

18th Day
Friday, December 21, 2007
9:00 a.m.

The Board of Supervisors met, pursuant to adjournment, in their room in the Court House, Chairman Hoffman presiding.

Upon roll call, all Supervisors were present, except Supervisors Young and Hammond who was absent. County Attorney Daniel Wyner and Interim-County Administrator Keith Kubasik were also present.

The Clerk read the scheduled Notice of Public Hearing at 9:05 a.m.

COUNTY OF WAYNE

NOTICE OF PUBLIC HEARING ON PROPOSED LOCAL LAW NO. 6-2007

PLEASE TAKE NOTICE, that there has been duly introduced before this Board of Supervisors of the County of Wayne on 13th day of December 2007, a proposed Local Law of the County, designated as Local Law No. 6 for the year 2007; and

NOTICE IS FURTHER GIVEN, that the Wayne County Board of Supervisors will hold a public hearing on Friday, December 21, 2007, at 9:05 a.m. in the Supervisors Chambers in the County Court House, 26 Church Street, Lyons, New York, on the following proposed local law, at which time all persons interested will be heard:

COUNTY OF WAYNE - STATE OF NEW YORK

A local law amending Local Law No. 1-1993 "Establishing the position of County Administrator for the County of Wayne as amended by Local Law No. 2-1994; Local Law No. 3-2006 and Local Law No. 4-2007".

BE IT ENACTED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF WAYNE, as follows:

SECTION 1

SECTION 3(a) OF LOCAL LAW NO. 1-1993 entitled "ESTABLISHING THE POSITION OF COUNTY ADMINISTRATOR FOR THE COUNTY OF WAYNE AS AMENDED BY LOCAL LAW NO. 2-1994; LOCAL LAW NO. 3-2006 AND LOCAL LAW NO. 4-2007" is hereby amended to read as follows:

"SECTION 3

(a) The County Administrator shall be appointed by the Board of Supervisors. The term of office of the first County Administrator appointed pursuant to this local law shall commence on the date of such appointment and shall expire on **December 31, 2009**. Each appointment thereafter shall be for a term of two years ending on the last day of December in each odd numbered year. Appointment to fill a vacancy in the office of County Administrator shall be for the remainder of the unexpired term."

SECTION 2. - EFFECTIVE DATE

This local law shall take effect on the date it is filed in the Office of the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law of the State of New York.

Dated: December 13, 2007
Lyons, New York

Sandra J. Sloane, Clerk
Wayne County Board of Supervisors

Mr. Young arrive to the meeting.

The Chairman opened the floor for public comment and requested persons interested in

addressing the Board with their concerns of the proposed amendment to the position of County Administrator to come forth.

No one approached the podium, therefore, the Chairman requested for a motion to close the hearing.

Mr. Young arrive to the meeting.

Mr. DeSanto moved, seconded by Mr. Lyon, that the hearing be closed. Upon roll call, carried.

Mr. Plant moved, seconded by Mr. DeSanto that five (5) resolutions be allowed on the floor under other business. Upon roll call, all Supervisors voted Aye. Absent - Supervisor Hammond. The Chairman declared the motion carried.

Prior to presentation and vote of Resolution No. 899-07, Supervisor Fabino addressed the Board with his comments and his reasons for his vote on the proposed amendments to Local Law No. 6-2007.

Supervisor DeSanto thanked Mr. Fabino for his comments.

RESOLUTION NO. 899-07: ADOPTION OF LOCAL LAW NO. 6-2007: AUTHORIZING A LOCAL LAW AMENDING LOCAL LAW NO. 1-1993 "ESTABLISHING THE POSITION OF COUNTY ADMINISTRATOR FOR THE COUNTY OF WAYNE AS AMENDED BY LOCAL LAW NO. 2-1994; LOCAL LAW NO. 3-2006 AND LOCAL LAW NO. 4-2007

Mr. Jenkins presented the following:

WHEREAS, a proposed local law amending Local Law No. 1-1993 "Establishing the position of County Administrator for the County of Wayne as amended by Local Law No. 2-1994; Local Law No. 3-2006 and Local Law No. 4-2007", was presented to the Board of Supervisors on December 13, 2007; and

WHEREAS, a public hearing on proposed Local Law No. 6-2007 was held by the Board of Supervisors on Friday, December 21, 2007 at 9:05 am, in accordance with the notice of hearing duly posted and published in the manner prescribed by law; now, therefore, be it

RESOLVED, that said Local Law No. 6-2007 is hereby adopted to read as follows:

COUNTY OF WAYNE - STATE OF NEW YORK

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December in each odd numbered year. Appointment to fill a vacancy in the office of County Administrator shall be for the remainder of the unexpired term."

SECTION 2. - EFFECTIVE DATE

This local law shall take effect on the date it is filed in the Office of the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law of the State of New York.

Mr. Plant moved the adoption of the resolution. Seconded by Mr. Lyon. Upon roll call, all Supervisors voted Aye, except Supervisor Fabino who voted Nay. Absent – Supervisor Hammond. The Chairman declared the Resolution adopted.

RESOLUTION NO. 900-07: AUTHORIZING THE WAYNE COUNTY BOARD OF SUPERVISORS TO APPOINT A COUNTY ADMINISTRATOR

Mr. Jenkins presented the following:

WHEREAS, the Chairman of the Wayne County Board of Supervisors appointed a search committee to interview and review qualifications of applicants to fill the vacant position of County Administrator; and

WHEREAS, as a result of said review and interview process, the said search committee has recommended that the Wayne County Board of Supervisors appoint James Marquette to the position of County Administrator; now therefore, be it

RESOLVED, that the Wayne County Board of Supervisors hereby appoints James Marquette to the position of County Administrator to a term of office commencing January 9, 2008 and terminating December 31, 2009 at an annual salary of \$110,000 per annum.

