

PROCEEDINGS  
OF THE  
BOARD OF  
SUPERVISORS

WYOMING COUNTY  
NEW YORK

1993

## **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 1993.

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: Anne Humphrey, Irene Glaus, Howard Payne (Chairman), Madonna Barber, Leslie Huber. Second row: William Faulkner, C. Arnold Cox, August Petri, Michelle Millen (Board Clerk), Robert Bowles, Kenneth Lowe. Third row: Larry Nugent, Thom Moran, E. Dwight Gillette, Ron Herman, Bernard Erhart, Eric Dadd (County Attorney). Not Pictured: Roy Haller*

## Contents

1993 Supervisors for Wyoming County.....	iv
1993 Board of Supervisors Standing Committees.....	v
Officers for Wyoming County.....	vi
January 5, Annual Organizational Meeting.....	1
January 12, Regular Session.....	5
February 09, Regular Session.....	20
March 10, Regular Session.....	46
April 13, Regular Session.....	66
May 11, Regular Session.....	81
May 25, Regular Session.....	99
June 08, Regular Session.....	104
July 13, Regular Session.....	116
July 26, Special Session.....	145
August 10, Regular Session.....	150
September 16, Regular Session.....	163
October 12, Regular Session.....	184
November 09, Regular Session.....	200
December 28, Special Session.....	218
Index.....	242

# 1993 Supervisors for Wyoming County

<u>TOWN</u>	<u>SUPERVISOR</u>	<u>PHONE</u>
Arcade	HOWARD PAYNE 271 Park St., Arcade, NY 14009	492-3772 Ofc. 492-4685
Attica	AUGUST PETRI 1278 Gulf Rd., Attica, NY 14011	591-0358
Bennington	LESLIE HUBER 1700 Hoover Rd., Attica NY 14011	591-1175
Castile	ROBERT BOWLES 75 N Main St. Castile, NY 14427	493-5113
Covington	KENNETH C. LOWE 7653 Big Tree Rd., Pavilion, NY 14525	584-3888
Eagle	MADONNA BARBER 6548 ½ Pearl St., Bliss, NY 14024	322-9008
Gainesville	BERNARD ERHART 35 King St., Silver Springs, NY, 14550	493-2407
Genesee Falls	LAWRENCE NUGENT 6635 Church St., Portageville, NY	786-2403
Java	THOMAS R. MORAN 1614 Main St. Java Center, NY 14082	457-9784
Middlebury	C. ARNOLD COX 481 Alwardt Rd., Wyoming NY 14591	495-6515
Orangeville	ROY HALLER, Jr 3065 Rt. 20A, Varysburg, NY	535-7090
Perry	ROSS W. ROBERTS 1 Prospect St., Perry, NY 14530	237-5218 Ofc. 237-2241
	ANNE HUMPHREY 50 St. Helena St., Perry, NY 14530	237-3015 Ofc. 237-2241
Pike	E. DWIGHT GILLETTE P.O. Box 244, Pike, NY, 14427	493-2374

Sheldon	IRENE GLAUS Cardinal Gill, Varysburg, NY 14167	535-7435 Ofc. 535-7644
Warsaw	WILLIAM FAULKNER 23 N. Maple St., Warsaw, NY 14569	786-2908 Ofc. 786-2800
Wethersfield	RONALD HERMAN, SR. 4344 Hermitage Rd., Warsaw, NY 14569	786-2706

# Wyoming County Board of Supervisors

## 1993 Standing Committees

Effective January 5, 1993

### **FINANCE COMMITTEE:**

Moran, Glaus, Lowe, Erhart, Faulkner, Bowles

### **COUNTY OPERATIONS COMMITTEE:**

Herman, Haller, Roberts, Huber, Petri, Moran

### **PUBLIC SAFETY COMMITTEE:**

Lowe, Erhart, Haller, Barber, Huber, Herman

### **HUMAN SERVICES COMMITTEE**

Bowles, Faulkner, Barber, Gillette, Nugent, Cox

### **PUBLIC WORKS COMMITTEE**

Petri, Gillette, Lowe, Bowles, Herman

### **PLANNING COMMITTEE**

Roberts, Nugent, Cox, Glaus, Moran

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

# Officers for Wyoming County - 1993

Congressmen, 27 <sup>th</sup> District	Bill Paxon	Akron
Senator, 59 <sup>th</sup> District	Dale M. Volker	Depew
Assemblyman, 147 <sup>th</sup> District	Thomas M. Reynolds	Williamsville
Republican Comm. Chairman	Charlotte Smallwood-Cook	Castile
Democrat Comm. Chairman	Bernard Erhart	Silver Springs
County Judge	Mark H. Dadd	Attica
County Judge	Michael F. Griffith	Warsaw
Board of Supervisors, Chairman	Howard Payne	Arcade
Board of Supervisors, Clerk	Michelle Millen	Gainesville
Civil Service Personnel Officer	Sally Wing	Pike
Commissioner of Jurors	Jean Krotz	Warsaw
Coroners	Ralph F. Landhal	Arcade
	Michael Smith	Wyoming
	Douglas Cronk	Arcade
	Renee Hill	Attica
County Attorney	Eric T. Dadd	Attica
County Clerk	Jean Krotz	Warsaw
	Mary Ann Rase	Warsaw
District Attorney	Gerald L. Stout	Warsaw
Dog Control Officer	Harry S. Walton	Gainesville
Economic Development & Planning	Richard L. Tindell	Warsaw
Election Commissioners	Herbert A. Toal	Pavilion
	Harry L. Brown, Dem.	Perry
Fire & Building Codes		
Enforcement Officer	William P. Miller	Silver Springs
Building Inspector	William P. Miller	Silver Springs
Public Health Director	Audrey Parmele	Warsaw
Highway Superintendent	Gary R. Weidman	Castile
Historian	John G. Wilson	Covington
Hospital Administrator	Paul J. Candino	E. Amherst
Office for the Aging Director	Martin D. Mucher	Warsaw

Planning Board Chairman	Charles Knier	Sheldon
Probation Director	Anne Herod	Varysburg
Public Defender	Norman P. Effman	Warsaw
Real Property Tax Serv. Director	James S. Wheeler	Attica
Records Management Officer	Jean Krotz	Warsaw
Sheriff	Allen Capwell	Dale
Social Services Commissioner	Philip Murray	Orchard Park
Traffic Safety Secretary	Joseph Heller, Jr.	Attica
Treasurer	John B. Edwards	Attica
Veterans' Services Director	Gardner V. Comstock	Warsaw
Weights & Measures Director	Charles A. Daniel	Strykersville
Worker's Comp./Health Ins. Adm.	Ray Luce	Varysburg
Youth Bureau Director	Patricia Woodburn	Perry



## ANNUAL ORGANIZATION MEETING

**Tuesday January 5, 1993 2:00 PM**

The Annual Organization Meeting of the Wyoming County Board of Supervisors was held in the Court House, Warsaw, New York, with all members present except the Town of Eagle. Michelle J. Millen, Clerk of the Board, called the meeting to order and led the Pledge of Allegiance to the Flag.

The sixteen towns of the County will be represented in 1993 as follows:  
Arcade - Howard W. Payne; Attica - August C. Petri; Bennington - Leslie  
Huber; Castile - Robert L. Bowles; Covington - Kenneth C. Lowe; Eagle -  
Vacant; Gainesville - Bernard Erhart; Genesee Falls - Lawrence Nugent; Java -  
Thomas R. Moran; Middlebury - C. Arnold Cox; Orangeville - Roy Haller, Jr.;  
Perry - Ross W. Roberts; Pike - E. Dwight Gillette; Sheldon - Irene M. Glaus;  
Warsaw - William B. Faulkner, Jr.; Wethersfield - Ronald P. Herman, Sr.

Mrs. Millen called for nominations for Temporary Chairman. Supervisor Moran nominated Supervisor Roberts, seconded by Supervisor Gillette. Supervisor Petri moved that the nominations be closed, seconded by Supervisor Erhart. A roll call vote was taken with the results as follows: Ayes - 1569 Noes - 0 Absent - 49, Eagle. Supervisor Roberts was declared the Temporary Chairman.

Temporary Chairman Roberts called for nomination for Permanent Chairman of the Board. Supervisor Petri nominated Supervisor Payne; seconded by Supervisor Roberts. Supervisor Glaus moved that the nominations be closed, seconded by Supervisor Bowles. A roll call vote was taken with the results as follows: Ayes - 1569 Noes - 0 Absent - 49, Eagle Supervisor Payne was declared Chairman of the Board for 1992. The oath of office was administered by Judge Mark Dadd. Chairman Payne thanked the Board for re-electing him.

Chairman Payne called for nominations for Vice-Chairman of the Board. Supervisor Lowe nominated Supervisor Moran, seconded by Supervisor Faulkner. Supervisor Erhart moved that the nominations be closed, seconded by Supervisor Haller. A roll call vote was taken with the results as follows: Carried: Ayes - 1569 Noes - 0 Absent - 49, Eagle. Supervisor Moran was declared Vice-Chairman; the oath of office was administered by Judge Dadd.

Chairman Payne called for nominations for Clerk of the Board. Supervisor Bowles nominated Michelle J. Millen; seconded by Supervisor Cox. Supervisor Erhart moved that the nominations be closed, seconded by Supervisor Nugent. A roll call vote was taken with the results as follows:

January 5, 1993

**Proceedings of the Board of Supervisors**

Carried: Ayes - 1569 Noes - 0 Absent - 49, Eagle. Judge Dadd administered the oath of office to Mrs. Millen.

Chairman Payne asked that the committees continue to serve and function as they have in the past year until new committee appointments are made.

Chairman Payne declared a recess; business resumed.

#1

**Resolution No. 93 - 1  
(January 5, 1993)**

By Mr. Herman, Chairman of the Rules Committee:

**TEMPORARY RULES OF PROCEDURE ADOPTED**

BE IT RESOLVED, That this Board of Supervisors adopt as its temporary Rules of Procedure, the Rules of this Board as adopted April 14, 1992.

Carried: Ayes - 1569 Noes - 0 Absent - 49, Eagle

#2

**Resolution No. 93 - 2  
(January 5, 1993)**

By Mr. Erhart, Chairman of the Auditing Committee:

**OFFICIAL NEWSPAPERS DESIGNATED**

BE IT RESOLVED, That, pursuant to Section 214 (2) of the county law of this State, the Perry Herald, Perry, NY, and the Western New York/Wyoming County Times, Warsaw, 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: Ayes - 1569 Noes - 0 Absent - 49, Eagle

REPUBLICAN DESIGNATION TO PUBLISH  
Organizational Meeting

## Proceedings of the Board of Supervisors

3

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 1993:

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

Signed this fifth day of January 1993.

s/Thomas R. Moran  
s/C. Arnold Cox  
s/E. Dwight Gillette  
s/Ronald P. Herman, Sr.  
s/Ross Roberts  
s/William B. Faulkner  
s/Howard W. Payne  
s/Kenneth Lowe  
s/Roy H. Haller, Jr.  
s/Robert L. Bowles  
s/August C. Petri  
s/Lawrence Nugent

## 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 1993:

<u>Designation</u>	<u>Publication</u>	<u>Village of</u>
Election notices	Western New Yorker/ Wyoming County Times	Warsaw, NY

January 5, 1993

**Proceedings of the Board of Supervisors**

Sheriff's Proclamations      Western New Yorker/      Warsaw, NY  
Wyoming County Times

Local laws, notices and other      Western New Yorker/      Warsaw, NY  
matters required by law to be      Wyoming County Times  
published and for which NO  
OTHER specific designation has  
been made.

Official canvass      Western New Yorker/      Warsaw, NY  
Wyoming County Times

Constitutional amendments      Western New Yorker/      Warsaw, NY  
and concurrent resolutions      Wyoming County Times  
(including tax sales and  
redemptions)

Signed this fifth day of January 1993.

s/Bernard Erhart  
s/Leslie Huber  
s/Irene M. Glaus

Mr. Herman, Chairman of the Rules Committee, asked that any Board members who would like to make any suggestions for the Rules of Procedure, to please bring them before the Rules Committee prior to February 28, 1993.

Chairman Payne thanked the Board for re-electing him for another term.

Mr. Erhart moved to adjourn. Carried. Adjourned.

\*\*\*\*\*

**REGULAR SESSION**

**Tuesday**

**January 12, 1993**

**2:00 PM**

The Regular Session of the Wyoming County Board of Supervisors was held in the Court House, Warsaw, New York, with all members present. Chairman Payne called the meeting to order and led the Pledge of Allegiance to the Flag.

Chairman Payne requested that Supervisors Lowe and Erhart escort Mrs. Madonna Barber, new Supervisor from the Town of Eagle, to her seat.

Communications were read and filed with the Clerk of the Board.

C-1. A letter of resignation, effective immediately, from Joann Almeter, Board of Managers, was read.

C-2. A notice of the joint NYSAC/NYSSCLA conference to be held in Albany, NY, March 7 - 9, 1993, was read.

C-3. A notice of the NYS Supervisors and Legislators Regional Workshop to be held January 21, 1993, at the Livingston County Government Center, was read.

**# 1**

**RESOLUTION NO. 93 - 3**  
**(January 12, 1993)**

By Mr. Moran, Temporary Chairman of the Finance Committee:

**FUNDS TRANSFERRED IN VARIOUS 1992 ACCOUNTS**

BE IT RESOLVED, That funds are hereby transferred within various accounts as follows:

BOARD OF SUPERVISORS

From acct no. 1010.10 pers. serv.	3,356.13
To acct no. 1010.40 cont. exp.	706.27
To acct no. 1010.41 Motor Veh.	2,649.86

**Proceedings of the Board of Supervisors****COUNTY CLERK**

From acct no. 1410.40 cont. exp.	329.71
To acct no. 1410.10 pers. serv.	329.71

**COUNTY ATTORNEY**

From acct no. 1420.41 exp/grant	284.25
To acct no. 1420.20 equipment	44.25
To acct no. 1420.40 cont. exp.	240.00

**PHC - EDUCATION**

From acct no. 2960.99 health care	71.84
To acct no. 2960.83 FICA	58.17
To acct no. 2960.85 med. FICA	13.67

**SHERIFF**

From acct no. 3110.80 comp. ins.	4,658.63
To acct no. 3110.84 unempl. ins.	1,193.11
To acct no. 3110.85 med. FICA	.98
To acct no. 3110.40 cont. exp.	3,464.54

**STOP - DWI**

From acct no. 3315.99 health care	156.46
To acct no. 3315.83 FICA	126.93
To acct no. 3315.85 med. FICA	29.53

**BUILDING CODES**

From acct no. 3620.99 health care	343.82
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**BUILDING CODES (cont.)**

To acct no. 3620.83 FICA	278.60
To acct no. 3620.85 med. FICA	65.22

**Proceedings of the Board of Supervisors**

7

**BUREAU OF FIRE/CIVIL DEFENSE**

From acct no. 3410.20 equipment	344.87
To acct no. 3640.40 cont. exp.	344.87

**MENTAL HEALTH/SUBSTANCE ABUSE**

From acct no. 4220.99 health care	17.53
To acct no. 4220.83 FICA	17.53

**SOCIAL SERVICES**

From acct no. 6010.99 health care	414.09
To acct no. 6010.85 med. FICA	79.84
To acct no. 6010.83 FICA	334.25

**OFFICE OF TRAINING & EMPLOYMENT/MANPOWER**

From acct no. 6340.99 health care	721.21
To acct no. 6340.85 med. FICA	136.64
To acct no. 6340.83 FICA	584.57

**VETERANS SERVICES**

From acct no. 6510.20 equip.	350.00
To acct no. 6510.40 cont. exp.	176.57
To acct no. 6510.83 FICA	149.37
To acct no. 6510.85 med. FICA	24.06

**YOUTH BUREAU**

From acct no. 7310.81 retirement	94.46
To acct no. 7310.83 FICA	80.52
To acct no. 7310.85 med. FICA	13.94

**FRINGES**

From acct no. 1320.40 cont. exp.	8,140.10
To acct no. 9030.83 FICA	1,559.44
To acct no. 9030.85 med. FICA	67.87
To acct no. 9060.99 health care	6,512.79

**Proceedings of the Board of Supervisors****DISTRICT ATTORNEY**

From acct no. 1165.20 equipment	500.00
To acct no. 1165.40 cont. exp.	500.00

**COUNTY HIGHWAY - ROAD FUND**

From acct no. 5010.81 adm. retirement	2,981.11
To acct no. 5010.10 adm. labor	462.50
To acct no. 5010.40 adm. cont. exp.	2,518.61

**COUNTY HIGHWAY/MACHINERY**

From acct no. 5130.10 labor	15,126.78
From acct no. 5130.20 equipment	35,000.00
To acct no. 5190.10 labor	15,126.78
To acct no. 5130.40 cont. exp.	35,000.00

**OFFICE OF TRAINING AND EMPLOYMENT**

From acct no. 6295.10 IIB spt pers serv	11,550.00
To acct no. 6291.41 78% allow.	800.00
To acct no. 6294.84 78% unemp. insurance	250.00
To acct no. 6294.10 IIB adm. per. serv.	6,100.00
To acct no. 6294.83 IIB adm. FICA	400.00
To acct no. 6294.85 IIB adm. Medicare	100.00
To acct no. 6297.10 8% pers. serv.	100.00
To acct no. 6298.10 6% pers. serv.	2,400.00
To acct no. 6298.83 6% FICA	25.00
To acct no. 6298.85 6% Medicare	5.00
To acct no. 6300.10 Title III pers. serv.	510.00
To acct no. 6300.41 Title III allow.	800.00
To acct no. 6300.83 Title III FICA	50.00
To acct no. 6300.85 Title III Medicare	10.00

Carried: Ayes - 1618    Noes - 0    Absent - 0

# 2

**RESOLUTION NO. 93 - 4**  
**(January 12, 1993)**

By Mr. Moran, Temporary Chairman of the Finance Committee:

Regular Session

**FUNDS APPROPRIATED TO VARIOUS ACCOUNTS**

BE IT RESOLVED, That funds are hereby appropriated to 1992 accounts as follows:

**BUILDING AND EQUIPMENT CAPITAL RESERVE**

to acct no. 1620.2 equipment	122,696.67	
and be it		
FURTHER RESOLVED, That funds are hereby appropriated to 1993 accounts as follows:		
to acct no. 1620.2 equipment	7,069.00	

and be it

FURTHER RESOLVED, That the County Treasurer is hereby authorized and directed to transfer the said amounts from any fund available therefore.

Carried: Ayes - 1618 Noes - 0 Absent - 0

Mr. Erhart, Chairman of the Auditing Committee presented bills totaling \$323,074.03 and moved that they be approved for payment.

Carried: Ayes - 1618 Noes - 0 Absent - 0

# 3

**RESOLUTION NO. 93 - 5  
(January 12, 1993)**

By Mr. Herman, Temporary Chairman of the Rules Committee:

**CHAIRMAN AUTHORIZED TO SIGN LETTERS OF  
UNDERSTANDING**

January 12, 1993

**Proceedings of the Board of Supervisors**

BE IT RESOLVED, That the Chairman of this Board of Supervisors is hereby authorized, on behalf of the County of Wyoming, to execute Letters of Understanding in regard to grants for 1993 activities between Wyoming County and the following:

Wyoming County Library System	\$ 27,700.00
Wyoming County Fair Association	22,000.00
Wyoming County Soil and Water Conservation District Board	119,060.60
Wyoming County Tourist Promotion Agency	110,000.00
Arts Council for Wyoming County	14,500.00
Erie-Wyoming County Soil and Water Conservation District Board	1,500.00

Carried: Ayes - 1618 Noes - 0 Absent - 0

# 4

**RESOLUTION NO. 93 - 6**  
**(January 12, 1993)**

By Mr. Haller, Temporary Chairman of the Taxation Committee:

**CHAIRMAN AUTHORIZED TO SIGN CONTRACT  
 WITH GENESEE COUNTY FOR PRINTING TAX ROLLS  
 AND BILLS**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney and on behalf of Real Property Tax Services, is hereby authorized and directed to sign a contract with Genesee County for the printing of tax rolls and bills for Wyoming County, cost to be at a rate of \$10,000.00 for 1993.

Carried: Ayes - 1618 Noes - 0 Absent - 0

# 5

**RESOLUTION NO. 93 - 7**  
**(January 12, 1993)**  
 Regular Session

By Mrs. Glaus, Temporary Chairman of the Social Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN CONTRACT WITH  
CATTARAUGUS COUNTY FOR NON-SECURE  
DETENTION FACILITY**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney and on behalf of the Department of Social Services, is hereby authorized and directed to sign a contract with Cattaraugus County for non-secure detention facilities for juveniles for the period January 1, 1993 through December 31, 1993, cost of said contract to be \$29.00 per day per child.

Carried: Ayes - 1618 Noes - 0 Absent - 0

# 6

**RESOLUTION NO. 93 - 8  
(January 12, 1993)**

By Mr. Cox, Temporary Chairman of the Agriculture and Conservation Committee:

**SUPERVISOR MEMBER REAPPOINTED TO RC&D  
COUNCIL**

BE IT RESOLVED, That Ronald P. Herman, Sr., Town of Wethersfield, Warsaw, N.Y., is hereby reappointed as Supervisor Member on the Resource Conservation and Development Council for a term of one (1) year, said term to expire December 31, 1993.

