARING FOR THE TOWNS

BE IT RESOLVED, That the Chairman of the Finance Committee, presented the Semi-Annual Revenue Sharing Report for the period of April 1, 2010 through September 30, 2010 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 nine hundred sixty-eight dollars and twenty-six cents (\$29,968.26)

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RESOLUTION NO. 10-437**December 14, 2010****Page 2**

to the sixteen towns of Wyoming County, in accordance with the report filed with the Clerk of the Board of Supervisors, as follows:

TOWNS	REVENUE SHARING DISTRIBUTED
Arcade	\$4,537.71
Attica	\$3,258.50
Bennington	\$2,992.47
Castile	\$2,559.43
Covington	\$959.29
Eagle	\$863.86
Gainesville	\$990.81
Genesee Falls	\$418.43
Java	\$1,813.70
Middlebury	\$1,028.72
Orangeville	\$1,107.23
Perry	\$3,193.05
Pike	\$601.05
Sheldon	\$1,452.19
Warsaw	\$3,704.04
Wethersfield	\$487.78
Grand Totals:	\$29,968.26

Let this be your Warrant for Such Payment: **\$29,968.26** (twenty-nine thousand nine hundred sixty-eight dollars and twenty-six cents) IN WITNESS WHEREOF, I have hereunto set my hand and seal of the Board of Supervisors this 14th day of December, 2010.

s/Cheryl J. Ketchum, Clerk
Board of Supervisors

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

December 14, 2010

**RESOLUTION NO. 10-438
(December 14, 2010)**

By Mr. Davis, Chairman of 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, 2011.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#35

**RESOLUTION NO. 10-439
(December 14, 2010)**

By Mr. Davis, Chairman of Finance Committee:

DATE SET FOR ANNUAL ORGANIZATIONAL MEETING

Regular Session

RESOLUTION NO. 10-439**December 14, 2010****Page 2**

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 Annual Organizational Meeting of the Wyoming County Board of Supervisors will be set for **Monday, January 3, 2011**, 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 Supervisors' Chambers.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#36

RESOLUTION NO. 10-440
(December 14, 2010)

By Mr. Davis, Chairman of Finance Committee:

CHAIRMAN AUTHORIZED TO SIGN LETTERS
OF UNDERSTANDING WITH CONTRACT AGENCIES
FOR 2011

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 2011:

December 14, 2010

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<i>Contract Agency</i>	<i>2011 Expenditures</i>
Wyoming County Soil & Water	\$162,823.96
Pioneer Library System	24,018.30
Wyoming County Fair Association	22,500.00
Arts Council for Wyoming County	14,290.00
Erie Wyoming County Soil & Water	2,262.60
Wyoming County Tourist Promotion Agency	101,230.50
Wyoming County Business Education Council	5,400.00
Mercy Flight	8,100.00
Wyoming County Wildlife Federation	1,130.40
Wyoming County Business Center (LDC)	112,050.00
Totals	\$453,805.76

Contingent upon the availability of funds.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#37

RESOLUTION NO. 10-441
(December 14, 2010)

By Mr. Davis, Chairman of Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A
MEMORANDUM OF AGREEMENT WITH CORNELL
COOPERATIVE EXTENSION OF WYOMING COUNTY
FOR THE YEAR 2011**

RESOLUTION NO. 10-441

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BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a Memorandum of Agreement with Cornell Cooperative Extension of Wyoming County for the payment of County Appropriations in the amount of three hundred sixty thousand three hundred ninety-five dollars and twenty five cents (\$360,395.25) to be allocated as follows:

- **\$148,330.73** to fully fund the Agricultural Dept.
 - **185,495.80** to fully fund the 4-H Dept.
 - **26,568.72** to partially fund the FCS Dept.
- \$360,395.25**

and

- **\$9,000.00** to partially fund the Wyoming County Dairy Institute

Effective January 01, 2011 through December 31, 2011;

Contingent upon the availability of funds.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#38

**RESOLUTION NO. 10-442
(December 14, 2010)**

By Mr. Davis, Chairman of Finance Committee:

**RESOLUTION OF THE BOARD OF SUPERVISORS
LEVYING TAXES AND ASSESSMENTS REQUIRED
FOR PURPOSE OF ANNUAL BUDGET OF TOWNS
OF WYOMING COUNTY**