Mr. Plant moved the adoption of the resolution. Seconded by Mr. LeRoy. Upon roll call, all Supervisors voted Aye, except Supervisor Fabino who voted Nay. Absent – Supervisor Hammond. The Chairman declared the Resolution adopted.

RESOLUTION NO. 901-07: AUTHORIZING SALE OF COUNTY OF WAYNE PROPERTY TO MARSHA L. AND DAVID S. PORTER

Mr. DeSanto presented the following:

WHEREAS, The County of Wayne owns a parcel of land on County Route 155 (Lumisville Road), consisting of vacant land located in the Town of Huron, Part of Tax Account #75117-00-352592; and

WHEREAS, Marsha L. and David S. Porter are purchasing adjoining property and are desirous of purchasing said property from the County of Wayne and have offered payment to the County of Wayne, in the sum of Three Hundred Fifty and 00/100 Dollars, (\$350); and

WHEREAS, the County finds and hereby declares said property to be surplus highway property; now, therefore, be it

RESOLVED, that the County hereby agrees to sell said above-mentioned property to Marsha L. and David S. Porter subject to the following terms and conditions:

1. The County shall convey the property by quit-claim deed;
2. The County will not furnish an abstract of title;
3. The Purchaser, at its own cost and expense, shall furnish an instrument survey of the property, and the deed description shall be based upon such survey;
4. It is understood and agreed that the Purchaser has inspected the property and is familiar with the location, size, and condition of the property; that the Purchaser is purchasing the property solely on its own information and investigation of the property; and that there are no express or implied representations by the County concerning the quality or the condition of the title to the property, the validity or marketability of such title, or the conditions of the property or its fitness for any use or purpose;
5. The Purchaser shall accept the property in "as in" condition;
6. Possession of the property shall be delivered to Purchaser on closing;
7. All taxes, fees, cost, and expenses in connection with the sale and transfer of the property shall be paid by the Purchaser;

8. If the County for any reason is unable to transfer title to the Purchaser, said conveyance shall be considered cancelled and neither the County nor the Purchaser shall have any rights against the other.

Mr. Jenkins moved the adoption of the resolution. Seconded by Mrs. Bender. Upon roll call, adopted.

RESOLUTION NO. 902-07: AMENDING THE 2007 COUNTY BUDGET

Mr. Colvin presented the following:

WHEREAS, the 2007 County Budget requires an amendment to more accurately reflect expenditures made based upon the retro wage payment back to January 1, 2006; now therefore be it

RESOLVED, that the County Treasurer is hereby authorized to make the following amendment to the 2007 County Budget:

A1990-CONTINGENT FUND GENERAL

\$792,738.00 from .5400 Contractual Expense

A9901-INTERFUND TRANSFERS

\$146,965.00 to .59300 Transfer-County Road

\$ 23,685.00 to .59400 Transfer-Machinery

\$622,088.00 to .59500 Transfer-Nursing Home

D5010-HIGHWAY ADMINISTRATION

\$2,764.00 to .51151 Account Clerk-Typist

\$2,893.00 to .51159 Sr. Account Clerk-Typist

\$ 433.00 to .58200 Payment to Social Security

D5020-HIGHWAY ENGINEERING

\$4,000.00 to .51254 Junior Engineer

\$3,000.00 to .51693 Sr. Engineer Tech

\$ 535.00 to .58200 Payment to Social Security

D5110-MAINTENANCE OF ROADS & BRIDGES

\$23,724.00 to .51212 M E O #2

\$23,766.00 to .51244 M E O #1

\$44,825.00 to .51268 H E O

\$10,026.00 to .51270 Working Foremen

\$ 3,845.00 to .51544 Highway Bridge Construction

\$ 8,124.00 to .58200 Payment to Social Security

D5111-ROAD STRIPING & SIGN MAINTENANCE

\$13,500.00 to .51214 Sign Maintenance Worker

\$ 4,177.00 to .51547 Sign Maintenance Foreman

\$ 1,353.00 to .58200 Payment to Social Security

D5112-ROAD CONSTRUCTION

\$55,000.00 from .43511 State Aid-Marchiselli Funds (revenue)

\$220,000.00 from .44511 Federal Aid-Marchiselli Funds (revenue)

D9999-OTHER

\$55,000.00 to .43511 State Aid-Marchiselli Funds (revenue)

\$220,000.00 to .44511 Federal Aid-Marchiselli Funds (revenue)

\$146,965.00 to .45031 Interfund Transfers (revenue)

DM5130-ROAD MACHINERY

\$11,000.00 to .51298 Automotive Mechanic

\$ 4,201.00 to .51318 Automotive Mechanic Foreman

\$ 6,800.00 to .51543 Auto Body Mechanic

\$ 1,684.00 to .58200 Payment to Social Security

DM9999-OTHER

\$23,685.00 to .45031 Interfund Transfers (revenue)

E6000-NURSING HOME COMBINED

\$578,066.00 to .51500 E6020 Nursing Assistant

\$ 44,022.00 to .58200 E6020 Payment to Social Security
\$622,088.00 to .45031 Interfund Transfers (revenue).

Mr. Fabino moved the adoption of the resolution. Seconded by Mr. Lyon. Upon roll call, adopted.