Carried: Ayes - 1618 Noes - 0 Absent - 0

# 7

**RESOLUTION NO. 93 - 9  
(January 12, 1993)**

By Mr. Lowe, Temporary Chairman of the Public Health Committee:

January 12, 1993

**Proceedings of the Board of Supervisors**  
**SUPERVISOR MEMBER TO BOARD OF HEALTH**  
**REAPPOINTED**

BE IT RESOLVED, That Robert L. Bowles, Town of Castile, Castile, NY, is hereby reappointed as the Supervisor Member to the Wyoming County Board of Health for a one (1) year term, said term to expire December 31, 1993.

Carried: Ayes - 1618 Noes - 0 Absent - 0

# 8

**RESOLUTION NO. 93 - 10**  
**(January 12, 1993)**

By Mr. Herman, Acting Temporary Chairman of the Agriculture and Conservation Committee:

**SUPERVISOR MEMBER REAPPOINTED TO**  
**COOPERATIVE EXTENSION BOARD OF DIRECTORS**

BE IT RESOLVED, That C. Arnold Cox, Town of Middlebury, Wyoming, NY, is hereby reappointed to the Wyoming County Cooperative Extension Board of Directors as a Supervisor member for a one (1) year term, said term to expire December 31, 1993.

Carried: Ayes - 1618 Noes - 0 Absent - 0

# 9

**RESOLUTION NO. 93 - 11**  
**(January 12, 1993)**

By Mr. Herman, Temporary Chairman of the Rules Committee:

**MEMBERS APPOINTED TO INTER-COUNTY**  
**ASSOCIATION OF WESTERN NEW YORK**

BE IT RESOLVED, That the following persons are hereby designated and shall represent the County of Wyoming as voting delegates to the Inter-

Regular Session

**Proceedings of the Board of Supervisors**

13

County Association of Western New York, with terms expiring December 31, 1993:

August C. Petri, Town of Attica, Attica, NY

Kenneth C. Lowe, Town of Covington, Pavilion, NY

Robert L. Bowles, Town of Castile, Castile NY.

Carried: Ayes - 1618 Noes - 0 Absent - 0

# 10

**RESOLUTION NO. 93 - 12**  
**(January 12, 1993)**

By Mr. Cox, Temporary Chairman of the Agriculture and Conservation Committee:

**MEMBER REAPPOINTED TO REGION 9 FISH  
AND WILDLIFE COUNCIL**

BE IT RESOLVED, That the following person is hereby reappointed to the Region 9 - Fish and Wildlife Management Board:

Roy Haller, Jr., Town of Orangeville, Varysburg, NY, as Supervisor Representative for a one (1) year term, said term to expire December 31, 1993;

Carried: Ayes - 1618 Noes - 0 Absent - 0

# 11

**RESOLUTION NO. 93 - 13**  
**(January 12, 1993)**

By Mrs. Glaus, Temporary Chairman of the Social Services Committee:

**SUPERVISOR MEMBERS REAPPOINTED TO  
COMMUNITY ACTION AGENCY BOARD**

January 12, 1993

**Proceedings of the Board of Supervisors**

BE IT RESOLVED, That the following Supervisors are hereby appointed to the Community Action Agency Board for one year terms, said terms to expire December 31, 1993:

Irene M. Glaus, Town of Sheldon, Varysburg, NY

Robert L. Bowles, Town of Castile, Castile, NY

E. Dwight Gillette, Town of Pike, Pike, NY

Roy Haller, Jr., Town of Orangeville, Varysburg, NY

William B. Faulkner, Jr., Town of Warsaw, Warsaw, NY.

Carried: Ayes - 1618   Noes - 0   Absent - 0

# 12

**RESOLUTION NO. 93 - 14  
(January 12, 1993)**

By Mr. Cox, Temporary Chairman of the Agriculture and Conservation Committee:

**SUPERVISOR MEMBERS REAPPOINTED  
TO SOIL AND WATER CONSERVATION DISTRICT  
BOARD**

BE IT RESOLVED, That the following persons are hereby reappointed as representatives to the Wyoming County Soil and Water Conservation District Board as indicated:

Ronald P. Herman, Sr., Town of Wethersfield, Warsaw, NY, as Supervisor Member, for a term of one (1) year, said term to expire December 31, 1993;

C. Arnold Cox, Town of Middlebury, Wyoming, NY, as Supervisor Member, for a term of one (1) year, said term to expire December 31, 1993.

Carried: Ayes - 1618   Noes - 0   Absent - 0

Regular Session

**RESOLUTION NO. 93 - 15**  
**(January 12, 1993)**

By Mr. Petri, Temporary Chairman of the Highway Committee:

**AUTHORIZED AGREEMENT BY THE COUNTY OF  
WYOMING TO MAINTAIN A PORTION OF THE  
HIGHWAY FROM STA. 3+75 TO SAT. 9+50 DESIGNATED  
AS NEW YORK PROJECT P.I.N. 4751.44, CENTERLING  
ROAD, B.I.N. 3320000 OVER TONAWANDA CREEK AND  
APPROACHES, WYOMING COUNTY**

WHEREAS, the New York State Department of Transportation has submitted to the Wyoming County Board of Supervisors, a proposed agreement by which the County of Wyoming is to maintain .11 miles of secondary highway from Sta. 3+75 to Sta. 9+50 known as Centerline Road and to be designated as New York Project No. 4751.44, and said proposed agreement also provides for the County of Wyoming to request the Department of Transportation, to submit the aforementioned project with the recommendation that it be approved by the Administrator of the United States Federal Highway Administration, and that if such project is approved and constructed by the Department and the Administrator of the United States Federal Highway Administration, the County of Wyoming will thereafter at its own cost and expense maintain this project in a manner satisfactory to the Department of Transportation and the Administrator of the United States Federal Highway Administration, or their authorized representatives, and make ample provision each year for such maintenance.

THEREFORE, BE IT RESOLVED, that the County of Wyoming shall maintain such highway and guarantee the maintenance of such project when constructed and will pay the cost of such maintenance and will maintain the project in a manner satisfactory to the New York State Department of Transportation or its authorized representatives, and will make ample provisions each year for such maintenance; and be it

FURTHER RESOLVED, that the New York State Department of Transportation submit such project to the Administrator of the United States Federal Highway Administration and recommend to him the approval of the same for construction with funds apportioned to the state for construction with

January 12, 1993

**Proceedings of the Board of Supervisors**

funds apportioned to the state for construction of Highways and related projects under the provisions of Federal Highway Acts, and be it

FURTHER RESOLVED, that this County act through its Chairman, Board of Supervisors and Clerk who are hereby authorized to act for this Board of Supervisors and make and enter into agreement with the State Department of Transportation, in manner and form and substance as herein stated and in accordance with the form of contract herein mentioned as having been submitted to this Board of Supervisors for action, and that this Board of Supervisors furnish

Resolution No. 93 - 15 # 13

Page 2

two certified copies of this resolution authorizing the Chairman, Board of Supervisors and Clerk of this Board of Supervisors to execute the agreements on behalf of the County of Wyoming such Board of Supervisors and Clerk being fully authorized and directed to make and enter into agreements on behalf of Wyoming County in any manner and form required by the Department of Transportation, or the Administrator of the United States Federal Highway Administration and attach the seal of the County of Wyoming thereto; and be it

FURTHER RESOLVED, that the Clerk of this Board of Supervisors is hereby directed to transmit two (2) certified copies of the foregoing resolution to the State Department of Transportation.

Carried: Ayes - 1618 Noes - 0 Absent - 0

# 14

**RESOLUTION NO. 93 - 16  
(January 12, 1993)**

By Mr. Roberts, Temporary Chairman of the County Officers Committee:

**TEMPORARY POSITION OF BUILDING MAINTENANCE  
HELPER IN CIVIL SERVICE CREATED**

BE IT RESOLVED, That there is hereby created one (1) .5 temporary position of building maintenance helper in the office of Civil Service, said position to be placed in Schedule B, Grade 3 of the CSEA Agreement for a six month period.

Regular Session

**Proceedings of the Board of Supervisors**

17

Carried: Ayes - 1618 Noes - 0 Absent - 0

# 15

**RESOLUTION NO. 93 - 17**  
**(January 12, 1993)**

By Mr. Roberts, Temporary Chairman of the County Officers Committee:

**ONE POSITION OF CLERK FOR RECORDS  
MANAGEMENT IN COUNTY CLERK'S OFFICE  
CREATED**

BE IT RESOLVED, That there is hereby created one (1) position of clerk for records management in the County Clerk's office, said position to be placed in Schedule G, Grade 2 of the Wyoming County Salary Plan.

Carried: Ayes - 1618 Noes - 0 Absent - 0

# 16

**RESOLUTION NO. 93 - 18**  
**(January 12, 1993)**

By Mr. Nugent, Temporary Chairman of the Planning and Economic Development Committee:

**OFFICIAL UNDERTAKING OF PUBLIC EMPLOYEES  
FIDELITY (BLANKET) BOND FOR GENESEE/FINGER  
LAKES REGIONAL PLANNING COUNCIL APPROVED**

WHEREAS, the County of Wyoming has appropriated the sum of \$5,632.96 as its share of the 1993 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 the agency designated by the agency to

January 12, 1993

**Proceedings of the Board of Supervisors**

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 Paul L. Howard, 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 Employee's Fidelity (Blanket) Bond, issued by National Grange Mutual Insurance Company, providing faithful performance blanket bond coverage for officers and employees of the Council in the amount of \$220,000.00; now, therefore be it

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

Carried: Ayes - 1618 Noes - 0 Absent - 0

Unanimous consent was requested and granted to present the following resolutions.

UC # 17

**RESOLUTION NO. 93 - 19  
(January 12, 1993)**

By Mr. Roberts, Temporary Chairman of the County Officers Committee:

**INDEX CLERK POSITION IN COUNTY CLERK'S OFFICE  
CREATED**

BE IT RESOLVED, That there is hereby created one (1) position of index clerk, in the County Clerk's office, said position to be placed in Schedule A, Grade 4 of the CSEA Agreement for a period not to exceed three (3) months.

Carried: Ayes - 1618 Noes - 0 Absent - 0

**RESOLUTION NO. 93 - 20**  
**(January 12, 1993)**

By Mr. Haller, Temporary Acting Chairman of the Taxation Committee:

**ERRORS CORRECTED IN TOWNS OF PERRY AND  
BENNINGTON**

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

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

PARCEL ONE: Town of Perry, Tax Map # 76.-2-4.2

ASSESSED TO: David and Michelle Farrell

ERROR: Unlawful entry

AUTHORITY: Section 550.7(b)

CORRECTION: Refund of 1992 tax in the amount of \$59.03

Correction of 1993 tax bill

Correct amount: \$878.89

PARCEL TWO: Town of Bennington, Tax Map # 27.-1-5.1

ASSESSED TO: Evelyn Fowler

ERROR: Clerical

AUTHORITY: Section 550.2(c)

CORRECTION: Correction of the 1993 Town/County Tax bill

School relevy portion: \$479.81

Carried: Ayes - 1618   Noes - 0   Absent - 0

Mr. Erhart moved to adjourn. Carried. Adjourned.

\*\*\*\*\*

January 12, 1993

Proceedings of the Board of Supervisors**REGULAR SESSION****Tuesday****February 9, 1993****2:00 PM**

The Regular Session of the Wyoming County Board of Supervisors was held in the Court House, Warsaw, New York, with all members present except Mrs. Barber. Chairman Payne called the meeting to order and led the Pledge of Allegiance to the Flag.

Communications were read and filed with the Clerk of the Board.

C-1. A memo from Edwin Crawford, Exec. Director of NYSAC, regarding Medicaid, was read.

C-2. A letter from Assemblyman Reynolds, regarding the New York State budget, was read.

C-3. A notice of the next Inter-County to be held February 18, 1993, was read.

# 1

**RESOLUTION NO. 93 - 21**  
**(February 09, 1993)**

By Mr. Moran, Temporary Chairman of the Finance Committee:

**FUNDS TRANSFERRED/APPROPRIATED IN VARIOUS  
1992 ACCOUNTS**

BE IT RESOLVED, That the County Treasurer is hereby authorized and directed to transfer funds within various 1992 accounts to accrue vacation leave and to close 1992 accounts as follows:

<u>DISTRICT ATTORNEY</u>			
From acct no.	1165.20 equipment	363.22	
to acct no.	1165.41 pros. fund		363.22
<u>MEDICAL EXAMINER</u>			
From acct no.	1185.11 pers. ser.	316.43	
to acct no.	1185.40 cont. exp.		316.43
<u>TREASURER</u>			
From acct no.	1325.10 pers. ser.	108.49	
to acct no.	1325.18 vacation		108.49

Regular Session

## Proceedings of the Board of Supervisors

21

<u>RECORDS MANAGEMENT</u>		
From acct no.	1460.10 per. ser.	185.39
to acct no.	1460.18 vacation	185.39
<u>COUNTY BUILDINGS</u>		
From acct no.	1620.20 equipment	306.43
to acct no.	1620.40 cont. exp.	306.43
<u>PHC - EDUCATION</u>		
From acct no.	2960.40 cont. exp.	1,452.57
to acct no.	2960.18 vacation	1,452.57
<u>SHERIFF'S</u>		
From acct no.	3110.99 h. care	27,385.19
to acct no.	3110.10 pers. svc.	2,539.78
to acct no.	3110.18 vacation	15,688.25
to acct no.	3110.40 cont. exp.	9,157.16
From acct no.	3110.84 unemp. ins.	1,130.64
to acct no.	3110.10 pers. svc.	1,130.64
<u>JAIL</u>		
From acct no.	3150.10 pers. svc.	17,040.34
to acct no.	3150.18 vacation	17,040.34
<u>STOP - DWI</u>		
From acct no.	3315.80 comp. ins.	64.49
to acct no.	3315.40 cont. exp.	64.49
Resolution No. 93-21		# 1
Page 2		
<u>BUREAU OF FIRE</u>		
From acct no.	3410.40 cont. exp.	234.62
From acct no.	3410.20 equipment	411.74
to acct no.	3410.18 vacation	646.36
<u>ANIMAL CONTROL</u>		
From acct no.	3510.20 equipment	176.29
to acct no.	3510.40 cont. exp.	176.29
<u>PUBLIC HEALTH</u>		
From acct no.	4035.40 cont. exp.	6,390.13
From acct no.	4010.40 cont. exp.	1,039.38
From acct no.	4010.81 retirement	313.87
to acct no.	4010.84 unemp. ins.	313.87
to acct no.	4010.18 vacation	7,429.51
<u>SUBSTANCE ABUSE</u>		
From acct no.	4220.41 grant	5,893.51
to acct no.	4220.18 vacation	1,536.45
to acct no.	4220.40 cont. exp.	4,357.06
<u>ALCOHOL</u>		
From acct no.	4250.40 cont. exp.	388.51

February 09, 1993

## Proceedings of the Board of Supervisors

to acct no.	4250.18 vacation	388.51
<b><u>MENTAL HEALTH</u></b>		
From acct no.	4310.40 cont. exp.	3,330.63
to acct no.	4310.18 vacation	3,269.63
to acct no.	4310.20 equipment	61.00
<b><u>MENTAL RETARDATION</u></b>		
From acct no.	4321.40 cont. exp.	6,082.93
to acct no.	4320.40 cont. exp.	5,454.06
to acct no.	4321.18 vacation	628.87
<b><u>SOCIAL SERVICES</u></b>		
From acct no.	6010.10 pers. svc.	7,397.02
to acct no.	6010.18 vacation	7,397.02
From acct no.	6109.40 cont. exp.	159,455.82
to acct no.	6102.40 cont. exp.	159,455.82
<b><u>COMMUNITY ACTION</u></b>		
From acct no.	6310.40 cont. exp.	773.71
to acct no.	6310.18 vacation	346.85
to acct no.	6310.84 unemp. ins.	426.86
<b><u>CONSUMER AFFAIRS</u></b>		
From acct no.	6610.40 cont. exp.	295.80
to acct no.	6610.18 vacation	295.80
Resolution No. 93-21		# 1
Page 3		
<b><u>OFFICE FOR THE AGING</u></b>		
From acct no.	6772.10 pers. svc.	2,436.59
to acct no.	6772.18 vacation	1,076.35
to acct no.	6772.84 unemp. ins.	1,360.24
<b><u>YOUTH BUREAU</u></b>		
From acct no.	7310.80 comp. ins.	20.22
to acct no.	7310.40 cont. exp.	20.22
<b><u>HIGHWAY - MACHINERY</u></b>		
From acct no.	5130.10 pers. svc.	3,261.36
to acct no.	5130.18 vacation	3,261.36
<b><u>COUNTY ROAD FUND</u></b>		
From acct no.	5010.81 retirement	2,220.55
to acct no.	5010.18 vacation	2,220.55
From acct no.	5110.10 pers. svc.	393.87
to acct no.	5110.18 vacation	393.87
<b><u>COMPENSATION</u></b>		
<b><u>INSURANCE</u></b>		
From acct no.	1710.81 retirement	1,108.91
to acct no.	1710.18 vacation	1,108.91
<b><u>EMPLOYMENT AND TRAINING OPPORTUNITIES</u></b>		

## Proceedings of the Board of Supervisors

23

From acct no.	6290.20 equipment	61.50	
to acct no.	6290.18 vacation		61.50
From acct no.	6294.84 IIB Admin. unemploy. insurance	250.00	
From acct no.	6292.14 78% sup. contractual	6,200.00	
to acct no.	6291.84 78% sup. unemploy. insurance		250.00
to acct no.	6298.14 6% OJT wages		60.00
to acct no.	6292.40 78% train. cont.		6,000.00
to acct no.	6292.20 78% train. equip.		100.00
to acct no.	6291.40 78% supp. cont.		40.00
<u>HEALTH CARE</u>			
From acct no.	9060.10 pers. svc.	1,108.91	
to acct no.	9060.18 vacation		1,108.91
<u>COMMUNITY DEVELOPMENT</u>			
From acct no.	8610.40 cont. exp.	2,284.48	
to acct no.	8610.18 vacation		784.48
to acct no.	8610.20 equipment		1,500.00
and be it			
Resolution No. 93-21			# 1

Page 4

FURTHER RESOLVED, That funds are hereby appropriated to various 1992 accounts as follows:

### BOARD OF SUPERVISORS

to acct no. 1010.18 vacation	225.92	
to acct no. 1010.40 cont. exp.	3,989.84	4,215.76
<u>PUBLIC DEFENDER</u>		
to acct no. 1170.40 cont. exp.	727.91	727.91
<u>COUNTY ATTORNEY</u>		
to acct no. 1420.18 vacation	130.52	
to acct no. 1420.20 equipment	349.71	
to acct no. 1420.40 cont. exp.	333.46	813.69
<u>PERSONNEL</u>		
to acct no. 1430.40 cont. exp.	88.16	88.16

February 09, 1993

## Proceedings of the Board of Supervisors

<u>COUNTY BUILDINGS</u>		
to acct no. 1620.40 cont. exp.	36,884.26	36,884.26
<u>COMMUNITY COLLEGES</u>		
to acct no. 2490.40 cont. exp.	15,176.39	15,176.39
Resolution No. 93-21		# 1
Page 5		
<u>CORRECTIONAL</u>		
<u>ALTERNATIVES</u>		
to acct no. 3141.40 cont. exp.	18.64	18.64
<u>PUBLIC SAFETY</u>		
to acct no. 3990.40 cont. exp.	1,078.07	1,078.07
<u>MENTAL HEALTH</u>		
to acct no. 4310.40 cont. exp.	1,612.31	
to acct no. 4310.40 cont. exp.	7,140.23	8,752.54
<u>ECONOMIC DEVELOPMENT</u>		
to acct no. 6421.18 vacation	2,057.18	2,057.18
<u>WORKER'S COMPENSATION</u>		
to acct no. 1720.40 cont. exp.	29,733.22	29,733.22
		1
<u>HEALTH CARE</u>		
to acct no 9060.42 cont. exp.	347,458.64	347,458.64
with Revenue acct no. 1270 increased by equal amount;		

and be it

FURTHER RESOLVED, That the County Treasurer is hereby authorized and directed to transfer the said amounts from any fund available therefore.

Carried: Ayes - 1569    Noes - 0    Absent - 49, Barber

Mr. Erhart, Chairman of the Auditing Committee presented bills totaling \$375,866.30 and moved that they be approved for payment.

Carried: Ayes - 1569    Noes - 0    Absent - 49, Barber

# 2

**RESOLUTION NO. 93 - 22**  
**(February 09, 1993)**  
 Regular Session

By Mr. Roberts, Temporary Chairman of the County Officers Committee:

**F. FRASER REAPPOINTED AS EMPLOYMENT AND TRAINING DIRECTOR**

BE IT RESOLVED, That Frank Fraser, Town of Pike, Portageville, NY, is hereby reappointed Employment and Training Director for a two-year term, said term to expire March 1, 1995.