December 14, 2010

RESOLUTION NO. 10-442**December 14, 2010****Page 2**

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, 2011; 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	\$ 38,153.00	\$ 320,839.00	\$ 358,992.00
ATTICA	\$ -	\$ 233,750.00	\$ 233,750.00
BENNINGTON	\$ -	\$ -	\$ -
CASTILE	\$ 24,580.00	\$ 220,362.00	\$ 244,942.00
COVINGTON	\$ -	\$ -	\$ -
EAGLE	\$ -	\$ -	\$ -
GAINESVILLE	\$ 10,030.00	\$ 145,868.00	\$ 155,898.00
GENESEE FALLS	\$ -	\$ -	\$ -
JAVA	\$ -	\$ -	\$ -
MIDDLEBURY	\$ 7,250.00	\$ 238,250.00	\$ 245,500.00
ORANGEVILLE	\$ -	\$ -	\$ -
PERRY	\$ 17,131.37	\$ 194,441.11	\$ 211,572.48
PIKE	\$ -	\$ -	\$ -
SHELDON	\$ -	\$ -	\$ -
WARSAW	\$ 11,344.00	\$ 306,622.00	\$ 317,966.00
WETHERSFIELD	\$ -	\$ -	\$ -
TOTALS:	\$ 108,488.37	\$ 1,660,132.11	\$ 1,768,620.48

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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 & Sidewalk	WATER/SEWER & RECYCLE FEE	RELIEVED WATER/SEWER & RECYCLE FEE	TOTAL
ARCADE		\$ 74,160.00		*** \$ 131,317.93		\$ 205,477.93
ATTICA		\$ 68,500.00				\$ 68,500.00
BENNINGTON		B \$ 89,000.00				
		C \$ 75,284.00	\$ 2,400.00	* \$ 48,190.00		
		HC \$ 27,520.00				
		V \$ 7,062.25				\$ 249,456.25
CASTLE		\$ 64,800.00	\$ 5,200.00	** \$ 215,534.00	* \$ 18,680.45	\$ 304,214.45
COVINGTON		PA \$ 51,800.00				
		WN \$ 10,100.00		* \$ 350.00		
		PE \$ 4,300.00				\$ 66,550.00
EAGLE		\$ 172,000.00	\$ 3,000.00	* \$ 6,850.00	* \$ -	\$ 181,850.00
GAINESVILLE		G \$ 37,500.00				
		SS \$ 12,000.00				
		C \$ 1,200.00				\$ 50,700.00
GENESEE FALLS		\$ 31,000.00	\$ 8,000.00			\$ 39,000.00
JAVA	NJ \$ 2,893.78	NJ \$ 30,855.94	NJ \$ 2,500.00	* \$ 13,386.25	* \$ 3,886.61	
		S \$ 63,618.00	JC \$ 300.00			\$ 117,440.58
MIDDLEBURY		F1 \$ 59,650.00				
		F2 \$ 12,350.00				\$ 72,000.00
ORANGEVILLE		V \$ 39,511.00				
		O \$ 15,200.00	L3 \$ 650.00			\$ 55,361.00
PERRY	F3 \$ 860.00	F4 \$ 35,000.00	PC \$ 1,500.00	* \$ 15,580.00		
				** \$ 18,520.00		\$ 71,460.00
PIKE		F1 \$ 33,250.00	L1 \$ 6,000.00			\$ 44,550.00
			S1 \$ 5,300.00			
SHELDON	V \$ 7,820.25	ST \$ 35,517.00	L1 \$ 3,600.00		* \$ 600.11	
		NJ \$ 6,312.36	L2 \$ 2,400.00			
		V \$ 27,788.25	L3 \$ 600.00			
		SH \$ 70,000.00	L9 \$ 1,200.00			
		HC \$ 27,520.00				\$ 183,357.97
WARSAW		\$ 51,900.00		* \$ 5,209.00		\$ 57,109.00
WETHERSFIELD		G \$ 21,656.00				
		NJ \$ 16,400.00				
		B \$ 11,000.00				\$ 49,056.00
TOTALS:	\$ 11,574.03	\$ 1,283,754.80	\$ 42,650.00	\$ 454,937.18	\$ 23,167.17	\$ 1,816,083.18