RESOLUTION NO. 903-07: AUTHORIZATION TO APPOINT LUCINDA COLLIER AND STEVE LEROY AS EMPLOYER REPRESENTATIVE ON THE WAYNE COUNTY HEALTH CARE PLAN TRUST

Mr. Hammond presented the following:

WHEREAS, the Wayne County Health Care Plan Trust requires equal representation between Employers and Employees; and

WHEREAS, the Wayne County Health Care Plan Trust will have two Employer vacancies effective January 1, 2008; now, therefore, be it

RESOLVED, that this Board of Supervisors does hereby appoint Lucinda Collier, Supervisor Town of Rose and Steve Leroy, Supervisor Town of Sodus as Employer Representative to the Wayne County Health Care Trust effective January 1, 2008.

Mr. Plant moved the adoption of the resolution. Seconded by Ms. Park. Upon roll call, adopted.

EXECUTIVE SESSION: At 9:40 a.m., Mr. Jenkins moved, seconded by Mr. DeSanto, that the Board go into Executive Session to discuss proposed litigation and a personnel issue. Upon roll call, carried.

REGULAR SESSION: Mr. LeRoy moved, seconded by Mr. Fabino that the Board resume regular session at 10:47 a.m. Carried.

Mr. Plant moved, seconded by Mr. LeRoy that five (5) additional resolutions be allowed on the floor under Other Business. Upon roll call, all Supervisors voted Aye. Absent- Supervisor Hammond. The Chairman declared the motion carried.

RESOLUTION NO. 904-07: AMENDING RULES OF ORDER

Mr. LeRoy presented the following:

RESOLVED, that the Rules of Order duly adopted by Resolution No. 2-2007 are hereby amended as follows:

RULES OF ORDER FOR 2007

RULE 1. Organizational Meeting

A. The organizational meeting of the Board shall be held on or before January 8 in each year. Written notice of the time and date of this meeting shall be mailed to all Supervisors by the Clerk at least 48 hours in advance of the meeting. The Clerk shall call the meeting to order and the first order of business shall be to conduct the election of a permanent Chairperson for the ensuing year.

B. In the absence or inability of the Chairperson to act, the designated Majority Leader shall be acting Chairperson and shall possess all powers and perform all duties of the Chairperson of the Board and shall serve without additional compensation. In the event of this occurrence, the Majority Leader shall not act in both capacities. The Majority Caucus shall designate an acting Majority Leader for so long as the Majority Leader is acting Chairperson.

The Board, under the Chairperson, shall then proceed with:

- a. The adoption of a time and date for regularly scheduled meetings.
- b. The election or appointment of the Clerk, Deputy Clerk, Budget Officer of

the Board, County Attorney, and any other elective or appointive officers required by law or desired by the Board.

- c. The adoption of the Rules of Order for the ensuing year.
- d. Other matters that the Chairperson wishes to bring before this meeting.

RULE 2. Regular Meetings:

Regular meetings of the Board shall be held on the third Tuesday of each month beginning at 9:00 a.m. or 7:00 p.m., as scheduled, unless amended by a majority of the Board of Supervisors.

RULE 3. Special Meetings:

Special meetings shall be held at the call of the Clerk upon direction of the Chairperson or upon written request signed by a majority vote of the Board. A notice in writing stating the time, place and purpose of the special meeting shall be served personally or by mail upon each member of the Board by the Clerk at least 48 hours before the date fixed for holding the meeting; however, in lieu of this the Chairperson at a regular meeting may announce the time, place and purpose of an adjourned meeting and if the majority of the Board approved it, the adjourned meeting shall be held at the appointed time and place without written notification.

RULE 4. Place of Meetings:

All Meetings shall be held in the Supervisors' Chambers, Court House, 26 Church Street, Lyons, New York, unless otherwise provided for by call.

RULE 5. Quorum:

Members present possessing more than 50% of the total voting power shall constitute a quorum for the transaction of business. If a quorum is not present within 45 minutes after the time set for a meeting, the members present shall adjourn.

RULE 6. Presence of County Attorney:

The County Attorney shall be present during all meetings unless excused by the Chairperson.

RULE 7. Temporary Chairperson:

In the absence of the Chairperson at any meeting of the Board of Supervisors, the members present and voting, by majority vote, shall select a member of the board to serve as acting Chairperson at such meetings. The acting Chairperson shall have and exercise all the powers and duties of the Chairperson at the meeting over which he is called to preside.

RULE 8. Order of Business:

The normal order of business at each session shall be as follows:

1. Call to order by Chairperson
2. Pledge of Allegiance
3. Invocation (optional)
4. Roll Call
5. Approval of minutes of previous meeting
6. Read Claims
7. Communications
8. Resolutions & Motions
9. Reports of Standing Committees
10. Reports of Special Committees
11. Unfinished Business
12. Special Order of the Day
13. Adjournment

RULE 9. Roll Call:

On roll call, the Clerk shall record by name all members present or absent; shall further record the arrival of any member listed as absent; and the departure of any member listed as present during the course of each meeting.

Any member desiring permanent departure from the meeting prior to the adjournment shall request permission to be excused from the Chairperson.

RULE 10. Approval of Minutes of Previous Meeting:

Minutes of previous meeting shall be read unless waived by the Board by a motion duly made, seconded and adopted.

RULE 11. Payment of Claims:

The Clerk shall have received by the 5th of each month all claims to be paid that month. Each claim shall be approved by the department or committee having authority for the purchase. Claims shall be listed in summary, showing each claim by number and amount and total amount for each department. Claims shall be presented to the Board at regular meeting.

The Clerk shall prepare a summary of claims by Committees and Departments and shall place a copy of such summary on the desk of each member prior to each regular meeting.

The separate items of any bill, account, claim, motion or resolution shall be read if requested by any member.

The Chairperson shall then refer the claims to the appropriate committee Chairperson and the committee shall review and approve them prior to presentation to the Board for audit and approval for payment.