Carried: Ayes - 1569 Noes - 0 Absent - 49, Barber

# 3

**RESOLUTION NO. 93 - 23**  
**(February 09, 1993)**

By Mr. Herman, Temporary Chairman of the Rules Committee:

**MEMBER APPOINTED TO BUSINESS EDUCATION COUNCIL**

BE IT RESOLVED, That Robert L. Bowles, Town of Castile, Castile, NY, is hereby reappointed to the Wyoming County Business Education Council as a Supervisor Member, term to expire December 31, 1993.

Carried: Ayes - 1569 Noes - 0 Absent - 49, Barber

# 4

**RESOLUTION NO. 93 - 24**  
**(February 09, 1993)**

February 09, 1993

**Proceedings of the Board of Supervisors**

By Mr. Lowe, Temporary Chairman of the Public Health Committee:

**MEMBERS APPOINTED TO COMMUNITY SERVICES  
BOARD AND VARIOUS SUBCOMMITTEES**

BE IT RESOLVED, That the following persons are hereby appointed to the Community Services Board, said terms to expire December 31, 1996;

Dr. Thomas Mazzone, W.C.C.H., Warsaw, NY

Rev. Charles Nonnenberg, Town of Castile, Silver Lake, NY

Harlan Page, Town of Covington, Pavilion, NY

and be it

FURTHER RESOLVED, That the above named persons are hereby concurrently appointed to the Community Services Board Subcommittees as indicated:

<u>MENTAL HEALTH SUBCOMMITTEE</u>	
Dr. Thomas Mazzone	
<u>MENTAL RETARDATION/DEVELOPMENTAL DISABILITIES SUBCOMMITTEE</u>	
Rev. Charles Nonnenberg	
<u>ALCOHOL/SUBSTANCE ABUSE SUBCOMMITTEE</u>	
Harlan Page	

Carried: Ayes - 1569   Noes - 0   Absent - 49, Barber

# 5

**RESOLUTION NO. 93 - 25  
(February 09, 1993)**

By Mr. Cox, Temporary Chairman of the Agriculture and Conservation Committee:

**R. HERMAN REAPPOINTED TO REGION 9 - FOREST  
PRACTICE BOARD**

Regular Session

BE IT RESOLVED, That Ronald P. Herman, Sr., Town of Wethersfield, Warsaw, NY, is hereby reappointed to the Region 9 - Forest Practice Board, said term to expire April 13, 1995.

Carried: Ayes - 1569 Noes - 0 Absent - 49, Barber

# 6

**RESOLUTION NO. 93 - 26**  
**(February 09, 1993)**

By Mr. Bowles, Acting Temporary Chairman of the Finance Committee:

**MEMBER REAPPOINTED TO CITIZENS ADVISORY  
COMMITTEE**

BE IT RESOLVED, That Thomas R. Moran, Town of Java, Java Center, NY, is hereby reappointed to serve on the Mercy Flight Citizens Advisory Committee, said term to expire December 31, 1993.

Carried: Ayes - 1569 Noes - 0 Absent - 49, Barber

# 7

**RESOLUTION NO. 93 - 27**  
**(February 09, 1993)**

By Mr. Moran, Temporary Chairman of the Finance Committee:

**MEMBER APPOINTED TO HOSPITAL BOARD OF  
MANAGERS**

BE IT RESOLVED, That Sally Wing, Town of Pike, Bliss, NY, is hereby appointed to the Wyoming County Community Hospital Board of Managers for a five (5) year term, said term to expire February 14, 1998.

Carried: Ayes - 1569 Noes - 0 Absent - 49, Barber

February 09, 1993

**RESOLUTION NO. 93 - 28  
(February 09, 1993)**

By Mr. Bowles, Chairman of the Solid Waste Committee:

**VARIOUS MEMBERS REAPPOINTED TO GLOW  
COMMITTEES**

BE IT RESOLVED, That the following persons are hereby appointed to the GLOW Advisory Committee, each to serve a one (1) year term:

<u>MEMBER</u>	<u>TOWN</u>	<u>ADDRESS</u>
James Schlick	Bennington	1515 Gaff Road Attica, NY
Larry Rogers	Pike	East Koy Road Pike, NY
Kenneth C. Lowe	Covington	7653 Big Tree Rd Pavilion, NY
Lawrence Nugent Alternate	Genesee Falls	Church St. Portageville, NY

and be it

Regular Session

**Proceedings of the Board of Supervisors**

29

FURTHER RESOLVED, That the following persons are hereby appointed to the GLOW Solid Waste Management Committee, each for a one-year term, said term to expire December 31, 1993:

MEMBER	TOWN	ADDRESS
Howard W. Payne	Arcade	271 Park St. Arcade, NY
Robert L. Bowles	Castile	Main St. Castile, NY
Kenneth C. Lowe	Covington	7653 Big Tree Rd Pavilion, NY
William Faulkner, Jr	Warsaw	23 N. Maple St. Warsaw, NY

and be it

FURTHER RESOLVED, That the following persons are hereby appointed to the GLOW Solid Waste Management Subcommittees as indicated, each for a one-year term, said term to expire December 31, 1993:

Planning Committee:

Matthew Richard, Town of Warsaw, Warsaw, NY  
Robert L. Bowles, Town of Castile, Castile, NY

Executive Committee:

Howard W. Payne, Town of Arcade, Arcade, NY.

Carried: Ayes - 1569   Noes - 0   Absent - 49, Barber

# 9

**RESOLUTION NO. 93 - 29  
(February 09, 1993)**

By Mr. Moran, Temporary Chairman of the Finance Committee:

**MEMBER REAPPOINTED TO HEALTH SYSTEMS  
AGENCY**

February 09, 1993

**Proceedings of the Board of Supervisors**

BE IT RESOLVED, That Stuart Hemple, Town of Attica, Attica, NY, is hereby reappointed as a Wyoming County consumer representative to the Health Systems Agency for the period April 1, 1993 to March 31, 1996.

Carried: Ayes - 1569 Noes - 0 Absent - 49, Barber

Mr. Gillette requested to withdraw Resolution No. 10 prior to its reading. No Objection.

# 11

**RESOLUTION NO. 93 - 30  
(February 09, 1993)**

By Mr. Haller, Temporary Acting Chairman of the Taxation Committee:

**ERRORS CORRECTED IN TOWNS OF BENNINGTON,  
GAINESVILLE, MIDDLEBURY AND ORANGEVILLE**

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

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

PARCEL ONE: Town of Bennington, Tax Map # 5.-2-21  
ASSESSED TO: Robert and Shirley Dusen, 539 Geise Rd., Attica,  
NY 14011

ERROR: Clerical

AUTHORITY: 550.2(c)

CORRECTION: Corrects 1993 tax \$693.65

**Proceedings of the Board of Supervisors**

31

PARCEL TWO: Town of Bennington, Tax Map # 28.-2-33.1  
ASSESSED TO: Teresa Phillips, 1253 Coyle Rd., Cowlesville, NY  
14037

ERROR: Clerical

AUTHORITY: 550.2(b)

CORRECTION: Corrects 1993 tax \$1,165.71

PARCEL THREE: Town of Bennington, Tax Map # 5.-2-19  
ASSESSED TO: Charles and Ruth Rogers, 535 Geise Rd., Attica,  
NY 14011

ERROR: Clerical

AUTHORITY: 550.2(c)

CORRECTION: Corrects 1993 tax \$794.44

PARCEL FOUR: Town of Gainesville, Tax Map # 133.-16-1-18  
ASSESSED TO: William Amberger, PO Box 333, Gainesville, NY  
14066

ERROR: Clerical

AUTHORITY: Section 550.2(a)

CORRECTION: Issue 1993 tax bill in amount of \$422.54

PARCEL FIVE: Town of Middlebury, Tax Map # 48.-1-33  
ASSESSED TO: Ina Mae Kessler, 4959 Kelly Hill Rd., Wyoming,  
NY 14591

ERROR: Clerical

AUTHORITY: 550.3(a)

CORRECTION: Refund \$241.42 1993 tax

PARCEL SIX: Town of Orangeville, Tax Map # 82.-2-22  
ASSESSED TO: Helen A. Bukowski-Premo, Trail # 7 Syler Rd.,  
Varysburg, NY 14167

ERROR: Clerical

AUTHORITY: 550.3(a)

CORRECTION: Refund \$291.49 1991 tax

Carried: Ayes - 1569   Noes - 0   Absent - 49, Barber

#12

**RESOLUTION NO. 93 - 31  
(February 09, 1993)**

By Mr. Herman, Temporary Chairman of the Rules Committee:

February 09, 1993

## **Proceedings of the Board of Supervisors**

### **PURCHASING POLICY AMENDED**

BE IT RESOLVED, That Resolution No. 88-175, passed by this Board on August 9, 1988, is hereby amended by substituting Section XI as follows for the previous Section XI:

#### **SECTION XI**

##### **COMPETITIVE BIDDING THRESHOLDS AND PROCUREMENT POLICY**

General Municipal Law Section 103 requires purchase contracts exceeding \$10,000.00 and Public Works Contracts exceeding \$20,000.00 be awarded to the lowest responsible bidder after public advertising requesting submission of sealed bids.

In determining the necessity for competitive bidding, an aggregate cost of an item or commodity estimated to be purchased in a fiscal year is considered. The exception being where state contracts are utilized.

The term "Public Works Contract" applies to those items or projects involving labor or both materials and labor. Included in this category would be construction, paving, printing and repair contracts.

Bidding specifications shall be prepared by the department head in conjunction with the Purchasing Department personnel. Detailed specifications, when required by the Purchasing Director, will be approved by the standing committee.

The advertisement or bids shall contain a statement of the time and place where all bids will be publicly opened and read. Bids will be opened by the Purchasing Director or other designated individual.

The opening of the bids is conducted at a public meeting and all interested parties may attend.

A reasonable period should elapse between the public opening and announcement of the successful bidder to permit careful examination of the bids.

**NON-COLLUSION STATE (GENERAL MUNICIPAL LAW SECTION 103-d)**

If competitive bidding is required by law, each bid must contain the following statement subscribed by the bidder and affirmed by such bidder as true under penalty of perjury.

#### **NON-COLLUSION CERTIFICATIONS**

By submission of this bid, each bidder, and each person signing on behalf of any bidder, certifies, and in the case of a joint bid each party thereto certifies as to its own organization, under penalty of perjury that to the best knowledge and belief:

1. that process in this bid has been arrived at independently without collusion, consultation, communication or agreement for the purpose of restricting competitions to any matter relating to such process with any other bidder or with any competitor; and

2. unless otherwise required by law, the prices which have been quoted in this bid have not been disclosed by the bidder and will not knowingly be disclosed by the bidder prior to opening, directly or indirectly, to any bidder or to any competitor; and

3. no attempt has been made or will be made by the bidder to induce any other person, partnership or corporation to submit or not to submit a bid for the purpose of restricting competition.

#### **PROCUREMENT POLICY**

In purchasing County or department supplies or equipment which when total purchases do not exceed \$10,000.00 or entering into contracts that do not exceed \$20,000.00, it is required that the County or relevant department first obtain price quotes from two or more vendors. If possible and appropriate in the particular situation, the purchaser shall specify such request in writing based upon a specification intended to elicit a response from a potential vendor. A record must be kept by the purchaser of the price quotes and any documents used to solicit the quotes.

Upon receipt of the various price quotes, the lowest responsible proposal shall be accepted unless the purchaser explains in writing why it is in the County's best interest to make an award other than to the lowest proposer.

All documentation, including requests for price quotes and the department's explanation for accepting a price other than the lowest quote if appropriate, shall be retained and kept on file by the relevant department.

**Proceedings of the Board of Supervisors**

These procedures should be followed on all purchases of goods or services below the \$10,000.00 and \$20,000.00 threshold, except for expenditure of \$500.00 or less.

Carried: Ayes - 1569 Noes - 0 Absent - 49, Barber

# 13

**RESOLUTION NO. 93 - 32  
(February 09, 1993)**

By Mrs. Glaus, Temporary Chairman of the Social Services Committee:

**AUTHORIZED OFA DIRECTOR TO ADVERTISE FOR  
BIDS**

BE IT RESOLVED, That the Director of the Office for the Aging is hereby authorized and directed to advertise for bids for weatherization supplies for the contract period April 1, 1993 through March 31, 1994, and be it

FURTHER RESOLVED, That the Social Services Committee of this Board Supervisors is hereby authorized to award the bids to the lowest responsible bidders.

Carried: Ayes - 1569 Noes - 0 Absent - 49, Barber

# 14

**RESOLUTION NO. 93 - 33  
(February 09, 1993)**

By Mr. Moran, Temporary Chairman of the Finance Committee:

**FUNDS APPROPRIATED TO 1993 DSS ACCOUNTS**

BE IT RESOLVED, That funds are hereby appropriated to 1993 accounts as follows:

**DEPARTMENT OF SOCIAL SERVICES**  
to acct no. 6010.4 cont. expense \$25,000.00

and be it

Regular Session

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to transfer the said amounts from any funds available therefore.

Carried: Ayes - 1476 Noes - 93, Moran Absent - 49, Barber

#15

**RESOLUTION NO. 93 - 34**  
**(February 09, 1993)**

By Mr. Herman, Temporary Chairman of the Rules Committee:

**SUPPORTS MANDATE AND TAX RELIEF EFFORTS**

WHEREAS, Orange County has expressed its intent to seek all legal means to relieve the taxpayers of the increased burdens of paying for mandated and non-mandated programs imposed by the State of New York within the spirit and intent of Home Rule, now, therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors hereby applauds and supports Orange County's efforts to relieve the said burden to the taxpayers by the establishment of a mandate and tax relief committee; and be it

FURTHER RESOLVED, that a certified copy of this resolution of support be forwarded to the Orange County Legislature.

Carried: Ayes - 1569 Noes - 0 Absent - 49, Barber

# 16

**RESOLUTION NO. 93 - 35**  
**(February 09, 1993)**

By Mrs. Glaus, Temporary Chairman of the Social Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN EMERGENCY  
COMMUNITY SERVICES HOMELESS GRANT**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney and on behalf of the Office for the Aging, is hereby authorized and directed to sign an amendment to the Emergency Community

February 09, 1993

**Proceedings of the Board of Supervisors**

Services Homeless Grant through the NYS Department of State for 1993 to increase the amount of the grant to \$15,577.00.

Carried: Ayes - 1569 Noes - 0 Absent - 49, Barber

# 17

**RESOLUTION NO. 93 - 36  
(February 09, 1993)**

By Mr. Lowe, Temporary Chairman of the Public Health Committee:

**CHAIRMAN AUTHORIZED TO SIGN CONTRACT  
FOR HOME HEALTH AIDE SERVICES**

BE IT RESOLVED, That, with the approval of the County Attorney and on behalf of the Wyoming County Public Health Department, the Chairman of this Board is hereby authorized and directed to sign a contract with Norrell Health Care Services, Batavia, NY, to provide home health aide services for the period through December 31, 1993 at a cost of \$12.25 per hour.

Carried: Ayes - 1569 Noes - 0 Absent - 49, Barber

# 18

**RESOLUTION NO. 93 - 37  
(February 09, 1993)**

By Mr. Faulkner, Temporary Chairman of the Judge & Co. Clerk's Committee:

**USE OF OFFICE SPACE IN COUNTY CLERK'S OFFICE**

BE IT RESOLVED, That the Chairman of this Board is hereby authorized to enter into an agreement with Wyoming Abstract Co., Inc., for the use of space in the Wyoming County Clerk's office for the sum of One Thousand Two Hundred Dollars (\$1,200.00) per year for the period February 1, 1993 through January 31, 1994.

Carried: Ayes - 1569 Noes - 0 Absent - 49, Barber

#19

**RESOLUTION NO. 93 - 38  
Regular Session**

**Proceedings of the Board of Supervisors**  
**(February 09, 1993)**

37

By Mr. Moran, Temporary Chairman of the Finance Committee:

**INDIRECT COST RECOVERY CONTRACT APPROVED**

WHEREAS, THE County of Wyoming provides a material level of supervisory and support services to a number of federal programs administered by the County; and

WHEREAS, the costs associated with central support services, such as accounting and personnel, are defined as indirect costs and can be recouped from the individual federal programs by the computations and application of an approved indirect cost rate; now, therefore,

BE IT RESOLVED, That the Chairman of this Board, on behalf of the County of Wyoming, is hereby authorized and directed to execute a contract with BKBMA Management Consultants, Jackson, NJ, as consultant to apply for said funds for the calendar years 1992, 1993 and 1994, said contract to be in the form as presented to the Board.

Carried: Ayes - 1569   Noes - 0   Absent - 49, Barber

#20

**RESOLUTION NO. 93 - 39**  
**(February 09, 1993)**

By Mr. Herman, Temporary Chairman of the Building Committee:

**PRELIMINARY OFFICE DESIGN PLANNING,  
RT 19 BUILDING, APPROVED**

WHEREAS, the County of Wyoming has purchased property at 3791 Route 19, South Warsaw, for probable use as office space; now, therefore,

BE IT RESOLVED, That this Board hereby approves the use of MRB Group, Inc., Rochester, NY, to provide preliminary planning of office designs and set-up for county departments to be relocated into the above noted property; and be it

FURTHER RESOLVED, that the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign the necessary

February 09, 1993

**Proceedings of the Board of Supervisors**

related documents to proceed with the preliminary planning, cost of said agreement not to exceed \$8,000.00.

Carried: Ayes - 1569 Noes - 0 Absent - 49, Barber

# 21

**RESOLUTION NO. 93 - 40  
(February 09, 1993)**

By Mrs. Glaus, Temporary Chairman of the Social Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN 1992-1993 CSBG  
AMENDMENT**

BE IT RESOLVED, That the Chairman of this Board, on behalf of the Office for the Aging and with the approval of the County Attorney, is hereby authorized and directed to sign a Community Services Block Grant amendment increasing the amount of that grant to \$88,825.00 for the 1992/1993 period.

Carried: Ayes - 1569 Noes - 0 Absent - 49, Barber

# 22

**RESOLUTION NO. 93 - 41  
(February 09, 1993)**

By Mr. Faulkner, Temporary Chairman of the Judge & Co. Clerk's Committee:

**CHAIRMAN AUTHORIZED TO SIGN APPLICATION  
FOR FUNDING FOR RECORDS MANAGEMENT**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign an application and necessary related documents for additional Records Management grant funding in the amount \$50,000.00.

Carried: Ayes - 1569 Noes - 0 Absent - 49, Barber

**RESOLUTION NO. 93 - 42**  
**(February 09, 1993)**

By Mr. Herman, Temporary Chairman of the Rules Committee:

**LETTER OF UNDERSTANDING WITH  
BUSINESS EDUCATION COUNCIL APPROVED**

BE IT RESOLVED, That the Chairman of this Board is hereby authorized, on behalf of the County of Wyoming, to execute a Letter of Understanding in regard to grants for 1993 activities between Wyoming County and the Business Education Council in the amount of \$ 10,000.00.

Carried: Ayes - 1569 Noes - 0 Absent - 49, Barber

# 24

**RESOLUTION NO. 93 - 43**  
**(February 09, 1993)**

By Mr. Haller, Temporary Chairman of the Sheriff's Committee:

**CHAIRMAN AUTHORIZED TO SIGN MAINTENANCE  
AGREEMENT**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney and on behalf of the Wyoming County Sheriff's Department is hereby authorized to sign a maintenance agreement with Retco Inc., said agreement to be in the amount of \$3,861.00 for 1993.

Carried: Ayes - 1569 Noes - 0 Absent - 49, Barber

#25

**RESOLUTION NO. 93 - 44**  
**(February 09, 1993)**

By Mr. Moran, Temporary Chairman of the Finance Committee:

February 09, 1993

**Proceedings of the Board of Supervisors****NOTICE OF INTENT TO ACT AS LEAD AGENCY**

WHEREAS, the Wyoming County Board of Supervisors has approved the construction of a twelve (12) bed psychiatric unit plus other hospital related improvements; and

WHEREAS, the Board of Supervisors wishes to continue this project; and

WHEREAS, an environmental assessment form concerning the psychiatric unit/hospital construction project has been presented to the Board; now, therefore, be it

FURTHER RESOLVED, that the Board of Supervisors hereby declares its intention to act as lead agency for State Environmental Quality Review Act (SEQRA) purposes for the psychiatric unit/hospital construction project and that copies of the environmental assessment form, a description of the proposed project, and this resolution shall be forwarded to each of the involved and/or interested agencies; and be it

FURTHER RESOLVED, that each agency shall be advised that the County of Wyoming wishes to act as lead agency and that each agency shall confirm that the County of Wyoming act as lead agency for the stated project; and be it

FURTHER RESOLVED, that other agencies objecting in writing to this notice shall have thirty (30) days from the date of this mailing to respond.

Carried: Ayes - 1473 Noes - 96, Erhart Absent - 49, Barber

#26

**RESOLUTION NO. 93 - 45  
(February 09, 1993)**

By Mr. Herman, Temporary Chairman of the Rules Committee:

**CONTINUED STUDY OF COMMITTEE RESTRUCTURE  
SUPPORTED**

WHEREAS, the Center for Governmental Research, in its recently completed study, has recommended a restructuring of the Board of Supervisors' committee structure; and

WHEREAS, this Committee has requested changes to the current Rules of Procedure which govern this Board; now, therefore,

BE IT RESOLVED, That this Board of Supervisors hereby approves the continued study into the revision of the standing committee structure of this Board and that suggestions for review of the standing committees or rules of procedure will be accepted until February 28, 1993.