and be it

December 14, 2010

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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	\$ 202,884.08	\$ 238,998.00	\$ 441,882.08
ATTICA	\$ 161,459.00	\$ 226,000.00	\$ 387,459.00
BENNINGTON	\$ 127,955.00	\$ 625,600.00	\$ 753,555.00
CASTILE	\$ 212,751.00	\$ 169,202.00	\$ 381,953.00
COVINGTON	\$ 134,494.00	\$ 258,050.00	\$ 392,544.00
EAGLE	\$ -	\$ -	\$ -
GAINESVILLE	\$ 149,157.00	\$ 106,428.00	\$ 255,585.00
GENESEE FALLS	\$ 112,993.00	\$ 181,166.00	\$ 294,159.00
JAVA	\$ 120,624.00	\$ 317,732.00	\$ 438,356.00
MIDDLEBURY	\$ 152,492.00	\$ 75,404.00	\$ 227,896.00
ORANGEVILLE	\$ 151,887.00	\$ 481,174.00	\$ 633,061.00
PERRY	\$ 170,279.00	\$ 304,709.75	\$ 474,988.75
PIKE	\$ 151,586.00	\$ 264,358.00	\$ 415,944.00
SHELDON	\$ -	\$ -	\$ -
WARSAW	\$ 345,581.00	\$ 320,923.00	\$ 666,504.00
WETHERSFIELD	\$ 25,331.00	\$ 49,000.00	\$ 74,331.00
TOTALS:	\$ 2,219,473.08	\$ 3,618,744.75	\$ 5,838,217.83

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#39

RESOLUTION NO. 10-443
(December 14, 2010)

By Mr. Davis, Chairman of Finance Committee:

Regular Session

RESOLUTION NO. 10-443**December 14, 2010****Page 2****RESOLUTION OPPOSING THE FEDERAL MEDICAL
ASSISTANCE 1.1% REDUCTION MEANS OF
IMPLEMENTATION**

WHEREAS, The 2010 Laws of New York, Chapter 313 enacted a 1.1% reduction in all undisbursed general fund and state special revenue fund aide to localities commencing on September 16, 2010; and

WHEREAS, Such reductions create new unfunded mandates from the state to localities and result in forcing the localities to contribute a local share for funds that were enacted as 100% state funded allocations; and

WHEREAS, Such new unfunded mandates and increased local share has placed an undue burden on already stressed localities; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors wishes to go on record opposing the means of implementation of the reductions of Chapter 313 and requests that Chapter 313 be amended to allow the 1.1% reduction to occur to allocations not payments; and be it

FURTHER RESOLVED, That the Clerk to the Board is hereby directed to send certified copies of this resolution to Governor David A. Paterson, Governor elect Andrew M. Cuomo, Senate President Pro Tempore Malcolm Smith, Senator Elect Patrick Gallivan, Assembly Speaker of the House Sheldon Silver, Assemblyman Daniel Burling and NYSAC.

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

December 14, 2010

**RESOLUTION NO. 10-444
(December 14, 2010)**

By Mr. Davis, Chairman of Finance Committee:

RESOLUTION NUMBER 09-417 AMENDED

WHEREAS, Resolution Number 09-417 entitled, **“ONE (1) POSITION OF LABORER (TEMP) (1.00 FTE) CREATED WITHIN THE DEPARTMENT OF BUILDINGS AND GROUNDS,”** passed by this Board of Supervisors on October 13, 2009 provides for the creation of one (1) position of Laborer (Temp.) (1.00 FTE) within the Department of Buildings and Grounds, not to exceed 40 hours weekly; to be utilized for Capital Improvement Projects (North Main Medical building located at 408 N. Main St., Warsaw, New York and/or the Lower Department of Social Services building located at 466 N. Main St., Warsaw, New York); effective for six (6) months from the date of hire at a rate of \$10.00/hr.; now therefore

BE IT RESOLVED, That Resolution Number 09-417 be hereby amended to reflect an extended effective date through July 01, 2011 (through the completion of the Lower Department of Social Services building renovations).

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#41

**RESOLUTION NO. 10-445
(December 14, 2010)**

By Mr. Davis, Chairman of Finance Committee:

Regular Session

RESOLUTION NO. 10-445

December 14, 2010

Page 2

RESOLUTION NUMBER 09-502 AMENDED

WHEREAS, Resolution Number 09-502 entitled, **“POSITION CREATIONS APPROVED,”** passed by this Board of Supervisors on December 08, 2009 provides for the creation of various positions throughout the county; now therefore

BE IT RESOLVED, That Resolution Number 09-502 be hereby amended to reflect an extended effective date of the One (1) position of Laborer (CIP) in the amount of \$25.00/hr. up to one year through July 01, 2011 (through the completion of the Lower Department of Social Services building renovations).