After examination and review of the claims by the committee and there being no objection to any of the claims by any committee or Board member, the Chairperson of the Finance Committee or in his absence a member of that committee, shall move that the claims as audited be approved and that the Clerk shall draw orders on the County Treasurer for payment of same.

Each account or claim, or any item of such account or claim shall be voted on separately by the Board, if requested by any member.

RULE 12. Communications:

The Clerk shall read petitions, notices, departmental reports and other communications and the chair shall take the appropriate action; however, the Chairperson may permit, or, at his pleasure, request a person other than the Clerk to read a communication.

RULE 13. Resolutions and Motions:

Any member may offer a resolution or motion which shall be acted on promptly subject to these rules.

The term resolution as herein used shall mean a formal proposed action in writing. Every appropriation requiring expenditure of funds shall be by resolution. Every resolution shall contain a short title setting forth the purpose of the proposed action. All resolutions shall include the name of the author or the Chairperson of the committee offering the same and shall be filed with the Clerk no later than the Tuesday prior to the date of the meeting at which the resolutions are to be presented.

The Clerk shall refer each resolution to the Standing Committee having jurisdiction over any of the subject matter of the resolution. Referrals will be made by the Standing Committee to all Board committees which have an interest in the issue. The Standing Committee shall promptly

act on each resolution referred by the Clerk and shall submit its report or recommendation on the resolution at the next regular meeting of the Board of Supervisors following such referral. Any changes to the intent, meaning or financial features of a proposed resolution will be referred to the Chairperson of the Standing Committee by the committee meeting secretary prior to inclusion of the matter in the Board of Supervisor's agenda.

In the event a Standing Committee does not submit its report or recommendation at the next regular meeting of the Board of Supervisors, the Board may act on the resolution without further committee consideration and without committee report or recommendation.

Upon the request of any member, any amendment to a resolution shall be reduced to writing.

After presentation of any resolution, it shall be deemed to be in possession of the Board and open for debate but may be withdrawn by the maker at any time before a decision is made or an amendment is adopted. A motion or amendment may be withdrawn by the two members who offered and seconded it. The names of the members who offered and seconded the motion shall be entered in the proceedings by the Clerk.

Resolutions or referrals which are not acted upon before the end of the calendar year do not continue into the next calendar year.

RULE 14. Resolutions, Filing Deadline:

No resolution shall be offered unless it first has been filed with the Clerk of the Board by noon of the fourth working day prior to and not including the day of the session at which it is offered. Any resolution which has been filed in accordance with this rule may be offered by any member of the Board at the next scheduled Board meeting. This rule shall not apply to special meetings of the Board under Rule 3, nor to the Organizational Meeting of the subsequent year, under Rule 1. Any resolution filed with the Clerk of the Board pursuant to this section shall be listed on the agenda under the following title: Rule 14. Resolutions.

RULE 15. All Committees:

Standing or special committees, shall as promptly as possible report to the Board upon such resolutions, communications or other matters as may be referred to them.

RULE 16. Unfinished Business:

All reports, resolutions and other matters laid on the table may be called there from under "Unfinished Business" in the regular order of business. However, no report, resolution or other matter laid on the table indefinitely shall be called from the table except on three days notice from the Clerk or by unanimous consent. All questions laid over by rule, or by request of any member for one day shall be considered in order on the succeeding day, or at the next session, under the heading of "Unfinished Business".

A list of unfinished business and special orders to be acted upon by the Board shall be kept by the Clerk and listed in the agenda.

RULE 17. Agenda:

The Clerk shall prepare a statement of the order of business for each meeting of the Board which shall also contain the title and author of each resolution to be presented together with the number to be assigned thereto. The order of business shall be mailed to each Supervisor no later than five (5) calendar days prior to the date of the meeting. Any resolution not set forth in the order of business shall be tabled by the Chairperson until the next meeting of the Board, unless upon motion regularly made, the members present by two-thirds vote authorize the consideration of such resolution.

RULE 18. Amendments:

These rules of order shall be amended only by a two thirds vote of the Board and only after ten days notice, which notice shall be in writing and be filed with the Clerk and shall specify the particulars of such proposed amendments. Notice shall be given to members of the Board by the Clerk as directed by Committee No. 1.

RULE 19. Suspension of Rules:

Any rule may be suspended by the unanimous consent of the members present, but the suspension of such rule shall apply only to those matters which shall be before the Board at the time of such suspension.

RULE 20. Addressing the Board:

Before speaking, a member shall request recognition by the Chairperson. Upon being recognized, the member shall rise and address the chair.

RULE 21. Call to Order:

A member called to order shall immediately sit down unless permitted to explain. If an appeal be taken from the decision of the chair, the Board shall decide the case without debate and the question shall be stated by the chair to be "Shall the decision of the chair stand as the judgment of the Board?"

RULE 22. Voting Requirement:

Every member present when a motion is stated from the chair shall vote thereon, unless excused by the Chairperson, or unless he is directly interested in the motion, in which case, if he chooses, he may be excused from voting. Every member requested to be excused from voting may make a brief and verbal statement of the reason for his request. The Chairperson in all cases has the right to vote and when the vote is equally divided, including his vote, the question shall be lost.

RULE 23. Tabling a Motion:

A motion or a motion for adopting a resolution may be placed on the table by a majority vote and a majority vote will be necessary to take it off the table.

RULE 24. Holding a Motion:

After a motion is stated and it is in possession of the Board before the discussion or amendment, it may be held until the next meeting day if requested by any member of the Board provided such request is made on his first recognition by the Chairperson, but only one such request shall be granted on only one motion. "However, the Board may elect to proceed on such matter with two-thirds vote of the Board."