Carried: Ayes - 1473 Noes - 96, Erhart Absent - 49, Barber

#27

**RESOLUTION NO. 93 - 46**  
**(February 09, 1993)**

By Mr. Herman, Temporary Chairman of the Rules Committee:

**FURTHER PLANNING RE: COUNTY ADMINISTRATOR  
SUPPORTED**

WHEREAS, the Center for Governmental Research, in its recently completed study, has recommended the future creation of the position of county administrator; and

WHEREAS, this Committee is currently reviewing information regarding this position; now, therefore,

BE IT RESOLVED, That this Board of Supervisors hereby supports further planning and review regarding the future creation of the position of county administrator.

Carried: Ayes - 1409 Noes - 160, Erhart (96), Cox (64) Absent - 49, Barber  
# 28

**RESOLUTION NO. 93 - 47**  
**(February 09, 1993)**

By Mr. Moran, Temporary Chairman of the Finance Committee:

February 09, 1993

**Proceedings of the Board of Supervisors**  
**FUNDS ADJUSTED IN VARIOUS 1992 HOSPITAL  
 ACCOUNTS**

BE IT RESOLVED, That funds are hereby transferred within various 1992 hospital accounts to adjust year end balances as follows:

from acct no. 4510.18 accrued vacat.	61,039.00	
from acct no. 9742.70 1990 B.A.N. int.	1,160.00	
from acct no. 9743.70 1991 B.A.N. int.	1,400.00	
to acct no. 4510.40 cont. expense		63,599.00
and be it		
FURTHER RESOLVED, that funds are hereby appropriated to various 1992 hospital accounts to adjust year end balances as follows:		
to acct no. 4510.10 pers. svcs.	467,916.40	
to acct no. 4510.40 cont. expense	401,131.05	
to acct no. 4510.20 equipment	671,094.25	
to acct no. 4510.83 FICA	16,951.23	
to acct no. 4510.99 health care	31,667.75	
to acct no. 4510.84 umemp. insurance	4,351.41	
to acct no. 4510.85 soc. sec. Medicade	4,696.25	1,597,808.34

with Revenue Account No. 1635. increased by \$ 1,597,808.34;

and be it

FURTHER RESOLVED, That the County Treasurer is hereby authorized and directed to transfer the said amounts from any funds available therefore.

Carried: Ayes - 1569 Noes - 0 Absent - 49, Barber

Regular Session

**RESOLUTION NO. 93 - 48**  
**(February 09, 1993)**

By Mr. Herman, Temporary Chairman of the Rules Committee:

**DATE OF MARCH 1993 MEETING CHANGED**

WHEREAS, the Rules of Procedure of the Board of Supervisors have been suspended by unanimous consent for the purpose recited in the resolution,

BE IT RESOLVED, That the Regular Session of the Board for March 1993 be held on Wednesday, March 10, 1993, at 2:00 P.M.

Carried: Ayes - 1569 Noes - 0 Absent - 49, Barber

# 30

**RESOLUTION NO. 93 - 49**  
**(February 09, 1993)**

By Mr. Haller, Acting Chairman of the Taxation Committee:

**NYS LEGISLATIVE SUPPORT REQUESTED FOR  
INCREASE IN SALES TAX**

WHEREAS, the County of Wyoming desires to extend and **maintain** an additional one percent (1%) to the local sales tax charged to purchases, etc., made within the County under Resolution No. 80-284, passed November 25, 1980, and as amended, now therefore;

BE IT RESOLVED, That the County of Wyoming hereby requests the New York State Legislature to support the legislation necessary to exceed the ceiling for local sales tax in Wyoming County; and be it

FURTHER RESOLVED, that certified copies of this resolution are sent to Assemblymen Thomas Reynolds, State Senator Dale M. Volker, Governor Mario Cuomo, NYSAC, NYSSACLA and any other agency as indicated by the Chairman of this Board.

Carried: Ayes - 1473 Noes - 96, Erhart Absent - 49, Barber

February 09, 1993

Unanimous consent was requested and granted to present the following resolutions.

UC # 31

**RESOLUTION NO. 93 - 50  
(February 09, 1993)**

By Mr. Lowe, Temporary Chairman of the Public Health Committee:

**CONTRACT FOR INMATE HEALTH ASSESSMENT  
APPROVED**

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 between the Wyoming County Public Health Department and Community Nursing, P.C., a part of the University of Rochester School of Nursing, for inmate health assessment at the Wyoming County Jail, period of said agreement to be six months at a cost of \$27.00 per hour.

Carried: Ayes - 1569   Noes - 0   Absent - 49, Barber

UC # 32

**RESOLUTION NO. 93 - 51  
(February 09, 1993)**

By Mr. Lowe, Temporary Chairman of the Public Health Committee:

**CHAIRMAN AUTHORIZED TO SIGN GRANT  
APPLICATION FOR COMMUNITY AWARENESS  
ACTIVITIES THROUGH PUBLIC HEALTH**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign a grant application and related documents, on behalf of the Wyoming County Public Health Department, to provide development of community awareness activities to complement the National "5-A-Day" campaign, amount of said grant to be no more than \$5,000.00 for the period February 15, 1993 through June 30, 1993.

**Proceedings of the Board of Supervisors**

45

Carried: Ayes - 1569 Noes - 0 Absent - 49, Barber

Mr. Erhart moved to adjourn. Carried. Adjourned.

\*\*\*\*\*

**REGULAR SESSION****Wednesday****March 10, 1993****2:00 PM**

The Regular Session of the Wyoming County Board of Supervisors was held in the Court House, Warsaw, New York, with all members present, except Mr. Erhart and Mrs. Glaus. Chairman Payne called the meeting to order and led the Pledge of Allegiance to the Flag.

Communications were read and filed with the Clerk of the Board.

C-1. A letter from Assemblymen Thomas M. Reynolds, re: state mandates, was read.

C-2. A letter from the Clerk of the Broome Co. Legislature, re: exercise of self-government in the matter of state legislated programs, was read.

C-3. A notice from the Cornell Farm Bureau, was read.

C-4. A notice of the next Inter-County to be held March 18, 1993, was read.

C-5. A resolution from the Genesee Falls Town Board regarding the creation of the positions County Administrator and County Assessor, was read.

Chairman Payne introduced visiting student government interns from Perry Central School. Mr. Payne also announced that Mr. Erhart was in Wyoming County Community Hospital.

Mr. Gillette, Acting Chairman of the Auditing Committee presented bills in the amount of \$455,188.71, after making an addition of \$50,000.00 payment to McDonald's Bus Service and asked that they be approved for payment.

Carried: Ayes - 1416   Noes - 0   Absent - 202, (96) Erhart (106) Glaus  
# 1

**RESOLUTION NO. 93 - 52  
(March 10, 1993)**

By Mr. Moran, Temporary Chairman of the Finance Committee:  
Regular Session

## **FUNDS TRANSFERRED IN VARIOUS MENTAL HEALTH ACCOUNTS**

BE IT RESOLVED, That the County Treasurer is hereby authorized and directed to transfer funds to correct accounts within 1992 Mental Health Department as follows:

### MENTAL HEALTH

From acct no. 4320.2 equipment	799.01
to acct no. 4220.4 cont. expense	799.01

Carried: Ayes - 1416 Noes - 0 Absent - 202, (96) Erhart (106) Glaus

# 2

## **RESOLUTION NO. 93 - 53 (March 10, 1993)**

By Mr. Moran, Temporary Chairman of the Finance Committee:

## **FUNDS APPROPRIATED TO SHERIFF'S ACCOUNTS**

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

### SHERIFF'S

to acct no. 3110.4 cont. expense	10,000.00
----------------------------------	-----------

with revenue account increased by \$7,500.00;

and be it

FURTHER RESOLVED, That the County Treasurer is hereby authorized and directed to transfer the said amounts from any fund available therefore.

Carried: Ayes - 1416 Noes - 0 Absent - 202, (96) Erhart (106) Glaus

March 10, 1993

**RESOLUTION NO. 93 - 54  
(March 10, 1993)**

By Mr. Gillette, Temporary Chairman of the Insurance Committee:

**RESCINDED RESOLUTION NO. 92-249,  
RE: INCREASE HEALTH INSURANCE RATES**

BE IT RESOLVED, That Resolution No. 92-249, passed by this Board of Supervisors on December 8, 1992, is hereby amended to rescind the assessment of health insurance increases for 1993 for employees covered by CSEA Local 1000, AFSCME AFL-CIO general contract and Hospital Supervisory Unit Contract who are subject to co-payments under the terms of the referenced collective bargaining agreements.

Carried: Ayes - 1416 Noes - 0 Absent - 202, (96) Erhart (106) Glaus

# 4

**RESOLUTION NO. 93 - 55  
(March 10, 1993)**

By Mr. Roberts, Temporary Chairman of the County Officers Committee:

**AMENDED RESOLUTION NO. 92-268, RE: CORRECT  
PLACEMENT OF PHC COORDINATOR IN YOUTH  
BUREAU**

BE IT RESOLVED, That Resolution No. 92-268, passed by this Board of Supervisors on December 8, 1992, is hereby amended to change the placement of the Preschool Handicapped Coordinator in the Youth Bureau to Schedule A, Grade 13 of the CSEA Agreement.

Carried: Ayes - 1416 Noes - 0 Absent - 202, (96) Erhart (106) Glaus

**RESOLUTION NO. 93 - 56**  
**(March 10, 1993)**

By Mrs. Barber, Temporary Chairman of the Taxation Committee:

**ERRORS CORRECTED IN TOWNS OF ARCADE,  
BENNINGTON, AND WARSAW**

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

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

PARCEL ONE:	Town of Arcade, Parcel #183.-1-23.1
ASSESSED TO:	Walter Matteson, 1418 Genesee Rd., Arcade, NY 14009
ERROR:	Clerical
AUTHORITY:	550.2(a)
CORRECTION:	Refund of taxes levied for the year 1993 in the amount of \$144.03
PARCEL TWO:	Town of Bennington, Tax Map #18.-1-48
ASSESSED TO:	Carl Pfaff, 2212 Clinton St., Attica, NY 14011
ERROR:	Clerical
AUTHORITY:	550.2(c)
CORRECTION:	Issue corrected 1993 tax bill in the amount of \$754.97
PARCEL THREE:	Town of Warsaw, Parcel #85.7-5-17
ASSESSED TO:	Frank Versage, 23 S. Main St., Warsaw, NY 14569
ERROR:	Clerical
AUTHORITY:	550.2(a)
CORRECTION:	Refund of taxes levied for the year 1993 in the amount of \$27.24

Carried: Ayes - 1416 Noes - 0 Absent - 202, (96) Erhart (106) Glaus

March 10, 1993

**RESOLUTION NO. 93 - 57**  
**(March 10, 1993)**

By Mr. Lowe, Temporary Chairman of the Public Health Committee:

**MEMBER APPOINTED TO COMMUNITY SERVICES  
BOARD AND MENTAL HEALTH SUBCOMMITTEES**

BE IT RESOLVED, That Susan Zubek, Town of Castile, Castile, NY, is hereby appointed to the Community Services Board and the Mental Health Subcommittee for a four (4) year term, said term to expire December 31, 1996.

Carried: Ayes - 1416    Noes - 0    Absent - 202, (96) Erhart (106) Glaus

# 7

**RESOLUTION NO. 93 - 58**  
**(March 10, 1993)**

By Mr. Moran, Temporary Chairman of the Finance Committee:

**MEMBERS APPOINTED TO HOSPITAL BOARD OF  
MANAGERS**

BE IT RESOLVED, That Janet Miller, Town of Java, Arcade, NY, is hereby appointed to the Wyoming County Community Hospital Board of Managers to fill the unexpired term of Lois Bowing, said term to expire February 10, 1996; and be it

FURTHER RESOLVED, That Dr. Thaddeus Naprawa, Town of Warsaw, Warsaw, NY, is hereby appointed to the Wyoming County Community Hospital Board of Managers to fill the unexpired term of Dr. Frederick Downs, said term to expire May 1, 1995.

Carried: Ayes - 1416    Noes - 0    Absent - 202, (96) Erhart (106) Glaus

Regular Session

**RESOLUTION NO. 93 - 59  
(March 10, 1993)**

By Mr. Faulkner, Temporary Chairman of the Judge & Co. Clerk's Committee:

**CHAIRMAN AUTHORIZED TO SIGN VARIOUS  
RENEWAL CONTRACTS FOR PHC**

BE IT RESOLVED, That, with the approval of the County Attorney, the Chairman of this Board is hereby authorized and directed to sign new and renewal contracts and related documents to provide itinerant services for preschool handicapped children through the Wyoming County Youth Bureau, for the periods stated, as follows:

Livingston/Wyoming Association for Retarded Citizens, for the period September 1, 1992 through August 31, 1993;

Genesee/Wyoming BOCES, for the period September 1, 1992 through August 31, 1993;

Wyoming County Community Hospital, for the period September 1, 1992 through August 31, 1993;

Carried: Ayes - 1416   Noes - 0   Absent - 202, (96) Erhart (106) Glaus

# 9

**RESOLUTION NO. 93 - 60  
(March 10, 1993)**

By Mr. Haller, Temporary Chairman of the Sheriff's Committee:

**CHAIRMAN AUTHORIZED TO SIGN GRANT  
APPLICATION FOR ANTI-DRUG ABUSE ACT PROGRAM**

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

March 10, 1993

**Proceedings of the Board of Supervisors**

application and related documents, on behalf of the Wyoming County Sheriff's Department, for the Anti-Drug Abuse Act program, amount of said grant to be no more than \$7,500.00 for the period January 1, 1993 through September 30, 1994.

Carried: Ayes - 1416 Noes - 0 Absent - 202, (96) Erhart (106) Glaus

# 10

**RESOLUTION NO. 93 - 61  
(March 10, 1993)**

By Mr. Moran, Temporary Chairman of the Finance Committee:

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

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney and on behalf of Wyoming County, is hereby authorized and directed to sign a contract with Mercy Flight to provide emergency flight service to the residents of Wyoming County for 1993, said contract to be in the amount of \$50,258.00.

Carried: Ayes - 1416 Noes - 0 Absent - 202, (96) Erhart (106) Glaus

After the reading of Resolution No. 11, Mr. Bowles, Acting Temporary Chairman of the Social Services Committee asked that the resolution be moved to the end of the agenda; business resumed.

# 12

**RESOLUTION NO. 93 - 62  
(March 10, 1993)**

By Mr. Petri, Temporary Chairman of the Highway Committee:

**Authorizing the County of Wyoming to  
participate to the extent of up to 100% of the  
non-federal share in the cost of a federal-aid  
project not on the State highway system  
administered by the New York State Department  
of Transportation.**

Regular Session

WHEREAS, a Project for the Replacement of Centerline Road Bridge over Tonawanda Creek, P.I.N. 4751.44.121, funded for in Title 23 U.S. Code, as amended, 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 above project by making a commitment of 100% of the non-Federal share of the costs of Replacement of Centerline Road Bridge over Tonawanda Creek (BIN 3320000).

NOW THEREFORE, the Wyoming County Board of Supervisors duly convened does hereby

RESOLVE, That the Wyoming County Board of Supervisors hereby approves the above-subject project; and it is hereby

FURTHER RESOLVED, That the Wyoming County Board of Supervisors hereby authorizes the County of Wyoming to pay 100% of the non-federal share of the cost of all work for the subject project or portions of the subject project that are not on the State Highway System; and be it

FURTHER RESOLVED, That the sum of **\$151,200.00** is hereby appropriated to cover the cost of participation in the above phase of the project, and the County of Wyoming hereby is authorized and directed to deposit such sum with the State Comptroller prior to the award of the contract; and be it

FURTHER RESOLVED, That in the event the full non-federal share costs of the project exceeds the amount deposited with the comptroller, the County of Wyoming shall deposit said excess amount immediately upon the direction of the Department of Transportation;  
and be it

FURTHER RESOLVED, That the Chairman of this Board of Supervisors of the County of Wyoming be and is hereby authorized to execute all necessary Agreements on behalf of the County of Wyoming with the New York State Department of Transportation approving of the above-subject project and providing for the Municipality's participation in the cost of the local share of the subject project.

and be it

FURTHER RESOLVED, That a copy of this resolution be filed with the New York State Commissioner of Transportation, it being understood that

March 10, 1993

**Proceedings of the Board of Supervisors**

upon completion of the above project, the Commissioner shall transmit to the County of Wyoming a statement showing the actual costs and expenses of such work and shall notify the County of Wyoming of the amount if any to be returned to the County of Wyoming.

Carried: Ayes - 1416 Noes - 0 Absent - 202, (96)Erhart (106)Glaus

# 13

**RESOLUTION NO. 93 - 63  
(March 10, 1993)**

By Mr. Petri, Temporary Chairman of the Highway Committee:

**Authorizing the County of Wyoming to participate to the extent of up to 100% of the non-federal share in the cost of a federal-aid project not on the State highway system administered by the New York State Department of Transportation.**

WHEREAS, a Project for the Replacement of Centerline Road Bridge over Tonawanda Creek, P.I.N. 4751.44.121, funded for in Title 23 U.S. Code, as amended, 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 above project by making a commitment of 100% of the non-Federal share of the costs of Replacement of Centerline Road Bridge over Tonawanda Creek (BIN 3320000).

NOW THEREFORE, the Wyoming County Board of Supervisors duly convened does hereby

RESOLVE, That the Wyoming County Board of Supervisors hereby approves the above-subject project; and it is hereby

FURTHER RESOLVED, That the Wyoming County Board of Supervisors hereby authorizes the County of Wyoming to pay 100% of the non-federal share of the cost of all work for the subject project or portions of the subject project that are not on the State Highway System; and be it

FURTHER RESOLVED, That the sum of **\$176,060.00** is hereby appropriated to cover the cost of participation in the above phase of the project, and the County of Wyoming hereby is authorized and directed to deposit such sum with the State Comptroller prior to the award of the contract; and be it

FURTHER RESOLVED, That in the event the full non-federal share costs of the project exceeds the amount deposited with the comptroller, the County of Wyoming shall deposit said excess amount immediately upon the direction of the Department of Transportation;  
and be it

FURTHER RESOLVED, That the Chairman of this Board of Supervisors of the County of Wyoming be and is hereby authorized to execute all necessary Agreements on behalf of the County of Wyoming with the New York State Department of Transportation approving of the above-subject project and providing for the Municipality's participation in the cost of the local share of the subject project.

and be it

FURTHER RESOLVED, That a copy of this resolution be filed with the New York State Commissioner of Transportation, it being understood that upon completion of the above project, the Commissioner shall transmit to the County of Wyoming a statement showing the actual costs and expenses of such work and shall notify the County of Wyoming of the amount if any to be returned to the County of Wyoming.

Carried: Ayes - 1416 Noes - 0 Absent - 202, (96)Erhart (106)Glaus

# 14

**RESOLUTION NO. 93 - 64  
(March 10, 1993)**

By Mr. Moran, Temporary Chairman of the Finance Committee:

**ACCEPTED 1992 ANNUAL REPORTS ON DOG LICENSE  
FEES**

BE IT RESOLVED, That the report of the County Treasurer of Dog Monies received for the year 1992, be accepted and that this report be referred to the Auditing Committee:

March 10, 1993

## Proceedings of the Board of Supervisors

### COUNTY FINANCIAL OFFICER - DOG LICENSE REPORT

This report is filed pursuant to Section 111 of the Agriculture and Markets Law and covers the moneys remitted and the moneys expended by me under the provisions of Article 7 of the Agriculture and Markets Law for the period January 1, 1992 to December 31, 1992.