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#42

RESOLUTION NO. 10-446
(December 14, 2010)

By Mr. Davis, Chairman of Finance Committee:

POSITION CREATION(S) APPROVED

December 14, 2010

RESOLUTION NO. 10-446**December 14, 2010****Page 2**

BE IT RESOLVED, That the following position(s) are hereby approved within the various Wyoming County Departments:

District Attorney:

- One (1) position of Secretary I, PT (temporary) to be placed on Salary Schedule G at \$17.00 per hour with only those benefits mandated by law not to exceed five thousand dollars (\$5,000.00); effective January 01, 2011 through March 31, 2011.

Sheriff's Department

- STOP-DWI Coordinator, PT; effective January 01, 2011
- Deputy to the STOP-DWI Coordinator, PT; effective January 01, 2011
- Secretary to the STOP-DWI Coordinator, PT; effective January 01, 2011

Treasurer's Office

- o 1 full time Principle Account Clerk position with-in Treasurer's Office CSEA agreement, Sch. A, grade 14, step 1@ \$18.17 per hour

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#43

RESOLUTION NO. 10-447
(December 14, 2010)

By Mr. Davis, Chairman of Finance Committee:

SALARY SCHEDULE "S" AMENDED

Regular Session

RESOLUTION NO. 10-447**December 14, 2010****Page 2**

BE IT RESOLVED, That the Wyoming County Salary Plan which became effective January 01, 1967, as amended, is hereby amended as follows:

District Attorney:

- Set the salary of the Assistant District Attorney (1st) to \$75,000 annually; effective January 01, 2011;
- Set the salary of the Assistant District Attorney (2nd) to \$49,000 annually; effective January 01, 2011

Sheriff's Department:

- Set the salary of the STOP-DWI Coordinator, PT at \$2,500.00 annually; effective January 01, 2011
- Set the salary of the Deputy to the STOP-DWI Coordinator, PT at \$2,500.00 annually; effective January 01, 2011
- Set the salary of the Secretary to the STOP-DWI Coordinator, PT at \$2,000.00 annually; effective January 01, 2011

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:
#44

RESOLUTION NO. 10-448**(December 14, 2010)**

By Mr. Davis, Chairman of Finance Committee:

RECYCLING FEES LEVIED

BE IT RESOLVED, That the Clerk of this Board is hereby authorized and directed to levy the recycling fees for the year 2011 as indicated in the amount of \$1,388,595.00 (one million three hundred eighty-eight thousand five hundred ninety-five dollars):

December 14, 2010

RESOLUTION NO. 10-448**December 14, 2010****Page 2**

MUNICIPALITY	RECYCLE	UNIT	TOTAL
Castile	Seasonal	137	\$13,357.50
	Year Round	1152	\$224,640.00
Gainesville	Seasonal	19	\$1,852.50
	Year Round	818	\$159,510.00
Genesee Falls	Seasonal	15	\$1,462.50
	Year Round	186	\$36,270.00
Middlebury	Seasonal	9	\$877.50
	Year Round	594	\$115,830.00
Orangeville	Seasonal	24	\$2,340.00
	Year Round	469	\$91,455.00
Perry	Seasonal	6	\$585.00
	Year Round	1867	\$364,065.00
Pike	Seasonal	16	\$1,560.00
	Year Round	421	\$82,095.00
Sheldon	Seasonal	11	\$1,072.50
	Year Round	887	\$172,965.00
Warsaw	Seasonal	3	\$292.50
	Year Round	607	\$118,365.00
TOTAL			
GRAND TOTAL			\$1,388,595.00

Carried: XXX Ayes: 1596 Noes: Absent: Abstain:

638

There being no further business to come before this Board, Senior Supervisor Bush, T/Gainesville, adjourned the meeting at 3:48 PM with a rap on his desk.

Respectfully submitted,

Cheryl J. Ketchum

Cheryl J. Ketchum, Board Clerk

December 14, 2010

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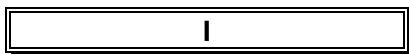
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