RULE 25. Decorum:

While a member is speaking, no member shall entertain any private discourse, or pass between him and the chair.

RULE 26. The Question:

When the Chairperson is putting a question, no member shall walk about or out of the room.

RULE 27. Required Ayes and Nays:

Taking into consideration Rule 34, hereafter, at the Chairperson's discretion with the Boards' consent, the ayes and nays shall be taken by vote on any resolution appropriating money, levying taxes, confirming reports of committees and making appointments and fixing salaries and upon any other motion or resolution when demanded by any member of the Board.

RULE 28. The Order of Rules:

When a question is under debate, no motion shall be entertained unless for adjournment of the Board, for the previous question, to place on table indefinitely, to place on table for a certain day, to hold, to amend it. These several motions shall have precedence in the order in which they are here stated and shall not be subject to debate.

RULE 29. Several Propositions:

If the question in debate contains several distinct propositions, the same may be divided by the Chairperson at the request of any member to the end that a vote may be taken on each proposition.

RULE 30. Speakers:

Persons not members of the Board, may by consent of the Chairperson, be permitted to speak in regards to matters pending before the Board.

RULE 31. Weighted Voting:

Until such time as the apportionment of the voting power of members of the Board is revised, it is as follows:

	Majority	2/3
Arcadia	630	706
Butler	105	101
Galen	206	200
Huron	98	97
Lyons	265	280
Macedon	393	395
Marion	228	213
Ontario	439	420
Palmyra	351	323
Rose	114	105
Savannah	86	90
Sodus	403	400
Walworth	381	387
Williamson	310	301
Wolcott	<u>216</u>	<u>207</u>
Total	4225	4225

Whenever in these rules of order there is reference to a majority vote or a two-thirds vote of the Board, it means a majority of the voting power of the members of the Board or two-thirds of the voting power of the Board. A total of 2113 affirmative votes shall be required for the adoption of any resolution, local law, motion or proposal requiring a simple majority vote. A total of 2817 affirmative votes shall be required for the adoption of any resolution, local law, motion or proposal requiring a two-thirds majority vote.

RULE 32. Committee Vote and Records:

Because committee reports and recommendations are not binding, Standing Committees shall not use a weighted vote in committee recommendations, however, any member of the Board in compliance with Rule 14 may offer a motion or resolution regarding any matter referred to Committee with or without the benefit of the Committee's report or recommendation. The Standing Committee shall report to the full Board the names of members in favor of or opposed to any measure which is not unanimous. If there is dissent in committee, a member of the dissenting group may present a report of the minority to the Board. Each committee shall take attendance and keep summary minutes of business transacted, said minutes to be turned over to the Clerk for record.

RULE 33. Order of Voting:

The Clerk shall maintain a record of order of voting by roll call and the first call for a vote on motions and resolutions shall be rotated in alphabetical order by towns.

RULE 34. Short Roll Call:

In conjunction with Rule 27, the Chairperson may ask for a short roll call on a matter having no controversy or debate, and hearing no objection, the Clerk may ask for the vote of the Supervisors from Arcadia and Wolcott, or first and last towns alphabetically present at meeting, and if their vote is in agreement the vote will be recorded as unanimous. If there is disagreement, there shall be a full roll call.

RULE 35. Standing Committees:

The Chairperson shall appoint the Standing Committees within ten days from the date of organization in January and file a list of the same with the Clerk. The Chairperson may make temporary appointments to fill vacancies on any committee caused by the resignation or death of a member. In case of the absence of the Chairperson of any committee at any meeting, the second named member on the committee list shall act as temporary Chairperson.

The committee shall hold meetings with department heads shall recommend purchases and audit all claims and be generally responsible to the Board for the orderly operation of the affairs under the committee. The committee not only has the power of making recommendations to the Board but shall make recommendations on all committee matters.

Any direct costs incurred by a member in performing the duties of a committee and mileage expenses to and from meetings shall be reimbursed to him/her by the county.

No. 1

5 Members

FINANCE COMMITTEE

- a. County Treasurer
 - tax advertising
 - contingency fund
 - projects
 - community college
 - liability and causality reserve fund
 - uncollected insurance
 - judgment and claims
 - expenses on acquired property
 - hospital and medical insurance
 - inter-fund transfers
 - serial bond
 - library
 - Medical Scholarship
 - Educational TV
- b. Information Technology
- c. Real Property Tax

No. 2

5 Members

PUBLIC SAFETY COMMITTEE

- a. Sheriff
- b. E-911
 - ALS
- c. Probation
- d. District Attorney
 - animal abuse investigations
 - grant jury
 - crime victims' board

- e. Public Defender
- f. Legal Defense of Indigents
- g. Emergency Management Services
- h. Mutual Aid
- i. Stop DWI
- j. Coroner
- k. Pre-Trial Services
- l. Justice and Constables

No. 3 5 Members

PUBLIC WORKS COMMITTEE

- a. Highway
 - machinery
- b. Central Garage
- c. Buildings and Grounds
- d. Consumer Affairs
- e. Soil and Water Conservation

No. 4 5 Members

ECONOMIC DEVELOPMENT AND PLANNING COMMITTEE

- a. Economic Development
 - industrial development site
- b. Planning
 - solid waste
 - joint municipal projects
 - agricultural districts
- c. Tourism
 - publicity
- d. Bus Operations
- e. Cooperative Extension
- f. Palmyra Union Ag. Society
- g. Fish and Game