#### RECEIPTS

Total balance on hand January 1, 1992	\$ -0-
Dog license fees received	\$ 11,135.41
Tag fees received	\$ 114.00
Damages recovered from dog owners	\$ -0-
Total amount available for the year ending December 31, 1992	\$ 11,249.41

#### DISBURSEMENTS

Paid 36% of dog license fees to Dept. of Ag. and Markets	\$ 4,008.74
Paid tag fees to Dept. of Ag. & Markets	\$ 114.00
Paid claims for damages done by dogs	\$ 987.50
Paid for county dog control officers services	6,139.17
Total disbursement during the year ending December 31, 1992	\$ 11,249.41
Total surplus for the year ending December 31, 1992	\$ - 0-

Respectfully submitted,

JOHN B. EDWARDS  
County Treasurer

Carried: Ayes - 1416   Noes - 0   Absent - 202, (96) Erhart (106) Glaus

# 15

### **RESOLUTION NO. 93 - 65 (March 10, 1993)**

By Mr. Gillette, Temporary Chairman of the Insurance Committee:

### **ACCEPTED 1992 WORKERS'S COMPENSATION ANNUAL REPORT**

Regular Session

BE IT RESOLVED, That the following report is hereby accepted by this Board of Supervisors:

**ANNUAL REPORT OF WORKER'S COMPENSATION INSURANCE**

To the honorable Board of Supervisors of the County of Wyoming:

Your Committee on Self-Insurance respectfully reports the total expenses of Workers' Compensation Insurance for fiscal year January 1, 1992 through December 31, 1992, as follows:

1992 Budget Appropriation:		\$579,862.00
Additional Appropriation:		<u>66,233.22</u>
		\$646,095.22
Personal Services:		19,837.47
Compensation Insurance Vacation		1,108.91
Equipment:		474.00
Compensation Insurance Assessment:		144.45
Contractual Expenses:		
Physicals:		8,168.00
Insurance Premiums:		65,467.00
WCB Assessments		59,123.46
Misc. Expenses:		<u>27,281.77</u> 160,040.23
Risk Retention:		80.00
Benefits and Awards:		
County Cases:		261,176.49
Town & Village:		49,604.41
Schools:		75,720.77
Fire Department:		<u>69,453.55</u> 455,955.22
Social Security:		1,229.94
Hospitalization:		3,720.00
Retirement:		30.00
Medicare:		287.66
Compensation Contractual to N.Y.S.		118.77
Provisions for Reserve:		
<b>TOTAL EXPENDITURES:</b>		<b>643,026.65</b>
To Co. Treasurer, Unencumbered Balances:		<b>3,068.57</b>

Refund Prior Year Expenses:      \$65,110.74  
Interest earned, 1992:              \$10,562.34

**Proceedings of the Board of Supervisors**

Cost of the plan for 1992 were apportioned to participating municipalities and school districts as per Resolution No. 92-240.

Respectfully submitted,  
Ray Luce, Administrator

Carried: Ayes - 1416 Noes - 0 Absent - 202, (96) Erhart (106) Glaus

# 16

**RESOLUTION NO. 93 - 66  
(March 10, 1993)**

By Mr. Herman, Temporary Chairman of the Rules Committee:

**ALLEGANY STATE PARK MASTER PLAN OPPOSED**

WHEREAS, the proposed plan failed to fulfill the mission stated in the Ames Act of 1921 and the Bond Act of 1924 and

WHEREAS, the plan will arbitrarily put 70% of the park service area in virtual preserve status, which founding legislation strictly forbids, and

WHEREAS, the plan would limit use of the park area to only 6.6% which is not used, and

WHEREAS, the plan completely ignores the possible economic benefits to the southern tier by limiting the tourist potential, and

WHEREAS, nearly half of the park's oil, gas and mineral rights are privately held and the DEC is attempting to discourage development, and

WHEREAS, timber rights on much of the park were not secured and private rights may still exist, and

WHEREAS, park timber management is in such a sorry state, it will take generations to get under control, and

WHEREAS, most sports groups do not favor the plan since it does little to enhance wildlife management, and

WHEREAS, the plan fails to address the future of the park, the potential economic benefit to the area and multiple resources of the park and

Regular Session

WHEREAS, Gov. Cuomo's Task Force on the Forest Industry has specifically recommended that all state agencies having custody of state-owned commercial forest land outside the forest preserve should develop forest management plans, which this plan ignores, and

WHEREAS, the Office of Parks, Recreation and Historic Preservation has elected not to use the thorough, well-researched and publicly supported Koten Plan, therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors hereby goes on record as opposing the Allegany State Park Master Plan as currently proposed and that this Board of Supervisors further endorses Alternative Six of the current plan or Alternative Two or Three of the aforementioned Koten Plan, therefore

BE IT RESOLVED, That a certified copy of the resolution be sent to Governor Cuomo, DEC Commissioner Thomas Jorling, NYS Parks Commissioner Orin Lehman, Senate Majority Leader Ralph Marino, Assembly Speaker Saul Weprin, Senator Dale Volker, and Assemblyman Thomas Reynolds, appropriate Committee Chairs of both Houses, Niagara Region Parks Director Mario Pirastru, Chairpersons of the Southern Tier West County Legislatures, InterCounty and the New York State Association of Counties.

Carried: Ayes - 1416   Noes - 0   Absent - 202, (96) Erhart (106) Glaus

# 17

### **RESOLUTION NO. 93 - 67 (March 10, 1993)**

By Mr. Roberts, Temporary Chairman of the County Officers Committee:

### **TEMPORARY INDEX CLERK POSITION IN COUNTY CLERK'S OFFICE, CREATED**

BE IT RESOLVED, That there is hereby created one (1) temporary position of index clerk, in the County Clerk's office, said position to be placed in Schedule A, Grade 4 of the CSEA Agreement for a period of up to two (2) months.

Mr. Roberts moved to withdraw Resolution No. 18 until further information could be obtained.

# 19

**RESOLUTION NO. 93 - 68  
(March 10, 1993)**

By Mr. Herman, Temporary Chairman of the Rules Committee:

**RESTRUCTURING OF HORSE RACING IN NYS  
OPPOSED**

WHEREAS, Wyoming County has been a participating county in the Western Regional Off-Track Betting Corporation since December 9, 1975; and

WHEREAS, these contributions have annually affected our county finances and helped us maintain a reasonable property tax level; and

WHEREAS, the placement of a Wyoming County representative on Western Regional OTB Corporation Board of Directors has insured to our county the necessary responsiveness that comes from local input and control; and

WHEREAS, Governor Cuomo, by the formation of his Commission on Racing in the 21st Century, has now created a group to study the structure of thoroughbred and harness horse racing in New York State; and

WHEREAS, this Commission which will study those components of the horse racing industry in this state which include privately owned thoroughbred and harness tracks, a state franchised (the New York State Racing Association) track operation and six off-track betting corporations of which Western is one; and

WHEREAS, the Commission is considering recommendations from industry representatives that in the opinion of many, endangers the flow of annual OTB revenues to participating counties, including Wyoming County; and

WHEREAS, such a change in structure by a proposed consolidation of the OTB's would not only eliminate revenues to our county, but also deprive us of a role in directing the activity of Western Regional OTB Corporation; and

WHEREAS, such potential consolidation would rob Wyoming County of its proportionate share of not only the revenues generated by the corporation but also the significant investment in branch facilities which Wyoming County as a shareholder of Western Regional Off-Track Betting Corporation has invested; now, therefore,

BE IT RESOLVED, That the Wyoming County Board of Supervisors does memorialize by the passage of this resolution its vehement objection to any restructuring of the horse racing industry which would deprive it of the control of Western Regional OTB Corporation activities, and the loss of those revenues generated by Western Regional OTB Corporation; and be it

FURTHER RESOLVED, That Governor Cuomo be urged consistent with the mandate to his Commission to preserve such revenues and local input in its affairs; and be it

FURTHER RESOLVED, That a certified copy of this resolution be forwarded to each and every State Legislator which represents the people of the County of Wyoming.

Carried: Ayes - 1416 Noes - 0 Absent - 202, (96) Erhart (106) Glaus

# 20

**RESOLUTION NO. 93 - 69  
(March 10, 1993)**

By Mr. Petri, Temporary Chairman of the Highway Committee:

**COUNTY HIGHWAY SUPERINTENDENT AUTHORIZED  
TO ORDER VEHICLES**

BE IT RESOLVED, That the County Superintendent of Highways, with the approval of the Highway Committee, is hereby authorized to order the following vehicles:

**NYSOGS**

It#	Cnt#	Make & Model	Qty	Price	Dept.
2	P002044	Dodge Sprint	2	18,912.90	Public Health
5	P36829	Chevrolet Caprice	5	69,612.00	Sheriff Dept.
6	P004945	Chevrolet Wagon	1	16,104.00	OFA
3	P005076	Ford F150 Pickup	1	10,020.00	Highway
9	P005071	Ford Crew Cab	2	29,626.00	Highway

March 10, 1993

**Proceedings of the Board of Supervisors**

12	P005067 Chev. Service Truck	1	14,879.50	Highway
6	P005182 International Dump	2	47,528.00	Highway

Vehicles to be paid for by the Departments as indicated.

Carried: Ayes - 1416 Noes - 0 Absent - 202, (96) Erhart (106) Glaus

# 21

**RESOLUTION NO. 93 - 70**  
**(March 10, 1993)**

By Mr. Gillette, Temporary Chairman of the Insurance Committee:

**R. LUCE REAPPOINTED EXECUTIVE SECRETARY  
 (ADMINISTRATOR) INSURANCE PROGRAMS**

BE IT RESOLVED, That, Ray Luce, Town of Orangeville, Varysburg, NY, is hereby reappointed as Executive Secretary (Administrator) of County Insurance Programs, said term to expire April 30, 1995.

Carried: Ayes - 1416 Noes - 0 Absent - 202, (96) Erhart (106) Glaus

# 22

**RESOLUTION NO. 93 - 71**  
**(March 10, 1993)**

By Mr. Herman, Temporary Chairman of the Rules Committee:

**ELIMINATION OF ADMINISTRATIVE ADJUDICATION  
 FOR ALLEGED PAROLE VIOLATORS OPPOSED;  
 RETENTION OF REVOCATION PROCESS WITH FULL  
 STATE REIMBURSEMENT TO LOCALITIES  
 SUPPORTED**

WHEREAS, the 1993 Executive Budget for the State of New York recommends and assumes modification of the current parole violation adjudication process, and

WHEREAS, the proposal would require the housing of alleged parole violators in the county jails while they await trial, without any provision for reimbursement to the counties from the State; and, further, would allow such violators, upon conviction, to be sentenced to county jails, with reimbursement from the State at a level far below the current State reimbursement rate for the housing of alleged parole violators, and far below the actual cost to the counties, and

WHEREAS, the proposal would certainly result in an increase in the number of local jail inmates, and

WHEREAS, the counties can bear neither the increased jail population nor the increased costs associated therewith,

NOW, THEREFORE, BE IT RESOLVED, that the Wyoming County Board of Supervisors strongly **opposes** the elimination of the administrative adjudication process for alleged parole violators, and **supports** the retention of the current revocation process with full State reimbursement to localities for confining those accused of violating their condition of parole.

Carried: Ayes - 1416 Noes - 0 Absent - 202, (96) Erhart (106) Glaus

# 23

**RESOLUTION NO. 93 - 72**  
**(March 10, 1993)**

By Mr. Moran, Temporary Chairman of the Finance Committee:

**NEGATIVE DECLARATION ON HOSPITAL  
CONSTRUCTION ISSUED**

WHEREAS, This Board of Supervisors has declared itself Lead Agency for the SEQR of the Psychiatric Unit addition to Wyoming County Community Hospital, and

WHEREAS, this project is a 12-bed addition to Wyoming County Community Hospital, at 401 North Main Street in the Village of Warsaw, and is to address the needs of psychiatric patients, and

WHEREAS, a Short Environmental Assessment Form (Short EAF) has been filed in this SEQR, and

March 10, 1993

## Proceedings of the Board of Supervisors

WHEREAS, said Short EAF has resulted in the identification of no significant environmental impacts, be it therefore

RESOLVED, That this Board of Supervisors issues a Negative Declaration for the SEQR of the Psychiatric Unit addition to Wyoming County Community Hospital in that the proposed action will not have a significant effect upon the environment and a Draft Environmental Impact Statement will not be prepared.

Carried: Ayes - 1416 Noes - 0 Absent - 202, (96) Erhart (106) Glaus  
# 11

### **RESOLUTION NO. 93 - 73 (March 10, 1993)**

By Mr. Bowles, Acting Temporary Chairman of the Social Services Committee:

### **CHAIRMAN AUTHORIZED TO SIGN CONTRACT FOR WEATHERIZATION SUPPLIES AND FURNACE REPAIRS FOR OFA**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed on behalf of the Office for the Aging to sign a contract with Yost A.C., Refrigeration and Heating, 566 Crossman Road, Wyoming NY, for furnace repairs for the contract period April 1, 1993 through March 31, 1994.; and be it

FURTHER RESOLVED that the Chairman of this Board, is hereby authorized and directed to sign the necessary contracts and related documents with Kasson and Keller Inc., Boston, MA., for weatherization supplies (windows) for the contract period April 1, 1993 through March 31, 1994.

Carried: Ayes - 1416 Noes - 0 Absent - 202, (96) Erhart (106) Glaus

# 24

### **RESOLUTION NO. 93 - 74 (March 10, 1993)**

Regular Session

By Mr. Herman, Temporary Chairman of the Rules Committee:

**RULES OF PROCEDURE FOR 1993 ADOPTED**

WHEREAS, This Board has deemed it necessary and desirable to reorganize its committee structure and to revise and update the rules which govern it, now therefore

BE IT RESOLVED, That the Rules of Procedure, as previously presented to this Board are hereby accepted and adopted, effective March 10, 1993.

Carried: Ayes - 1416 Noes - 0 Absent - 202, (96) Erhart (106) Glaus

Mr. Lowe moved to adjourn. Carried. Adjourned.

\*\*\*\*\*

**REGULAR SESSION****Tuesday****April 13, 1993****2:00 PM**

The Regular Session of the Wyoming County Board of Supervisors was held in the Court House, Warsaw, NY, with all members present except Mr. Erhart. Chairman Payne called the meeting to order and led the Pledge of Allegiance to the Flag.

Communications were read and filed with the Clerk of the Board.

C-1. A notice of the next Inter-County to be held April 22, 1993, was read.

C-2. A letter from the Wyoming County Business Development Corp., with regard to proposed consolidation of assessment, was read.

# 1

**RESOLUTION NO. 93 - 75**  
**(April 13, 1993)**

By Mr. Moran, Chairman of the Finance Committee:

**FUNDS APPROPRIATED TO VARIOUS ACCOUNTS**

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

COUNTY BUILDINGS

to acct no. 1620.4 cont. expense	8,500.00	8,500.00
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MENTAL HEALTH

to acct no. 4310.4 cont. expense	6,218.91	6,218.91
----------------------------------	----------	----------

and be it

FURTHER RESOLVED, That the County Treasurer is hereby authorized and directed to transfer the said amounts from any fund available therefore.

Carried: Ayes - 1522 Noes - 0 Absent - 96, Erhart

Regular Session

Mr. Moran, Chairman of the Finance Committee presented bills in the amount of \$1,037,755.18, and asked that they be approved for payment.

# 2

**RESOLUTION NO. 93 - 76**  
**(April 13, 1993)**

By Mr. Bowles, Chairman of the Human Services Committee:

**SUPERVISOR MEMBERS APPOINTED TO CAA BOARD**

WHEREAS, this Board of Supervisors has previously approved the restructuring of its Standing Committees, effective March 10, 1993, now, therefore

BE IT RESOLVED, That the following Supervisors are hereby appointed to the Community Action Agency Board to fill the unexpired terms of Irene M. Glaus and Roy Haller, Jr., respectively, said terms to expire December 31, 1993:

Madonna Barber, Town of Eagle, Bliss, NY

C. Arnold Cox, Town of Middlebury, Wyoming NY

Carried: Ayes - 1522 Noes - 0 Absent - 96, Erhart

# 3

**RESOLUTION NO. 93 - 77**  
**(April 13, 1993)**

By Mr. Bowles, Chairman of the Human Services Committee:

**K. LOWE APPOINTED TO THE OFA ADVISORY COUNCIL**

BE IT RESOLVED, That Kenneth C. Lowe, Town of Covington, Pavilion, NY, is hereby appointed to the Office for the Aging Advisory Council; said term to expire December 31, 1993.

Carried: Ayes - 1358 Noes - 164, Petri Absent - 96, Erhart

April 13, 1993

**RESOLUTION NO. 93 - 78**  
**(April 13, 1993)**

By Mr. Moran, Chairman of the Finance Committee:

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

WHEREAS, the County of Wyoming desires to maintain the additional one percent (1%) to the local sales tax charged to purchases, etc., made within the County under Resolution No. 80-284, passed November 25, 1980, and as amended, now therefore;

BE IT RESOLVED, That the County of Wyoming hereby requests the New York State Legislature to support and pass Senate bill, S3950, and Assembly bill, A6332, as amended to provide a start up date of September 1, 1993, which is the legislation necessary to exceed the ceiling for local sales tax in Wyoming County; and be it

FURTHER RESOLVED, that the Chairman of this Board and the Clerk of the Board are hereby authorized and directed to file the necessary Home Rule Request.

Carried: Ayes - 1358    Noes - 164, Petri    Absent - 96, Erhart

# 5

**RESOLUTION NO. 93 - 79**  
**(April 13, 1993)**

By Mr. Moran, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN AGREEMENTS TO  
FORM A CONSORTIUM OF COUNTIES TO EXPAND  
IMMUNIZATION CLINICS**

BE IT RESOLVED, That the County of Wyoming does hereby approve being named as lead agency for a consortium of counties to expand immunization clinics within eight Western New York counties; and be it

Regular Session

FURTHER RESOLVED, That the Chairman of this Board, the County Treasurer and the Public Health Director, with the approval of the County Attorney, are hereby authorized and directed to sign an agreement and related documents to name Wyoming County as lead agency to accept a grant through the New York State Department of Health at a cost not to exceed \$40,000 for 1993.

Carried: Ayes - 1522 Noes - 0 Absent - 96, Erhart

# 6

**RESOLUTION NO. 93 - 80**  
**(April 13, 1993)**

By Mr. Roberts, Chairman of the Planning Committee:

**CHAIRMAN AUTHORIZED TO SIGN AGREEMENT FOR  
GRANT TO PROVIDE INVENTORY SITES FOR  
ECONOMIC DEVELOPMENT**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign an agreement with Niagara Mohawk for a grant and matching funds to provide an inventory of sites available for economic development within the county, the amount of said grant and matching funds to be no more than \$5,000 each for 1993.

Carried: Ayes - 1522 Noes - 0 Absent - 96, Erhart

# 7

**RESOLUTION NO. 93 - 81**  
**(April 13, 1993)**

By Mr. Bowles, Chairman of the Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN VARIOUS  
RENEWAL CONTRACTS**

BE IT RESOLVED, That, with the approval of the County Attorney and on behalf of the Office for the Aging, the Chairman of this Board is hereby authorized and directed to sign various renewal contracts for the Office for the Aging.

April 13, 1993

**Proceedings of the Board of Supervisors**

authorized and directed to sign various new and renewal contracts and related documents, each for the period April 1, 1993 through March 31, 1994 as follows:

\* Wyoming Area Homemakers Services Inc., under Community Services for the Elderly (CSE)

\* Wyoming Area Homemakers Services Inc., under Expanded in Home Service for the Elderly Program (EISEP)

\* Wyoming County Public Health Department for EISEP Case Management

\* Aurora Home Care under CSE/EISEP

\* Norrell Health Care under CSE/EISEP.

Carried: Ayes - 1522 Noes - 0 Absent - 96, Erhart

# 8

**RESOLUTION NO. 93 - 82  
(April 13, 1993)**

By Mr. Bowles, Chairman of the Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN CONTRACT FOR  
PHC**

BE IT RESOLVED, That, with the approval of the County Attorney, the Chairman of this Board is hereby authorized and directed to sign a contract and related documents with Elizabeth Wascak to provide related services (speech therapy) for preschool handicapped children through the Wyoming County Youth Bureau, at the cost of \$40.00/hr for the period September 1, 1992 through August 31, 1993.

Carried: Ayes - 1522 Noes - 0 Absent - 96, Erhart

After the following Resolution was read, Mr. Herman expressed his aggravation at having to spend more money for this purpose noting that, the group involved had the opportunity to oppose the razing of the former jail/sheriff's house when plans for the new Jail/Public Safety Facility were being made two years ago. Mr. Petri supported this opinion.

**RESOLUTION NO. 93 - 83**  
**(April 13, 1993)**

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

**CHAIRMAN AUTHORIZED TO SIGN CONTRACT WITH  
STUART BROWN ASSOCIATES, INC.**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign a contract with Stuart Brown Associates, Inc., for the preparation of a SEQR plan regarding the former jail/sheriff's house, located at 145 N. Main St., Warsaw, NY; cost of said contract not to exceed \$9,700.00 to be paid from the County Buildings account.

Carried: Ayes - 1522 Noes - 0 Absent - 96, Erhart

# 10

**RESOLUTION NO. 93 - 84**  
**(April 13, 1993)**

By Mr. Bowles, Chairman of the Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN GLOW PIC  
BIENNIAL 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 GLOW Private Industry Council Biennial Plan and related documents for 1993/94 in which Genesee County is designated as the administrative entity/grant recipient to receive said funds.

Carried: Ayes - 1522 Noes - 0 Absent - 96, Erhart

# 11

**RESOLUTION NO. 93 - 85**  
**(April 13, 1993)**

April 13, 1993

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

**CHAIRMAN AUTHORIZED TO SIGN CONTRACT WITH  
NYS AG & MARKETS**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, on behalf of the Weights and Measures Director, is hereby authorized and directed to sign a contract with the New York State Department of Agriculture and Markets, Bureau of Weights and Measures, for the initiation of inspection, screening and sampling of petroleum products within Wyoming County, said contract to be for the period of April 1, 1993 through March 31, 1996.