No. 5 5 Members

GOVERNMENT OPERATIONS COMMITTEE

- a. Legislative Board
 - rules of order
 - inter-municipal
 - re-appointments
 - County Administrator
- b. Clerk of the Board
 - mailing
 - Court House copier
 - Un-distributed postage
 - County officer dues
- c. County Clerk
- d. County Attorney
- e. Board of Elections
- f. Personnel Department
 - civil services
 - salaries and benefits
 - workers' compensation

human resources
employee relations
union negotiations
staff development
education and training
employee safety
handicapped access
affirmative action
new position re-classification
cafeteria plan

- g. Print Shop
- h. Historian

No. 6

5 Members

HEALTH AND MEDICAL SERVICES COMMITTEE

- a. Nursing Home
- b. Public Health
- c. Mental Health

No. 7

5 Members

HUMAN SERVICES COMMITTEE

- a. Social Services
- b. Aging and Youth
- c. Workforce Development
- d. Veterans' Services
- e. Wayne County Action Program

RULE 36. Special Committees:

Special Committees may be authorized at any legal meeting of the Board. They shall, unless otherwise ordered or directed by a majority of the Board, be appointed by the Chairperson. The period of time that a special committee shall serve shall be designated when it is created. Any person appointed to a special committee shall be notified in writing of such appointment by the Clerk.

RULE 37. Committee Meetings:

No Committee shall meet without the Committee Chairperson notifying the members of the committee and a majority of the members must be present to act. A meeting of the committee may be called by a majority of the committee.

RULE 38. Equalization Report:

All the reports of the Equalization Committee shall lie over one day before being acted upon if requested by any member.

RULE 39. Executive Session:

On motion of any member, duly seconded and carried by a majority vote, the Board shall go into executive session, presided over by the Chairperson of the Board, during which time any matters permitted under the New York State Open Meetings Law may be discussed and debated, but no action may be taken thereon by motion or resolution, except on a motion to terminate the executive session. Only members of the Board shall participate in the executive session and such other persons may be called into the session as may be necessary.

RULE 40. Minutes

The minutes of the Board shall be printed monthly and delivered by the Clerk of the Board on or before the regular meeting of the Board for the next succeeding month.

RULE 41. Absence of Members:

Upon request of a majority vote of members, the Chairperson shall summon each and all absent members of the Board to appear forthwith and the question under consideration shall be postponed until the appearance of such member or members or the filing with the Board of evidence of the physical inability of such members to be present.

RULE 42. Parliamentary Law:

All questions not covered by the rules shall be decided according to the generally prevailing rules of parliamentary law and Roberts Rules of Order.

RULE 43. Adopted Rules:

Said adopted rules shall control until permanent Chairperson seated and new rules of order are adopted."

Mr. Plant moved the adoption of the resolution. Seconded by Ms. Park. Upon roll call, all Supervisors voted Aye. Absent - Supervisor Hammond. The Chairman declared the resolution adopted.

Supervisor Colvin addressed the Board regarding Rule 20. Addressing the Board of the current Rules of Order that are in place. He respectfully requested members of the Board, as well as, citizens attending today's board meeting to show consideration for the Rule in place. Rule 20 is as follows:

RULE 20. Addressing the Board:

Before speaking, a member shall request recognition by the Chairperson. Upon being recognized, the member shall rise and address the chair.

Chairman Hoffman thanked Mr. Colvin for attention to this matter.

RESOLUTION NO. 905-07: ADOPTING 2008 SALARY SCHEDULE FOR COUNTY OFFICERS AND DEPARTMENT HEADS

Mr. Jenkins presented the following:

RESOLVED, that the Board of Supervisors hereby adopts the following schedule for County Officers and Department Heads for the year 2008 effective January 1, 2008:

<u>NAME</u>	<u>TITLE</u>	
Richard Piscioti	County Sheriff	\$83,988
Thomas Warnick	County Treasurer	\$66,592
Michael Jankowski	County Clerk	\$68,232
Jack Bailey	Election Commissioner	\$10,490
Richard Clark	Election Commissioner	\$10,490
David Hannan	County Coroner	\$36,197
James Marquette	County Administrator	\$110,000
Daniel Wyner	County Attorney	\$87,520
Ronald Valentine	Public Defender	\$82,258
Richard Bond	Fire Coordinator (PT)	\$26,386
Sharon Lilla	Director of Planning	\$60,892
Shirley Bement	Director of RPTS	\$58,000
	Personnel Officer	\$66,607
James Brady	Superintendent of Highways	\$72,341
Paul Voit	Director of Information Technology	\$81,630
Henry Krasucki	STOP-DWI Coordinator (PT)	\$20,076
James Haitz	Director of Mental Health	\$85,000
M. Josh McCrossen	Commissioner of Social Services	\$79,093
Linda Michielson	Director of Public Health	\$72,341

2008

Robert Manning	Director of Weights & Measures	\$45,906
Kathleen Templar	Employment & Training Director	\$44,290
Peter Evans	County Historian	\$29,400
George Bastedo	Director of Emergency Management	\$49,955
James Lee	E-911 Coordinator	\$61,770
Penny Shockley	Director of Aging & Youth	\$56,756
Richard Stevens	Director of Probation	\$70,439
David Sloane	Superintendent of Buildings & Grounds	\$66,160
Margaret Haroff	Nursing Home Administrator	\$71,364
Christine Worth	Director of Tourism & Promotion	\$49,673
Jamie Young	Director of Veteran Service (PT)	\$16,627

Mr. Plant moved the adoption of the resolution. Seconded by Mr. DeSanto. Upon roll call, All Supervisors voted Aye, except Supervisors Fabino and Colvin who voted Nay. Absent – Supervisor Hammond. The Chairman declared the Resolution adopted.

RESOLUTION NO. 906-07: ADOPTING 2008 SALARY SCHEDULE FOR COUNTY MANAGERIAL EMPLOYEES NOT SUBJECT TO COLLECTIVE BARGAINING AGREEMENTS

Mr. Jenkins presented the following:

RESOLVED, that the Board of Supervisors hereby adopts the following schedule for County Managerial Employees not subject to collective bargaining agreements effective January 1, 2008:

NAME	TITLE	2008
Keith Kubasik	Fiscal Manager	\$88,000
Sandra Sloane	Clerk to the Board	\$39,393
Richard Wunder	Assistant District Attorney (PT)	\$48,777
Christopher Bokelman	Assistant District Attorney (FT)	\$54,636
David Shaw	Assistant District Attorney (FT)	\$72,475
Jacqueline McCormick	Assistant District Attorney (FT)	\$56,862
John Barret	Assistant District Attorney (PT)	\$44,428
Bruce Rosenkrans	Assistant District Attorney (PT)	\$21,000
Cynthia Kukuvka	Assistant District Attorney (PT)	\$28,790
Michael Calarco	Assistant District Attorney (PT)	\$28,790
James Reid	Assistant District Attorney (PT)	\$28,790
Elizabeth Sammons	Assistant District Attorney (PT)	\$26,651
Deborah Coons	Victim/Witness Coordinator (PT)	\$34,505
James Kernan	Assistant Public Defender (FT)	\$68,045
Andrew Correia	Assistant Public Defender (FT)	\$56,862
Gregory Power	Assistant Public Defender (PT)	\$41,766
Robert Zimmerman	Assistant Public Defender (PT)	\$37,536
Lawrence Mooney	Assistant Public Defender (PT)	\$28,790
William Hendricks	Assistant Public Defender (PT)	\$28,790
John Grow	Assistant Public Defender (PT)	\$28,790
Mark Krause	Assistant Public Defender (PT)	\$28,790
Jody Bornheimer	Deputy County Treasurer	\$52,000
Holly Sutherland	Second Deputy County Treasurer	\$39,337
Eileen Bennett	Deputy County Clerk	\$41,372
Karen Stewart	Second Deputy County Clerk	\$34,348
Daniel Connors	Assistant County Attorney	\$67,791
Jennifer Mortier	Personnel Assistant	\$48,222
	Personnel Assistant Temporary	\$45,320
Kelley Borrelli	Deputy Election Commissioner	\$38,497
Joyce Krebbeks	Deputy Election Commissioner	\$38,497

Sally Smith	Administrative Assistant	\$51,463
Morton Adams	Medical Director (PHCP)	\$12,009
William Liddle	EMS Coordinator (PT)	\$18,907
Kevin Elphick	Dpty Director Mental Health	\$53,426
Stacey Welch	Supervising Social Worker	\$47,740
Patricia McKinny	Program Supervisor	\$53,958
Deborah Ball	Program Supervisor	\$48,244
Martha Lynch	Program Supervisor	\$48,244
James Reynolds	Supervising Psychologist	\$70,627
Royle Miralles	Staff Psychiatrist	\$173,857
Edward Hunt	Compliance Officer (MH)	\$51,397
Lauren Morgan	Psychiatric Nurse Practitioner	\$69,900
Gary Bennett	Social Services Attorney	\$81,361
Cecily Molak	Assistant Social Services Attorney	\$51,500
Kathleen Pohl	Assistant Social Services Attorney	\$54,590
Philip Gerhart	Director of Social Services	\$66,371
Neil Washburn	Director of Administrative Services	\$59,847
Carol Kastrup	Staff Development Coordinator	\$49,114
Mary Lee Lippert	Head Social Welfare Examiner	\$51,535
Dennis Watrous	Information System Tech/Coordinator	\$43,587
Martin Williams	Deputy Director, Aging	\$41,994
Kathy McGonigal	Deputy Director, Youth	\$41,994
Kevin Rooney	Assistant Highway Superintendent	\$72,100
Michael Thoms	General Highway Foreman	\$52,997
Barbara Keefe	Comptroller	\$50,465
	Director of Nursing	
Cheryl Acome	Assistant Director of Nursing	\$56,618
Gerda Despaw	Director of Housekeeping	\$40,148
Kathryn Barclay	Training Coordinator	\$51,216
Ora Rothfuss	Agricultural Development Specialist	\$47,309
Doyle Denosky	Undersheriff	\$64,424
Richard House	Chief Deputy	\$62,285
Barry Virts	Chief Deputy	\$62,285
Rena Reed	Nurse Practitioner	\$46,582
Dong Gi Hong	Physician	\$1,000
Deborah George	Deputy Director of Information Tech	\$68,842
Joseph Faircloth	E911 Tech Coordinator	\$51,984
Robert Howard	Animal Control Officer	\$ 4,120
Gary Rose	Animal Control Officer	\$ 4,120
Mark Plyter	Animal Control Officer	\$ 4,120

Mr. Plant moved the adoption of the resolution. Seconded by Mr. Lyon. Upon roll call, all Supervisors voted Aye, except Supervisor Fabino who voted Nay. Absent – Supervisor Hammond. The Chairman declared the resolution adopted.