Carried: Ayes - 1522 Noes - 0 Absent - 96, Erhart

# 12

**RESOLUTION NO. 93 - 86  
(April 13, 1993)**

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

**CHAIRMAN AUTHORIZED TO SIGN AMENDMENT TO  
GLOW INTER-MUNICIPAL AGREEMENT**

WHEREAS, the GLOW Region Solid Waste Management Committee's Intermunicipal Agreement provides for the Genesee County Treasurer to be the Fiscal Officer responsible for the investment and disbursement of funds, and

WHEREAS, the Genesee County Treasurer has advised GLOW that effective May 1, 1993, his office will no longer be able to handle the disbursement of GLOW funds, and

WHEREAS, no other County Treasurer is willing to take on the Fiscal Officer responsibilities, and

WHEREAS, it is necessary to amend the Intermunicipal Agreement to allow the GLOW Committee to handle the disbursement of funds; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors does hereby agree to amend the GLOW Region Solid Waste Management Committee's Intermunicipal Agreement to give the GLOW Committee the authority to disburse funds; and be it

Regular Session

FURTHER RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign an amendment to the GLOW Inter-municipal agreement regarding fiscal officer responsibilities.

Carried: Ayes - 1522 Noes - 0 Absent - 96, Erhart

# 13

**RESOLUTION NO. 93 - 87**  
**(April 13, 1993)**

By Mr. Bowles, Chairman of the Human Services Committee:

**NURSE PRACTITIONER CONTRACT FOR PUBLIC  
HEALTH DEPT. APPROVED**

BE IT RESOLVED, That the Chairman of this Board and the Public Health Director, with the approval of the County Attorney, are hereby authorized and directed to sign a contract for family planning nurse practitioner services through Wyoming County Public Health Department for 1993.

Carried: Ayes - 1522 Noes - 0 Absent - 96, Erhart

# 14

**RESOLUTION NO. 93 - 88**  
**(April 13, 1993)**

By Mr. Moran, Chairman of the Finance Committee:

**ERRORS CORRECTED IN TOWN OF BENNINGTON**

WHEREAS, pursuant to the Real Property Tax Law, application has been made for correction of error, assessment or levy on the parcels 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

April 13, 1993

**Proceedings of the Board of Supervisors**

County Treasurer shall charge back and apportion the various amounts thereof, as and if applicable, to the appropriate taxing authorities to the extent to which each has been benefitted thereby:

PARCEL ONE:	Town of Bennington, Parcel #28.-3-34.12
ASSESSED TO:	Albert J. Zeitler & W, 315 Sinn Road, Cowlesville, NY 14037
ERROR:	Clerical
AUTHORITY:	550.2(c)
CORRECTION	Refund of 1993 taxes in the amount of \$26.68

Carried: Ayes - 1522 Noes - 0 Absent - 96, Erhart

# 15

**RESOLUTION NO. 93 - 89**  
**(April 13, 1993)**

By Mr. Bowles, Chairman of the Human Services Committee:

**STATE CHARGE STATUS FOR MEDICAL ASSISTANCE COSTS SUPPORTED**

WHEREAS, New York State presently pays the non-federal costs of financial assistance clients who have resided in New York for less than one year; and

WHEREAS, New York State's full range medical assistance program attracts the medically needed to the State; now therefore be it

RESOLVED that the Wyoming County Board of Supervisors hereby petitions the New York State Legislature and the Governor's Office to enact legislation that would provide for State Charge status for medical assistance costs in the same manner as cash assistance; and be it

FURTHER RESOLVED, That administrative costs associated with both programs be likewise funded as State charges; and be it

FURTHER RESOLVED, That the Clerk of the Board of Supervisors forward a certified copies of this Resolution to the Governor's Office and all members of the New York State Legislature.

Carried: Ayes - 1522 Noes - 0 Absent - 96, Erhart

**RESOLUTION NO. 93 - 90**  
**(April 13, 1993)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT  
WITH MRB GROUP RE: ARCHITECTURAL WORK ON  
SO. WARSAW BUILDING**

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 MRB Group, Inc., Rochester, NY, for the purpose of completing architectural work on the South Warsaw property at a cost not exceed \$62,000.

Carried: Ayes - 1522 Noes - 0 Absent - 96, Erhart

# 17

**RESOLUTION NO. 93 - 91**  
**(April 13, 1993)**

By Mr. Bowles, Chairman of the Human Services Committee:

**CONFERENCE OF MENTAL HYGIENE DIRECTORS  
SUPPORTED**

BE IT RESOLVED, That the Wyoming County Board of Supervisors does hereby support the Community Mental Health Resources Bill (S2020/A4239) which, according to the NYS Conference of Local Mental Hygiene Directors, Inc., would correct the inequities of "deinstitutionalization" and reinvest state funds where patients live in Wyoming County.

Carried: Ayes - 1522 Noes - 0 Absent - 96, Erhart

# 18

**RESOLUTION NO. 93 - 92**

April 13, 1993

**Proceedings of the Board of Supervisors**  
**(April 13, 1993)**

By Mr. Bowles, Chairman of the Human Services Committee:

**APRIL 1993 PROCLAIMED AS 'AIDS' AWARENESS MONTH**

BE IT RESOLVED, That this Board of Supervisors, in cooperation with the Wyoming County AIDS Task Force, health care providers, schools, Cooperative Extension and all other local HIV/AIDS educational efforts, does hereby declare the month of April, 1993, as "AIDS AWARENESS MONTH" in Wyoming County.

Carried: Ayes - 1522 Noes - 0 Absent - 96, Erhart

# 19

**RESOLUTION NO. 93 - 93**  
**(April 13, 1993)**

By Mr. Roberts, Chairman of the Planning Committee:

**CONTRIBUTION TO RDC FOR 1993 APPROVED**

BE IT RESOLVED, That this Board of Supervisors does hereby approve, on behalf of the Office of Economic Development, a contribution of \$5,000 to the Rochester Finger Lakes Regional Development Corporation for 1993.

Carried: Ayes - 1522 Noes - 0 Absent - 96, Erhart

# 20

**RESOLUTION NO. 93 - 94**  
**(April 13, 1993)**

By Mr. Moran, Chairman of the Finance Committee:

**AMENDED RESOLUTION NO. 78-108, RE: DENIAL  
UNDER FREEDOM OF INFORMATION**

BE IT RESOLVED, That Resolution No. 78-108, passed by the Wyoming County Board of Supervisors on June 13, 1978, is hereby amended by substituting the Finance Committee in place of the Rules and Legislation Committee as the body regarding the denial of access to records and appeal from such denial.

Carried: Ayes - 1522 Noes - 0 Absent - 96, Erhart

# 21

**RESOLUTION NO. 93 - 95**  
**(April 13, 1993)**

By Mr. Moran, Chairman of the Finance Committee:

**LOCAL LAW INTRODUCTORY NO. R, YEAR 1993**

WHEREAS, there has been duly presented and introduced at a meeting of this Board, held on this 13th day of April 1993, a proposed local law of the County creating the Wyoming County Department of Assessment, and establishing its rules and regulations; transferring thereto the assessment functions and duties of and from the towns and villages pursuant to Municipal Home Rule Law Section 33-a; and establishing county and local advisory boards of assessment review, to become effective for the year 1994,

now, therefore, be it

RESOLVED, That public hearings are required to be had on the said local law by this Board of Supervisors' on the 26th day of April, 1993, at 7:00 PM in the Bliss Recreation Hall in the Hamlet of Bliss in the Town of Eagle, New York; on the 28th day of April, 1993, at 7:00 PM in the Auditorium in the Perry Central School in the Village of Perry, New York; on the 4th day of May, 1993, at 7:00 PM in the meeting room in the Bennington Town Hall in the Town of Bennington, New York; on the 6th day of May, 1993, at 7:00 PM in the cafeteria in the Arcade Elementary School in the Village of Arcade, New York; on the 11th day of May, 1993, at 2:00 PM in the Supervisors' Chambers in the County Courthouse in the Village of Warsaw, New York. and at least five days notice of such hearing shall be given by the Clerk of this Board by publishing such notice at least once in the official newspapers of the county designated for such publications.

Carried: Ayes - 1522 Noes - 55, Nugent (20), Herman, (35) Absent - 96, Erhart

April 13, 1993

**Proceedings of the Board of Supervisors**

Unanimous consent was requested and granted to present the following resolutions.

UC # 22

**Resolution No. 93 - 96  
(April 13, 1993)**

By Mr. Moran, Chairman of the Finance Committee:

**FUNDS TRANSFERRED WITHIN 1992 ACCOUNTS**

BE IT RESOLVED, That the County Treasurer is hereby authorized and directed to transfer funds within 1992 accounts as follows:

**SOCIAL SERVICES**

from acct no. 6140.4 Home Relief	176,295.51
from acct no. 6141.4 HEAP	65,986.91
to acct no. 6102.4 MMIS	242,282.42

Carried: Ayes - 1522    Noes - 0    Absent - 96, Erhart

UC # 23

**RESOLUTION NO. 93 - 97  
(April 13, 1993)**

By Mr. Herman, Chairman of the County Operations Committee:

**ACCOUNT CLERK POSITION CREATED IN OFA**

BE IT RESOLVED, That there is hereby created one (1) position of account clerk in the Office for the Aging to cover a medical leave of absence for up to three (3) months, said position to be placed in Schedule A, Grade 4 of the CSEA Agreement.

Carried: Ayes - 1522    Noes - 0    Absent - 96, Erhart

**RESOLUTION NO. 93 - 98**  
**(April 13, 1993)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT  
TO EXTEND A DRUG ENFORCEMENT PROGRAM  
CONTRACT**

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 Chautauqua County to extend STTFDEP from May 31, 1993 to June 30, 1993 and to transfer funds within pool accounts.

Carried: Ayes - 1522 Noes - 0 Absent - 96, Erhart

UC #25

**RESOLUTION NO. 93 - 99**  
**(April 13, 1993)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT RE:  
BUILDING & FIRE CODE ENFORCEMENT IN VILLAGE  
OF ATTICA, GENESEE COUNTY**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign a contract with Genesee County for the provision of fire and building code enforcement services in the Village of Attica, Genesee County at a cost of \$500.00 annually to Genesee County, effective May 1, 1993.

Carried: Ayes - 1522 Noes - 0 Absent - 96, Erhart

UC # 26

**RESOLUTION NO. 93 - 100**  
**(April 13, 1993)**

April 13, 1993

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

**RESTORATION OF PROBATION FUNDS IN NYS  
BUDGET SUPPORTED**

WHEREAS, Probation funding in the NYS Budget, recently adopted, has been severely cut and negatively effects the Wyoming County Probation Dept., now therefore,

BE IT RESOLVED, That the Wyoming County Board of Supervisors does hereby support the restoration of such funding to the county probation departments which were slashed from the NYS Budget; and be it

FURTHER RESOLVED, That certified copies of this resolution be sent to all representatives of Wyoming County.

Carried: Ayes - 1522 Noes - 0 Absent - 96, Erhart

Mr. Petri moved to adjourn. Carried. Adjourned.

\*\*\*\*\*

**REGULAR SESSION**

**Tuesday**

**May 11, 1993**

**2:00 PM**

The Regular Session of the Wyoming County Board of Supervisors was held in the Court House, Warsaw, NY, with all members present except Mrs. Glaus. Chairman Payne called the meeting to order and led the Pledge of Allegiance to the Flag. Mr. Erhart expressed his thanks for the cards and concern demonstrated during his recent illness.

Communications were read and filed with the Clerk of the Board.

C-1. A notice of the next Inter-County to be held May 20, 1993, hosted by Ontario County, was read.

C-2. A letter from the Town of Gainesville, was read concerning County-wide assessing.

Chairman Payne declared the public hearing open on Local Law No. R, re: County-wide assessing. Richard Tindell, Director of Economic Development, presented the only opening comment. Mr. Tindell advised all present that the Business Development Corp. fully supports the issue of County-wide assessing. There were no further questions or comments.

Mr. Erhart, Chairman of the Auditing Committee, presented bills totaling \$714,670.00 and asked that they be approved for payment.

Carried: Ayes - 1512   Noes - 0   Absent - 106, Glaus

# 1

**RESOLUTION NO. 93 - 101**  
**(May 11, 1993)**

By Mr. Moran, Chairman of the Finance Committee:

**FUNDS APPROPRIATED TO VARIOUS ACCOUNTS**

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

**SNOWMOBILES**

May 11, 1993

**Proceedings of the Board of Supervisors**

to acct no. 7989.4 cont. expense	600.47	600.47
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with revenue acct no. 3317. increased by equal amount

**COMPENSATION INSURANCE**

to acct no. 9040.80 compensation	4,065.91	4,065.91
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and be it

FURTHER RESOLVED, That the County Treasurer is hereby authorized and directed to transfer the said amounts from any fund available therefore.

Carried: Ayes - 1512 Noes - 0 Absent - 106, Glaus

# 2

**RESOLUTION NO. 93 - 102  
(May 11, 1993)**

By Mr. Moran, Chairman of the Finance Committee:

**FUNDS TRANSFERRED WITHIN VARIOUS ACCOUNTS**

BE IT RESOLVED, That the County Treasurer is hereby authorized and directed to transfer funds within various accounts as follows:

**RECORDS MANAGEMENT**

From acct no. 1460.81 retirement	68.69
to acct no. 1460.80 compensation	68.69

**FAMILY PLANNING**

From acct no. 4035.81 retirement	32.40
to acct no. 4035.80 compensation	32.40

**SOCIAL SERVICES**

From acct no. 6010.81 retirement	6,263.08
to acct no. 6010.80 compensation	6,263.08

**YOUTH BUREAU**

From acct no. 7310.4 contractual	1,390.25
to acct no. 7310.1 personal services	476.70
to acct no. 7310.2 equipment	823.68
to acct no. 7310.80 compensation	89.87

**EMPLOYMENT AND TRAINING OPPORTUNITIES**

From acct no. 6298.14 6% OJT Wages	2,000.00
From acct no. 6291.14 78% support OJT wages	19,000.00
From acct no. 6291.41 78% support cont./grant	5,000.00
to acct no. 6298.4 6% contractual	2,000.00
to acct no. 6300.4 Title III contractual	15,000.00
to acct no. 6292.12 78% training part. wages	9,000.00

Carried: Ayes - 1512 Noes - 0 Absent - 106, Glaus

After reading the following Resolution commentary was presented by Messrs. Erhart, Bowles, Herman and several members of a citizens group in attendance regarding the practice of hiring from outside of the county; and the increase in the salary set for this position.

# 3

**RESOLUTION NO. 93 - 103  
(May 11, 1993)**

By Mr. Bowles, Chairman of the Human Services Committee:

**P. MURRAY APPOINTED COMMISSIONER OF SOCIAL SERVICES**

BE IT RESOLVED, That Philip M. Murray, Orchard Park, NY, is hereby appointed Commissioner of Social Services for a five (5) year term, said term to expire June 15, 1998.

Carried: Ayes - 1057 Noes - 455, (164) Petri, (127) Huber, (96) Erhart, (20) Nugent, (48) Haller, Absent - 106, Glaus

May 11, 1993

**RESOLUTION NO. 93 - 104  
(May 11, 1993)**

By Mr. Herman, Chairman of the County Operations Committee:

**SCHEDULE D AMENDED TO SET SALARY OF  
COMMISSIONER OF SOCIAL SERVICES**

BE IT RESOLVED, That Schedule D of the Wyoming County Salary Plan, adopted November 23, 1992, is hereby amended to set the salary of the Commissioner of Social Services at \$58,600.00 annually, said salary to be effective with the appointment of a Commissioner of Social Services.

Carried: Ayes - 964 Noes - 548, (164) Petri, (127) Huber, (96) Erhart, (20) Nugent, (93) Moran, (48) Haller Absent - 106, Glaus

5

**RESOLUTION NO. 93 - 105  
(May 11, 1993)**

By Mr. Herman, Chairman of the County Operations Committee:

**RESOLUTION NO. 92-245 AMENDED, RE: EXTENDING  
THE POSITION OF DEPUTY COMMISSIONER OF  
SOCIAL SERVICES**

BE IT RESOLVED, That Resolution No. 92-245, passed by this Board on November 10, 1992, is hereby amended to extend the position of Deputy Commissioner of Social Services through December 31, 1993, said position to be placed in Schedule D of the Wyoming County Salary Plan at the rate of \$3,200 annually.

Carried: Ayes - 1512 Noes - 0 Absent - 106, Glaus

**RESOLUTION NO. 93 - 106**  
**(May 11, 1993)**

By Mr. Bowles, Chairman of the Human Services Committee:

**MEMBERS APPOINTED TO GLOW PRIVATE INDUSTRY  
COUNCIL**

BE IT RESOLVED, That this Board of Supervisors hereby approves the appointment of the following members to the G.L.O.W. Private Industry Council:

Calvin Parker, Town of Castile, Perry, NY representing Agriculture

Kevin Zeches, Town of Warsaw, Warsaw, NY representing the Private Sector

said terms to be for three years, expiring June 30, 1996.

Carried: Ayes - 1512 Noes - 0 Absent - 106, Glaus

# 7

**RESOLUTION NO. 93 - 107**  
**(May 11, 1993)**

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

**SOUTHERN TIER DRUG TASK FORCE ENFORCEMENT  
CONTRACT AUTHORIZED**

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

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 (NC92708533) with Southern Tier Drug Task Force Enforcement Program, said contract in the maximum amount of \$64,738.00 for the period April 1, 1993 through March 31, 1994.

Carried: Ayes - 1512 Noes - 0 Absent - 106, Glaus  
May 11, 1993

**RESOLUTION NO. 93 - 108  
(May 11, 1993)**

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

**SOUTHERN TIER DRUG TASK FORCE ENFORCEMENT  
CONTRACT AUTHORIZED**

BE IT RESOLVED, That the Chairman of this Board of Supervisors with the approval of the County Attorney, is hereby authorized and directed to sign a contract (NC92708533) with the Southern Tier Drug Task Force Enforcement Program for additional deputy services, said contract in the amount of \$15,824.00 for the period of April 1, 1993 through March 31, 1994.

Carried: Ayes - 1512 Noes - 0 Absent - 106, Glaus

# 9

**RESOLUTION NO. 93 - 109  
(May 11, 1993)**

By Mr. Moran, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN CONTRACT  
FOR PROPERTY TAX AUCTION SERVICES**

BE IT RESOLVED, That the Chairman of this Board and the County Treasurer, with the approval of the County Attorney, are hereby authorized and directed to sign a contract with Zientek Realty, N. Java, NY, an auction agency to provide property tax auction services for 1993.

Carried: Ayes - 1512 Noes - 0 Absent - 106, Glaus

# 10

**RESOLUTION NO. 93 - 110  
(May 11, 1993)**

Regular Session

By Mr. Roberts, Chairman of the Planning Committee:

**CHAIRMAN AUTHORIZED TO SIGN LEASE FOR  
COUNTY DOG POUND**

BE IT RESOLVED, That Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign a lease for the County Dog Pound services with Wilson and Margaret Parmerter in the amount of \$3,600.00, said lease to expire December 31, 1993.

Carried: Ayes - 1512 Noes - 0 Absent - 106, Glaus

# 11

**RESOLUTION NO. 93 - 111  
(May 11, 1993)**

By Mr. Bowles, Chairman of the Human Services Committee:

**CLERK OF THE BOARD AND/OR DIRECTOR  
TO ADVERTISE FOR BIDS FOR COPIER EQUIPMENT**

BE IT RESOLVED, That the Clerk of the Board/and or the Director of the Office for the Aging, with the approval of the Human Services Committee, are hereby authorized and directed to advertise for bids for copier/reproduction equipment; and be it

FURTHER RESOLVED, That the Human Services Committee of this Board of Supervisors is hereby authorized to award the bid to the lowest responsible bidder.

Carried: Ayes - 1512 Noes - 0 Absent - 106, Glaus

# 12

**RESOLUTION NO. 93 - 112  
(May 11, 1993)**

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

**APPROVED CONTRACT WITH ONEIDA CO. FOR  
GUARDING OF INMATES**

May 11, 1993

**Proceedings of the Board of Supervisors**

BE IT RESOLVED, That the County of Wyoming shall enter into an agreement with Oneida County for the guarding of Wyoming County prisoners at the Central New York Psychiatric Center at the rate of \$110.00 per day, per prisoner, and be it

FURTHER RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to execute said contract in the name of the County of Wyoming.

Carried: Ayes - 1512 Noes - 0 Absent - 106, Glaus

# 13

**RESOLUTION NO. 93 - 113**  
**(May 11, 1993)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT  
RE: STUDENT INTERN IN DISTRICT ATTORNEY'S  
OFFICE**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign a contract with Keith Kibler for student intern services in the District Attorney's office for the period June 7, 1993 through August 27, 1993 at a cost not exceed \$2,400.

Carried: Ayes - 1512 Noes - 0 Absent - 106, Glaus

# 14

**RESOLUTION NO. 93 - 114**  
**(May 11, 1993)**

By Mr. Herman, Chairman of the County Operations Committee:

**TYPIST POSITION IN ECONOMIC DEVELOPMENT  
CREATED**

BE IT RESOLVED, That there is hereby created one (1) position of typist (no more than 20 hours per week) in Economic Development, said position to be placed in Schedule A, Grade 2 of the C.S.E.A. Agreement.