RESOLUTION NO. 907-07: ADOPTING 2008 SALARY SCHEDULE FOR COUNTY MANAGERIAL SUPPORT STAFF NOT SUBJECT TO COLLECTIVE BARGAINING AGREEMENTS

Mr. Jenkins presented the following:

RESOLVED, that the Board of Supervisors hereby adopts the following schedule for County Managerial Support Staff not subject to collective bargaining agreements for the year 2008 effective January 1, 2008:

<u>NAME</u>	<u>TITLE</u>	<u>2008</u>
Darcy Koller	Secretary, STOP-DWI Program	\$23,909

Peter Pallini	Election Clerk	\$27,489
Kristin Wagner	Election Clerk	\$27,489
Kathy Groat	Secretary, Public Defender	\$31,988
Christine Kalinski	Sr. Personnel Clerk	\$36,012
Kaye McCormack	Personnel Clerk (PT)	\$17.64/hr.
Christina Savage	Personnel Clerk (PT)	\$17.64/hr.
Michael Iocco	Personnel Clerk (PT)	\$17.64/hr.
Sandra DeVolder	Secretary, District Attorney	\$35,092
Elaine Storto	Secretary, District Attorney	\$31,223
Gloria Wales	Secretary, County Attorney	\$29,870
	Secretary, County Attorney	\$29,000
Sheryl Nesbitt	Stenographic Secretary, DSS	\$34,686
Giovanna Fasano	Secretary, Nursing Home	\$32,384
Kathleen Cahoon	Secretary, Sheriff's Department	\$35,692
Debbie Liseno	Secretary, Board of Supervisors	\$37,193
Christina Wood	Secretary, County Treasurer	\$29,449
Teresa Loveless	Account Clerk	\$23,909
Court Attendants	(PT) Sheriff's Department	\$10.42/hr.
Court Security Officer	(PT) Sheriff's Department	\$12.48/hr.
Work Program Supervisor	Sheriff's Department	\$13.61/hr.
Deputy Sheriff (PT)		\$14.18/hr.
Correction Officer (PT)		\$13.69/hr.
Receptionist (Subs)		\$10.83/hr.

Mr. Plant moved the adoption of the resolution. Seconded by Mrs. Collier. Upon roll call, all Supervisors voted Aye, except Supervisor Fabino who voted Nay. The Chairman declared the resolution adopted.

RESOLUTION NO. 908-07: SETTING DATE FOR PUBLIC HEARING ON LOCAL LAW PROVIDING FOR CHANGES IN SALARIES OF CERTAIN COUNTY OFFICERS DURING THEIR TERM OF OFFICE (2008)

Mr. Jenkins presented the following:

RESOLVED, pursuant to Section 20 of the Municipal Home Rule Law that the Board of Supervisors shall hold a public hearing on Tuesday, January 15, 2008 at 9:30 a.m. in the Supervisors' Chambers in the County Court House, Lyons, New York, on the following proposed local law:

A Local Law providing for changes in the salaries of certain County officers during their term of office.

BE IT ENACTED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF WAYNE, as follows:

SECTION 1. The annual salary of the County Treasurer shall be \$66,592 effective January 1, 2008.

SECTION 2. The annual salary of the County Clerk shall be \$68,232 effective January 1, 2008.

SECTION 3. The annual salary of the County Coroner shall be \$36,197 effective January 1, 2008.

SECTION 4. The annual salary of the Commissioner of Social Services shall be \$79,093 effective January 1, 2008.

SECTION 5. The annual salary of the County Administrator shall be \$110,000 effective January 1, 2008.

SECTION 6. The annual salary of the County Attorney shall be \$87,520 effective January 1, 2008.

SECTION 7. The annual salary of the Public Defender shall be \$82,258 effective January 1, 2008.

SECTION 8. The annual salary of the Fire Coordinator shall be \$26,386 effective January 1, 2008.

SECTION 9. The annual salary of the Director of Real Property Tax Service shall be \$58,000 effective January 1, 2008.

SECTION 10. The annual salary of the Personnel Officer shall be \$66,607 effective January 1, 2008.

SECTION 11. The annual salary of the Superintendent of Highways shall be \$72,341 effective January 1, 2008.

SECTION 12. The annual salary of the Sheriff shall be \$83,988 effective January 1, 2008.

SECTION 13. An incumbent holding a position subject to the provisions of Sections 1 through 12 of this local law at the time during the period from the effective date of the salary increase for such position until the time when basic annual salaries are first paid pursuant to this local law for such services in excess of the compensation actually received therefore, shall be entitled to a lump sum payment for the difference between the salary to which such incumbent was entitled for such service and the compensation actually received therefore. Such lump-sum payment shall be made as soon as practicable after this local law becomes effective.

SECTION 14. If any clause, sentence, paragraph, part or provision of this local law shall for any reason be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its effect and operation to the clause, sentence, paragraph, part or provision thereof directly involved in the controversy in which such judgment is rendered.

SECTION 15. This local law is adopted subject to a permissive referendum, and the Clerk of the Board of Supervisors shall give public notice thereof, in the manner provided by law.

SECTION 16. This local law shall take effect on the date it is filed in the Office of the Secretary of State as provided in Section 27 of the Municipal Home Rule Law of the State of New York and shall be deemed to have been in full force and effect from and after January 1, 2008.

Mr. Lyon moved the adoption of the resolution. Seconded by Mr. Plant. Upon roll call, adopted.

ADJOURNMENT:

Chairman Hoffman addressed the Board and commented on the successes of this Board in 2007 which included the second year in decreasing the County tax rate; hiring a County Administrator; establishing a new committee system and attracting two major retailers to Wayne County.

The Chairman thanked the Board, Department Heads, the County Workforce and Keith Kubasik for all the good will and hard work which made this year's accomplishments possible.

Chairman Hoffman asked Supervisor Colvin if there was any other business that he would like to add to the proceedings for this Board.

Mr. Colvin thanked the Chairman and the Board and responded by saying that he moved that this meeting be adjourned.

The 2008 Organizational Meeting of the Wayne County Board of Supervisors is scheduled for Wednesday, January 2, 2008 at 9:00 a.m.

Chairman Hoffman adjourned Sine Die on Friday, December 21, 2007 at 11:17 a.m.

Sandra J. Sloane, Clerk, Wayne County Board of Supervisors

12/06/05