Carried: Ayes - 1464 Noes - 48, Haller Absent - 106, Glaus

# 15

**RESOLUTION NO. 93 - 115**  
**(May 11, 1993)**

By Mr. Herman, Chairman of the County Operations Committee:

**POSITION OF DISPATCHER, PART TIME, IN SHERIFF'S  
DEPARTMENT/JAIL EXTENDED**

BE IT RESOLVED, That one (1) position of dispatcher, part-time (0-40 hours), in the Sheriff's Department/Jail is hereby temporarily extended through June 23, 1993, said position to be placed in Schedule A-3, Grade 2 of the Sheriff's Union Contract.

Carried: Ayes - 1512 Noes - 0 Absent - 106, Glaus

# 16

**RESOLUTION NO. 93 - 116**  
**(May 11, 1993)**

By Mr. Bowles, Chairman of the Human Services Committee:

**AMENDED RESOLUTION 87-28, RE: CORONER COST  
PER CASE**

BE IT RESOLVED, That Resolution No. 87-28, passed by this Board on February 10, 1987, is hereby amended to read as follows:  
"and be it

FURTHER RESOLVED, That one (1) body or person is deemed to be one (1) case, and be it

May 11, 1993

**Proceedings of the Board of Supervisors**

FURTHER RESOLVED, That this change shall be effective immediately."

Carried: Ayes - 1512 Noes - 0 Absent - 106, Glaus

# 17

**RESOLUTION NO. 93 - 117  
(May 11, 1993)**

By Mr. Moran, Chairman of the Finance Committee:

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

WHEREAS, the County of Wyoming desires to maintain the additional one percent (1%) to the local sales tax charged to purchases, etc., made within the County under Resolution No. 80-284, passed November 25, 1980, and as amended, now therefore;

BE IT RESOLVED, That the County of Wyoming hereby requests the New York State Legislature to support and pass Senate bill, S.3850-A, and Assembly bill, A.6332-A, which is the legislation necessary to exceed the ceiling for local sales tax in Wyoming County; and be it

FURTHER RESOLVED, that the Chairman of this Board and the Clerk of the Board are hereby authorized and directed to file the necessary Home Rule Request.

Carried: Ayes - 1252 Noes - 260, (164) Petri, (96) Erhart Absent - 106, Glaus  
# 18

**RESOLUTION NO. 93 - 118  
(May 11, 1993)**

By Mr. Bowles, Chairman of the Human Services Committee:

**DECREASE RENT ON OFA BUILDING**

BE IT RESOLVED, That this Board hereby approves reducing the rent charged for the Office for the Aging building, located at 76 N. Main St.,

Regular Session

Warsaw, New York, to One Thousand Dollars (\$1,000.00) per month retroactive to January 1, 1993.

Carried: Ayes - 1512 Noes - 0 Absent - 106, Glaus

# 19

**RESOLUTION NO. 93 - 119**  
**(May 11, 1993)**

By Mr. Herman, Chairman of the County Operations Committee:

**CLERK POSITION CREATED IN BOARD OF  
SUPERVISORS OFFICE**

BE IT RESOLVED, That there is hereby created one (1) position of clerk in the Office of the Board of Supervisors, said position to be placed in Schedule A, Grade 2 of the CSEA Agreement.

Carried: Ayes - 1419 Noes - 93, Moran Absent - 106, Glaus

# 20

**RESOLUTION NO. 93 - 120**  
**(May 11, 1993)**

By Mr. Herman, Chairman of the County Operations Committee:

**POSITION OF STUDENT AIDE IN BOARD OF  
ELECTIONS CREATED**

BE IT RESOLVED, That there is hereby created one (1) position of student aide, temporary, in the office of the Board of Elections for the period of June 1, 1993 through August 31, 1993 at the rate of \$5.50 to \$7.00 per hour, with no other benefits except those mandated by law.

Carried: Ayes - 1512 Noes - 0 Absent - 106, Glaus

May 11, 1993

**RESOLUTION NO. 93 - 121**  
**(May 11, 1993)**

By Mr. Moran, Chairman of the Finance Committee:

**SEMI-ANNUAL MORTGAGE TAX DISTRIBUTION**  
**APPROVED**

Mr. Moran, Chairman of the Finance Committee, presented the SEMI-ANNUAL MORTGAGE TAX REPORT for the period of October 1, 1992 through March 31, 1993 and moved that the Clerk draw warrants on the County Treasurer for the various amounts therein.

To: John B. Edwards, 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 \$168,912.49 to the several tax districts of Wyoming County, in accordance with the report filed with the Clerk/Administrative Assistant of the Board of Supervisors, as follows:

<u>TAX DISTRICTS</u>	<u>CURRENT TAX</u>
Arcade - Village	5,983.97
Arcade - Town	17,513.84
Attica - Village	4,046.71
Attica - Town	11,141.60
Bennington - Town	19,809.44
Castile - Village	1,743.74
Castile - Perry Village	1,509.45
Castile - Town	18,142.42
Covington - Town	6,756.53
Eagle - Town	3,119.21
Gainesville - Village	328.55
Gainesville - Silver Springs	1,298.73
Gainesville - Town	6,368.83
Genesee Falls - Town	2,166.71
Java - Town	12,082.82
Middlebury - Wyoming Village	396.99
Middlebury - Town	4,420.50
Orangeville - Town	5,275.41
Perry - Village	3,998.02

Regular Session

## Proceedings of the Board of Supervisors

93

Perry - Town	10,232.74
Pike - Village	300.09
Pike - Town	2,534.42
Sheldon - Town	10,692.54
Warsaw - Village	5,491.58
Warsaw - Town	11,551.81
Wethersfield - Town	2,005.84

Let This Be Your Warrant For Such Payment: \$168,912.49

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the Board of Supervisors this 11th day of May 1993.

s/Michelle J. Millen,  
Clerk/Adm. Assistant Board of Supervisors

Carried: Ayes - 1512 Noes - 0 Absent - 106, Glaus

# 22

## **RESOLUTION NO. 93 - 122 (May 11, 1993)**

By Mr. Herman, Chairman of the County Operations Committee:

## **POSITION OF MOTOR VEHICLE OPERATOR, SEASONAL, IN OTEO CREATED**

BE IT RESOLVED, That there is hereby created one (1) position of motor vehicle operator, seasonal in the Office of Employment and Training, said position to be placed in Schedule H, Grade 1 of the Wyoming County Salary Plan, effective June 1, 1993.

Carried: Ayes - 1512 Noes - 0 Absent - 106, Glaus

# 23

## **RESOLUTION NO. 93 - 123 (May 11, 1993)**

May 11, 1993

By Mr. Herman, Chairman of the County Operations Committee:

**RESOLUTION NO. 93-16 AMENDED, RE: POSITION OF  
BUILDING MAINTENANCE HELPER IN CIVIL SERVICE**

BE IT RESOLVED, That Resolution No. 93-16, passed by this Board of Supervisors January 12, 1993, is hereby amended to extend the position of building maintenance helper in the office of Civil Service through December 31, 1993, said position to be placed in Schedule B, Grade 3 of the C.S.E.A. Agreement.

Carried: Ayes - 1512 Noes - 0 Absent - 106, Glaus

# 24

**RESOLUTION NO. 93 - 124  
(May 11, 1993)**

By Mr. Roberts, Chairman of the Planning Committee:

**REQUESTING A STATE PROGRAM FOR RABIES  
VACCINATION OF LIVESTOCK IN THE STATE OF NEW  
YORK**

WHEREAS, Wyoming County and the surrounding Counties have been experiencing a serious outbreak of terrestrial rabies, primarily in raccoons, since at least the Spring of 1992; and

WHEREAS, Wyoming County has an agriculturally intensive economy; and

WHEREAS, Agricultural livestock is continuously exposed to wildlife which is likely to be rabid; and

WHEREAS, The State of New York, in order to protect the public health, provides as assistance to the Counties for the free vaccination of domestic animals to provide an effective barrier between the wildlife and people; and

WHEREAS, People employed in agricultural occupations are exposed daily to their livestock; an

Regular Session

WHEREAS, There is the need to provide the same barrier against rabies, similar to that provided to owners of domestic animals, to agricultural people; and

WHEREAS, The costs associated with vaccinating entire herds of livestock against rabies is a serious economic burden to agricultural people; now therefore be it

RESOLVED, That the Wyoming County Board of Supervisors hereby requests that the State of New York provide a livestock vaccination program, similar to the domestic animal vaccination program, to assure the protection of the public health in agricultural areas; and be it

FURTHER RESOLVED, That copies of this resolution be sent to Wyoming County's representatives in the State Senate and Assembly, as well as the Governor of the State and surrounding Counties.

Carried: Ayes - 1512 Noes - 0 Absent - 106, Glaus

# 25

**RESOLUTION NO. 93 - 125**  
**(May 11, 1993)**

By Mr. Moran, Chairman of the Finance Committee:

**CREATION OF 51ST STATE SUPPORTED**

BE IT RESOLVED, That the Wyoming County Board of Supervisors does hereby support Donald R. Davidsen, Assemblyman, 130th District, in his proposal to create a 51st State in the upstate area beginning at the northern border of Westchester and Rockland counties; and be it

FURTHER RESOLVED, That certified copies of this resolution are hereby directed to be sent to all representatives of Wyoming County in order to stimulate discussion regarding restoring the government to the people.

Carried: Ayes - 1370 Noes - 142, (96) Erhart, (46) Gillette Absent - 106, Glaus

# 26

**RESOLUTION NO. 93 - 126**

May 11, 1993

**Proceedings of the Board of Supervisors**  
**(May 11, 1993)**

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

**EMERGENCY MEDICAL SERVICES WEEK MAY 23-29,  
1993 PROCLAIMED**

WHEREAS, the members of the emergency medical services teams devote their lives to saving the lives of others;

WHEREAS, emergency medical services teams consist of emergency physicians, nurses, emergency medical technicians, paramedics, educators, and administrators;

WHEREAS, the people of Wyoming County benefit daily from the knowledge and skill of these trained individuals;

WHEREAS, advances in emergency medical care increase the number of lives saved every year;

WHEREAS, the professional organizations of providers of emergency medical services promote research to improve and adapt their skills as new methods of emergency treatment are developed;

WHEREAS, the members of emergency medical services teams encourage national standardization of training and testing of emergency medical personnel and reciprocal recognition of training and credentials by the States;

WHEREAS, the designation of Emergency Medical Services Week will serve to educate the people of Wyoming County about accident prevention and what to do when confronted with a medical emergency; and

WHEREAS, it is appropriate to recognize the value and the accomplishments of emergency medical services teams by designating Emergency Medical Services Week.

NOW, therefore, the Wyoming County Board of Supervisors in recognition of this event does hereby proclaim the week of May 23-29, 1993 as

**"EMERGENCY MEDICAL SERVICES WEEK"**

Regular Session

and encourage the community to observe this week with appropriate programs, ceremonies, and activities.

Carried: Ayes - 1512 Noes - 0 Absent - 106, Glaus

After hearing additional comments and concerns from citizens and Supervisors with reference to the issue of County-wide assessing, Mr. Moran stated that the only item being voted on in the following resolution was to set a date for a public hearing on Local Law Introductory No. R - Amended. Chairman Payne closed the public hearing.

#27

**RESOLUTION NO. 93 - 127**  
**(May 11, 1993)**

By Mr. Moran, Chairman of the Finance Committee:

**LOCAL LAW INTRODUCTORY NO. R-A, YEAR 1993**

WHEREAS, there has been duly presented and introduced at a meeting of this Board, held on this 11th day of May 1993, a proposed local law of the County creating the Wyoming County Department of Assessment, and establishing its rules and regulations; transferring thereto the assessment functions and duties of and from the towns pursuant to Municipal Home Rule Law Section 33-a; and establishing county and local advisory boards of assessment review, to become effective for the year 1994,

now, therefore, be it

RESOLVED, That a public hearing is required to be had on the said local law by this Board of Supervisors on the 25th day of May, 1993, at 1:30 PM in the Supervisors' Chambers in the County Courthouse in the Village of Warsaw, New York and at least five days notice of such hearing shall be given by the Clerk of this Board by publishing such notice at least once in the official newspapers of the county designated for such publications, and be it

FURTHER RESOLVED, That the Rules of Procedure shall be suspended for that day only to allow resolutions to be accepted until 1:00 PM on May 25, 1993.

Carried: Ayes - 1312 Noes - 200, (49) Barber, (96) Erhart, (20) Nugent, (35) Herman Absent - 106, Glaus

May 11, 1993

**RESOLUTION NO. 93 - 128  
(May 11, 1993)**

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

**AUTHORIZED CHAIRMAN TO SIGN PINS ADJUSTED  
SERVICE PLAN FOR 1993-94**

BE IT RESOLVED, That the Chairman of this Board, on behalf of the Probation Department, Department of Social Services and Youth Bureau, is hereby authorized and directed to sign the Persons-In- Need-of-Supervision (PINS) Adjusted Services Plan for 1993-94.

Carried: Ayes - 1512 Noes - 0 Absent - 106, Glaus

Mr. Erhart moved to adjourn. Carried. Adjourned.

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**SPECIAL SESSION**

**Tuesday**

**May 25, 1993**

**1:30 PM**

The Regular Session of the Wyoming County Board of Supervisors was held in the Court House, Warsaw, NY, with all members present except Mrs. Glaus and County Attorney Dadd. Chairman Payne called the meeting to order and led the Pledge of Allegiance to the Flag.

There were no communications.

Chairman Payne declared the public hearing open on Local Law No. R-A, re: County-wide assessing. Mr. Herman stated that he highly opposes county-wide assessing and he as a representative of the Town of Wethersfield cannot support Local Law R-A. There were no further comments or questions. The County Attorney now present.

#1

**RESOLUTION NO. 93 - 129**  
**(May 25, 1993)**

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

**RESOLUTION ACCEPTING THE FULL ENVIRONMENTAL ASSESSMENT FORM FOR THE PROPOSED NEW WYOMING COUNTY COURTHOUSE, MAKING A DETERMINATION OF SIGNIFICANCE (POSITIVE DECLARATION) THAT THE PROPOSED ACTIONS MAY HAVE A SIGNIFICANT IMPACT ON THE ENVIRONMENT, AND DIRECTING THAT THE FIRST STAGE IN THE PREPARATION OF AN ENVIRONMENTAL IMPACT STATEMENT AND OTHER APPROPRIATE STEPS TO COMPLY WITH THE STATE ENVIRONMENTAL QUALITY REVIEW LAW AND REGULATIONS BE UNDERTAKEN**

WHEREAS, the Board of Supervisors has reviewed the Full Environmental Assessment Form (EAF), which was prepared by Stuart I. Brown Associates, Inc., and has found it to provide a suitable assessment of the impacts that may be expected from this project; and

May 25, 1993

## **Proceedings of the Board of Supervisors**

WHEREAS, the EAF indicate that the proposed actions may have significant impacts on the Wyoming County Office Campus and neighboring areas, in particular, because the site is located in the Monument Circle Historic District, which is listed on the National Register of Historic Places; and

WHEREAS, the Office of Court Administration, which is the only other agency that appears to be an involved agency as defined by the State Environmental Quality Review (SEQR) regulations, has been contacted and provided with a copy of the EAF, had no suggestions for changes to the EAF, and has agreed that the Wyoming County Board of Supervisors be designated the lead agency for the completion of the SEQR procedures; and

WHEREAS, the Board of Supervisors intends to undertake a thorough environmental review of the project and to provide suitable opportunities for interested parties and the general public to express their opinions and provide their input; now, therefore,

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors is hereby designated as the lead agency for the completion of the SEQR procedures; and be it

**FURTHER RESOLVED**, That the Board of Supervisors accepts the EAF that has been prepared, determined that the proposed actions may have a significant adverse impact on the environment, directs the Chairman of the Board to sign and date the Determination of Significance to demonstrate that the Board agrees with and accepts responsibility for the EAF and the conclusions stated therein and directs that the Positive Declaration be dated and that copies be distributed as required by the SEQR regulations; and be it

**FURTHER RESOLVED**, That the Board of Supervisors directs that appropriate public participation activities be undertaken, a suitable outline (scope) be developed for an environmental impact statement (EIS) for this project, reasonable alternative and suitable mitigation measure be examined, expected impacts be more thoroughly ascertained, and a preliminary draft of the EIS be prepared for the Board to examine and determine whether it is acceptable with respect to scope and content and whether it is adequate for public review; and be it

**FURTHER RESOLVED**, That this resolution shall take effect immediately.

Carried: Ayes - 1512   Noes - 0   Absent - 106, Glaus

**A LOCAL LAW ALLOWING FOR EXEMPTION UNDER  
SECTION 3 OF PUBLIC OFFICERS LAW OF THE STATE OF NEW  
YORK**

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

WHEREAS, the Wyoming County Board of Supervisors acknowledges the importance of having employees and public officers of the County of Wyoming who are the best qualified and most capable of serving the needs of the people of the County; and

WHEREAS, the Wyoming County Board of Supervisors has resolved to exercise its prerogative under the Municipal Home Rule Law to supersede Section 3(1) of the Public Officers Law of the State of New York which in general sets forth the qualifications for holding office in a political subdivision or municipal corporation of the State; now, therefore,

**BE IT RESOLVED**, That the provisions of Section 3 of the Public Officers Law of the State of New York requiring a person to be a resident of the political subdivision or municipal corporation of the State for which he or she shall be chosen or within which his or her official functions are required to be exercised shall not prevent a person from holding any appointed public office provided that such person is otherwise qualified to serve as a public officer and resides within the State of New York.

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

After the reading of the following resolution, Mr. Herman explained the reason for Local Law Introductory No. T was that while there is no law stating that we have to hire within the county; neither is there a law that states we can hire outside the county.

#2

**RESOLUTION NO. 93 - 130  
(May 25, 1993)**

By Mr. Herman, Chairman of the County Operations Committee:

May 25, 1993

**Proceedings of the Board of Supervisors**  
**LOCAL LAW INTRODUCTORY NO. T, YEAR 1993,**  
**PRESENTED**

WHEREAS, there has been duly presented and introduced at a meeting of this Board, held on this 25th day of May 1993, a proposed local law of the County entitled "LOCAL LAW INTRODUCTORY NUMBER T, YEAR 1993, COUNTY OF WYOMING, NEW YORK: LOCAL LAW ALLOWING FOR EXEMPTION UNDER SECTION 3 OF PUBLIC OFFICERS LAW OF THE STATE OF NEW YORK", now, therefore, be it

RESOLVED, That a public hearing is required to be had on the said local law by this Board of Supervisors on the 8th day of June, 1993, at 2:00 PM in the Supervisors' Chambers in the County Court- house in the Village of Warsaw, New York, and at least five days notice of such hearing shall be given by the Clerk of this Board by publishing such notice at least once in the official newspapers of the county designated for such publications.

Carried: Ayes - 1416   Noes - 96, Erhart   Absent - 106, Glaus

There were no additional questions and comments presented regarding Local Law No. R-A. Chairman Payne declared the public hearing closed.

#3

**RESOLUTION NO. 93 - 131**  
**(May 25, 1993)**

By Mr. Moran, Chairman of the Finance Committee:

**LOCAL LAW INTRODUCTORY NO. R-A, YEAR 1993,**  
**ADOPTED**

WHEREAS, there was duly presented and introduced at a meeting of this Board, held on the 11th day of May 1993, a proposed local law of the County, designated Local Law Introductory No. R-A for the Year 1993, entitled a "LOCAL LAW OF THE COUNTY OF WYOMING CREATING THE WYOMING COUNTY DEPARTMENT OF ASSESSMENT AND ESTABLISHING ITS RULES AND REGULATIONS; TRANSFERRING THERETO THE ASSESSMENT FUNCTIONS AND DUTIES OF AND FROM THE TOWNS PURSUANT TO MUNICIPAL HOME RULE LAW SECTION 33-A; AND ESTABLISHING COUNTY AND LOCAL ADVISORY BOARD OF ASSESSMENT REVIEW"; and

Special Session

WHEREAS, in accordance with the provision of Resolution No. 93-127, there was a public hearing held by the Board of Supervisors on the 25th day of May at 1:30 PM, after due notice of said hearing having been published according to law and said resolution, and

WHEREAS, after holding said public hearing and the said local laws having laid on the desks of the members of the Board of Supervisors at least seven calendar day, exclusive of Sunday, prior to the final adoption, it was unanimously agreed by all members of this committee to recommend the enactment and passage of the above-mentioned local law, designated as Local Law Introductory No. R-A for the Year 1993, in its original form, and which is designated as hereinabove set forth, therefore, be it

RESOLVED, that Local Law Introductory No. R-A, County of Wyoming, New York, as presented to this Board on the 11th day of May 1993, is hereby adopted, enacted and passed by this Board in its original form and as originally submitted.

Carried: Ayes - 1312 Noes - 200, Barber (49), Erhart (96), Nugent (20), Herman (35) Absent - 106, Glaus

Mr. Erhart moved to adjourn. Carried. Adjourned.

\*\*\*\*\*

**REGULAR SESSION****Tuesday****June 08, 1993****2:00 PM**

The Regular Session of the Wyoming County Board of Supervisors was held in the Court House, Warsaw, NY, with all members present. Chairman Payne called the meeting to order and led the Pledge of Allegiance to the Flag.

There were no communications.

Chairman Payne declared the public hearing open on Local Law No. T, re: allowing exemption under Section 3 of Public Officers Law. No questions or comments were presented by the public or Supervisors.

Mr. Erhart, Chairman of the Auditing Sub-Committee, presented bills totaling \$696,462.62 and asked that they be approved for payment.

# 1

**RESOLUTION NO. 93 - 132**  
**(June 08, 1993)**

By Mr. Moran, Chairman of the Finance Committee:

**FUNDS APPROPRIATED TO JUSTICE AND  
CONSTABLES ACCOUNT**

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

**JUSTICE AND CONSTABLES**

to acct no. 1180.11 pers. svc.	40.00
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and be it

FURTHER RESOLVED, That the County Treasurer is hereby authorized and directed to transfer the said amounts from any fund available therefore.

Carried: Ayes - 1618   Noes - 0   Absent - 0

**RESOLUTION NO. 93 - 133**  
**(June 08, 1993)**

By Mr. Moran, Chairman of the Finance Committee:

**FUNDS TRANSFERRED WITHIN VARIOUS ACCOUNTS**

BE IT RESOLVED, That the County Treasurer is hereby authorized and directed to transfer funds within various accounts as follows:

**PUBLIC HEALTH**

From acct no. 4010.2 equipment	111.00
to acct no. 4010.23 motor vehicles	111.00

**CONSUMER AFFAIRS**

From acct no. 6610.4 cont. expense	110.00
to acct no. 6610.2 equipment	110.00

**YOUTH BUREAU**

From acct no. 7310.4 contractual	360.00
to acct no. 7310.2 equipment	360.00

Carried: Ayes - 1618   Noes - 0   Absent - 0

# 3

**Proceedings of the Board of Supervisors**  
**RESOLUTION NO. 93 - 134**  
**(June 08, 1993)**

By Mr. Bowles, Chairman of the Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN EARLY  
INTERVENTION AND PHC PROGRAMS FOR 1993-94**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign contracts with the following agencies for Early Intervention Services (EIS) (0-2 years) and Pre-School Handicapped Children Programs (PHC) (3-5 years) as required by the New York State Education Department:

Livingston/Wyoming ARC Children's Services, PHC, period September 1, 1993 through August 31, 1994;

Livingston/Wyoming ARC Children's Services, EIS, period July 1, 1993 through August 31, 1993;

Genesee/Wyoming BOCES, PHC, period September 1, 1993 through August 31, 1994;

Genesee/Wyoming BOCES, EIS, period July 1, 1993 through August 31, 1993;

League for the Handicapped, Inc., PHC, period September 1, 1993 through August 31, 1994;

League for the Handicapped, Inc., EIS, period July 1, 1993 through August 31, 1993;

United Cerebral Palsy, EIS, period July 1, 1993 through August 31, 1993.

Mary Cariola Center, 1000 Elmwood Ave., Rochester, NY, PHC, period September 1, 1993 through August 31, 1994.

Carried: Ayes - 1618   Noes - 0   Absent - 0

**RESOLUTION NO. 93 - 135**  
**(June 08, 1993)**

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

**AGREEMENT WITH RG&E FOR CONSTRUCTION OF  
GAS PIPELINE AUTHORIZED**

WHEREAS, Rochester Gas and Electric is desirous to install a gas pipeline across county owned property located at the Wyoming County Community Hospital; and

WHEREAS, It has been determined necessary to construct and maintain a gas pipeline across Wyoming County owned property at 400 North Main Street in the Village of Warsaw; now therefore

BE IT RESOLVED, That the Chairman of the Board, with the approval of the County Attorney, be authorized to execute an easement agreement with Rochester Gas and Electric enabling this installation.

Carried: Ayes - 1618 Noes - 0 Absent - 0

# 5

**RESOLUTION NO. 93 - 136**  
**(June 08, 1993)**

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

**CONTRACT FOR FOOD SERVICE APPROVED**

BE IT RESOLVED, That the Chairman of this Board is hereby authorized and directed with the approval of the County Attorney, to sign a contract with Frontier Food Services, Inc., West Seneca, NY, for the provision of food services on behalf of the Wyoming County Jail, said contract to be for the period January 1, 1993 through December 31, 1993, \$7.40 per day for an inmate population less than forty; and \$7.10 per day for an inmate population of forty or more.

Carried: Ayes - 1618 Noes - 0 Absent - 0

June 08, 1993

**RESOLUTION NO. 93 - 137**  
**(June 08, 1993)**

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

**ADVERTISING BY MRB GROUP FOR BIDS FOR NEW  
ROOF ON SOUTH WARSAW FACILITY AUTHORIZED**

BE IT RESOLVED, That the MRB Group on behalf of the County of Wyoming, with the approval of the Public Works Committee, is hereby authorized and directed to advertise for bids for construction of a new roof at the South Warsaw facility, located at 3791 Route 19; and be it

FURTHER RESOLVED, that the Public Works Committee of the Board of Supervisors and the MRB Group are hereby authorized to award bids to the lowest responsible and responsive bidder.

Carried: Ayes - 1618   Noes - 0   Absent - 0

# 7

**RESOLUTION NO. 93 - 138**  
**(June 08, 1993)**

By Mr. Herman, Chairman of the County Operations Committee:

**TEMPORARY CLERK POSITION, PT, VETERAN'S  
SERVICES CREATED**

BE IT RESOLVED, That there is hereby created one (1) position of clerk, part time , in the Veterans' Services office, said position to be placed in Schedule A, Grade 2 of the CSEA Agreement for a period of up to two (2) months.

Carried: Ayes - 1618   Noes - 0   Absent - 0

**RESOLUTION NO. 93 - 139**  
**(June 08, 1993)**

By Mr. Herman, Chairman of the County Operations Committee:

**TEMPORARY POSITION OF INDEX CLERK IN COUNTY  
CLERK'S OFFICE EXTENDED**

BE IT RESOLVED, That one (1) temporary position of index clerk in the County Clerk's office, is hereby extended through August 31, 1993, said position to be placed in Schedule A, Grade 4 of the CSEA Agreement.

Carried: Ayes - 1618 Noes - 0 Absent - 0

# 9

**RESOLUTION NO. 93 - 140**  
**(June 08, 1993)**

By Mr. Bowles, Chairman of the Human Services Committee:

**RESOLUTION AMENDED, RE: HOMELESS GRANT  
CONTRACT**

BE IT RESOLVED, That Resolution No. 92-47 passed by this Board on February 11, 1992, is hereby amended to increase the amount of funds for the Homeless Grant from \$8,603.00 to \$15,577.00 through December 31, 1993; and be it

FURTHER RESOLVED, That the Chairman of this Board is hereby authorized and directed to sign said agreement.

Carried: Ayes - 1618 Noes - 0 Absent - 0

# 10

**RESOLUTION NO. 93 - 141**  
**(June 08, 1993)**

June 08, 1993

By Mr. Roberts, Chairman of the Planning Committee:

**MATCHING FUNDS FOR TPA APPROVED**

BE IT RESOLVED, That the Wyoming County Board of Supervisors hereby approves taking part in the 1993-1994 Matching Funds Program for tourist promotional activities; and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors hereby designates the Wyoming County Tourist Promotion Agency, Inc. as the official Tourist Promotion Agency for the County of Wyoming and as the agency to apply for and receive matching funds on behalf of the County under this program.

Carried: Ayes - 1618   Noes - 0   Absent - 0

# 11

**RESOLUTION NO. 93 - 142  
(June 08, 1993)**

By Mr. Moran, Chairman of the Finance Committee:

**COMMITMENT TO 1994 MATCHING FUNDS FOR TPA  
APPROVED**

BE IT RESOLVED, That the Wyoming County Board of Supervisors has approved taking part in the 1993-1994 Matching Fund Program for tourist promotional activities and hereby commits the County of Wyoming to \$30,000 in matching funds which is over and above the regularly appropriated amount to be included in the 1994 County Budget.

Carried: Ayes - 1618   Noes - 0   Absent - 0

# 12

**RESOLUTION NO. 93 - 143  
(June 08, 1993)**

By Mr. Bowles, Chairman of the Human Services Committee:

Regular Session

**PUBLIC HEALTH DIRECTOR AND/OR PURCHASING  
DIRECTOR TO ADVERTISE FOR BIDS FOR NEW  
TELEPHONE SYSTEM**

BE IT RESOLVED, That the Public Health Director/and or the Purchasing Director, with the approval of the Human Services Committee, are hereby authorized and directed to advertise for bids for a new telephone system to be installed in the Public Health Department; and be it

FURTHER RESOLVED, That the Human Services Committee of this Board of Supervisors is hereby authorized to award the bid to the lowest responsible and responsive bidder.

Carried: Ayes - 1618 Noes - 0 Absent - 0

Chairman Payne declared a recess; business resumed.

# 13

**RESOLUTION NO. 93 - 144  
(June 08, 1993)**

By Mr. Moran, Chairman of the Finance Committee:

**REVISED PURCHASING POLICY ADOPTED**

WHEREAS, the County of Wyoming has made changes to its budgetary tracking system, which in turn directly effects the method by which purchases of goods and services are made and payment is issued; now, therefore,

BE IT RESOLVED, That Resolution No. 88-175, passed by this Board on August 9, 1988, is hereby amended to include the County Highway Department; and be it

FURTHER RESOLVED, That this Board of Supervisors does hereby approve and adopt the revised Purchasing Policy as submitted which incorporates the changes necessary to accomplish this goal.

Carried: Ayes - 1618 Noes - 0 Absent - 0

June 08, 1993

**RESOLUTION NO. 93 - 145**  
**(June 8, 1993)**

By Mr. Moran, Chairman of the Finance Committee:

**LOCAL LAW INTRODUCTORY NO. S, YEAR 1993,  
PRESENTED**

WHEREAS, there has been duly presented and introduced at a meeting of this Board, held on this 8th day of June 1993, a proposed local law of the County entitled "LOCAL LAW INTRODUCTORY NUMBER S, YEAR 1993, COUNTY OF WYOMING, NEW YORK: LOCAL LAW ESTABLISHING THE POSITION OF COUNTY ADMINISTRATOR OF THE COUNTY OF WYOMING", now, therefore, be it

RESOLVED, That a public hearing is required to be had on the said local law by this Board of Supervisors on the 13th day of July, 1993, at 2:00 PM in the Supervisors' Chambers in the County Courthouse in the Village of Warsaw, New York and at least five days notice of such hearing shall be given by the Clerk of this Board by publishing such notice at least once in the official newspapers of the county designated for such publications.

Carried: Ayes - 1534    Noes - 84, Nugent (20), Cox, (64)    Absent - 0

Chairman Payne asked if there were any further questions or comments on Local Law No. T, Year 1993. County Attorney Dadd defined the meaning of Public Officer. Mr. Lowe commented that he hoped the county citizens realize that anyone hired out of county is always encouraged to consider residency here. After further general discussion the Chairman declared the public hearing closed.

# 15

**RESOLUTION NO. 93 - 146**  
**(June 08, 1993)**

By Mr. Herman, Chairman of the County Operations Committee:

Regular Session

**LOCAL LAW INTRODUCTORY NO. T, YEAR 1993,  
ADOPTED**

WHEREAS, there was duly presented and introduced at a meeting of this Board, held on the 25th day of May 1993, a proposed local law of the County, designated Local Law Introductory No. T for the Year 1993, entitled a " LOCAL LAW INTRODUCTORY NUMBER T, YEAR 1993, COUNTY OF WYOMING, NEW YORK: LOCAL LAW ALLOWING FOR EXEMPTION UNDER SECTION 3 OF PUBLIC OFFICERS LAW OF THE STATE OF NEW YORK"; and

WHEREAS, in accordance with the provision of Resolution No. 93-130, there was a public hearing held by the Board of Supervisors on the 8th day of June 1993 at 2:00 PM, after due notice of said hearing having been published according to law and said resolution, and

WHEREAS, after holding said public hearing and the said local laws having laid on the desks of the members of the Board of Supervisors at least seven calendar day, exclusive of Sunday, prior to the final adoption, it was unanimously agreed by all members of this committee to recommend the enactment and passage of the above-mentioned local law, designated as Local Law Introductory No. T for the Year 1993, in its original form, and which is designated as hereinabove set forth, therefore, be it

RESOLVED, that Local Law Introductory No. T, County of Wyoming, New York, as presented to this Board on the 25th day of May 1993, is hereby adopted, enacted and passed by this Board in its original form and as originally submitted.

Carried: Ayes - 1375    Noes - 243, Huber (127), Erhart (96), Nugent (20),  
Absent - 0

Unanimous consent was requested and granted to present the following resolutions.

UC #16

**RESOLUTION NO. 93 - 147  
(June 08, 1993)**

By Mr. Moran, Chairman of the Finance Committee:

June 08, 1993

**Proceedings of the Board of Supervisors****HOME RULE REQUEST TO MAINTAIN SALES TAX  
INCREASE APPROVED**

WHEREAS, the County of Wyoming desires to maintain the additional one percent (1%) to the local sales tax charged to purchases, etc., made within the County under Resolution No. 80-284, passed November 25, 1980, and as amended, now therefore;

BE IT RESOLVED, That the County of Wyoming hereby requests the New York State Legislature to support and pass Senate bill, S.3950-C, and Assembly bill, A.6332-C, which is the legislation necessary to exceed the ceiling for local sales tax in Wyoming County; and be it

FURTHER RESOLVED, that the Chairman of this Board and the Clerk of the Board are hereby authorized and directed to file the necessary Home Rule Request.

Carried: Ayes - 1618 Noes - 0 Absent - 0

UC# 17

**RESOLUTION NO. 93 - 148  
(June 08, 1993)**

By Mr. Bowles, Chairman of the Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN TITLE V  
APPLICATION AND CONTRACTS**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign a Title V grant application and contract through the NYS Office for the Aging; and be it

FURTHER RESOLVED, That the Chairman of this Board, with the approval of the County Attorney and on behalf of the Office for the Aging, is hereby authorized and directed to sign a contract with the Wyoming County Office of Training and Employment Opportunities, to provide services under Title V for the period July 1, 1993 through June 30, 1994.

Carried: Ayes - 1618 Noes - 0 Absent - 0

UC# 18

**RESOLUTION NO. 93 - 149  
(June 08, 1993)**  
Regular Session

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

**CHAIRMAN AUTHORIZED TO SIGN CONTRACT WITH  
CGR, RE: STUDY FOR A FULL TIME POSITION OF DA**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign a contract with the Center for Governmental Research (CGR), 17 S. Washington St., Rochester, NY 14608, for a comprehensive study for the position of full-time District Attorney, cost of said contract not to exceed \$6,500.00

Carried: Ayes - 1618 Noes - 0 Absent - 0

UC# 19

**RESOLUTION NO. 93 - 150  
(June 08, 1993)**

By Mr. Moran, Chairman of the Finance Committee:

**FUNDS APPROPRIATED TO SHERIFF'S ACCOUNT**

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

**SHERIFF'S**

acct no. 3110.23 motor vehicles	7,500.00
with estimated revenue account increased by same amount	

and be it

FURTHER RESOLVED, That the County Treasurer is hereby authorized and directed to transfer the said amounts from any fund available therefore.

Carried: Ayes - 1618 Noes - 0 Absent - 0

Mr. Erhart moved to adjourn. Carried. Adjourned.

\*\*\*\*\*

June 08, 1993

**REGULAR SESSION****Tuesday****July 13, 1993****2:00 PM**

The Regular Session of the Wyoming County Board of Supervisors was held in the Court House, Warsaw, NY, with all members present except Mr. Haller and Mr. Cox. Chairman Payne called the meeting to order and led the Pledge of Allegiance to the Flag. Chairman Payne requested that Supervisors Moran and Gillette escort Mrs. Anne Humphrey, new Supervisor from the Town of Perry, to her seat.

Communications were read and filed with the Clerk of the Board.

C-1. A letter from Assemblyman Thomas Reynolds concerning his receipt of copies of Resolution Nos. 93-124 and 93-125, was read.

C-2. A letter of resignation submitted by Anne Humphrey from the WCCH Board of Managers, was read.

C-3. A notice of the next Inter-County meeting to be held Thursday, July 15, 1993, was read.

C-4. A reminder of the Retirement Party for Ross Roberts to be held on Sunday, July 17, 1993, was read.

Chairman Payne declared the public hearing open on Local Law Introductory No. S, re: creation of County Administrator position. No questions or comments were presented by the public or the Supervisors.

Mr. Erhart, Chairman of the Auditing Committee, presented bills totaling \$832,489.93 and asked that they be approved for payment.

# 1

**RESOLUTION NO. 93-151  
(July 13, 1993)**

By Mr. Moran, Chairman of the Finance Committee:

**FUNDS APPROPRIATED TO VARIOUS ACCOUNTS**

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

Regular Session

**DISTRICT ATTORNEY**

to acct no. 1165.4 cont. expense	6,500.00
----------------------------------	----------

**OFFICE OF TRAINING AND EMPLOYMENT OPPORTUNITIES**

to acct no. 6341.1 Title V pers. svc.	2,090.00
to acct no. 6341.12 Title V Part. Wages	22,100.00
to acct no. 6341.4 Title V Contractual	3,145.50
to acct no. 6341.83 Title V Social Security	1,500.00
to acct no. 6341.84 Title V Unemp. Insurance	1,512.00
to acct no. 6341.85 Title V Medicare	360.00
to acct no. 6341.99 Title V Hospitalization	<u>1,000.00</u>

31,707.50

said funds to be 90% reimbursable

**OFFICE FOR THE AGING**

to acct no. 6772.2 equipment	14,311.00
to acct no. 6772.4 cont. expense	<u>128,800.00</u>

143,111.00

said funds to be 100% reimbursable;

to acct no. 6772.2 equipment	4,840.00
to acct no. 6772.4 cont. expense	<u>12,452.00</u>

17,292.00

with estimated revenues increased by an equal amount

**SOLID WASTE**

to acct no. 8030.4 cont. expense	175,000.00
----------------------------------	------------

with estimated revenues increased by an equal amount

and be it

FURTHER RESOLVED, That the County Treasurer is hereby authorized and directed to transfer the said amounts from any funds available therefore.

Carried: Ayes - 1506 Noes - 0 Absent - 112, Cox (64), Haller (48)

July 13, 1993

**RESOLUTION NO. 93-152  
(July 13, 1993)**

By Mr. Moran, Chairman of the Finance Committee:

**FUNDS TRANSFERRED WITHIN VARIOUS ACCOUNTS**

BE IT RESOLVED, That the County Treasurer is hereby authorized and directed to transfer funds within various accounts as follows:

OFA

From acct no. 6772.23 motor vehicles	9,396.00
to acct no. 6772.2 equipment	9,396.00
From acct no. 6774.4 cont. expense	1,196.00
to acct no. 6774.2 equipment	1,196.00

O.T.E.O.

From acct no. 6298.11 part. wages	1,000.00
to acct no. 6298.4 cont. expenses	1,000.00

YOUTH BUREAU

From acct no. 7310.4 contractual	143.73
to acct no. 7310.2 equipment	143.73

Carried: Ayes - 1506 Noes - 0 Absent - 112, Cox (64), Haller (48)

# 3

**RESOLUTION NO. 93-153  
(July 13, 1993)**

Regular Session

By Mr. Herman, Chairman of the County Operations Committee:

**APPROVED CSEA LOCAL #1000, GENERAL UNIT  
CONTRACT**

BE IT RESOLVED, That the Wyoming County Board of Supervisors hereby accepts the three (3) year contract for the years 1993, 1994, and 1995 with the Wyoming County Employees Unit, Wyoming County Local # 861, Civil Service Employees Association, Inc. Local 1000, AFSCME AFL-CIO, subject to language approval by the office of the County Attorney; and be it

FURTHER RESOLVED, That the Chairman of this Board and the members of the County Operations Committee of this Board, are hereby authorized to execute the above mentioned agreement on behalf of the County of Wyoming.

This resolution shall be effective immediately.

Carried: Ayes - 1506 Noes - 0 Absent - 112, Cox (64), Haller (48)

# 4

**RESOLUTION NO. 93-154  
(July 13, 1993)**

By Mr. Moran, Chairman of the Finance Committee:

**ERRORS CORRECTED IN TOWNS OF COVINGTON AND  
SHELDON**

WHEREAS, pursuant to the Real Property Tax Law, application has been made for correction of error, assessment or levy on the parcels 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

July 13, 1993

**Proceedings of the Board of Supervisors**

Law, and the Wyoming County Treasurer shall charge back and apportion the various amounts thereof, as and if applicable, to the appropriate taxing authorities to the extent to which each has been benefitted thereby:

PARCEL ONE:	Town of Covington, Tax Map #26.-1-34.21
ASSESSED TO:	Walter Guthrie and Sons, 10742 Lake Street North, Pavilion, New York 14525
ERROR:	Clerical
AUTHORITY:	RPT Law #557
CORRECTION:	Corrected tax bill - 1990 - \$ 2,214.74 plus penalty and interest Corrected tax bill - 1991 - \$ 2,274.01 plus penalty and interest
PARCEL TWO:	Town of Sheldon, Tax Map #90.4-1-29
ASSESSED TO:	Donald F. Holzschuh, 3800 Main Street, Strykersville, New York 14145
ERROR:	Clerical
AUTHORITY:	RPT Law #550.2(c)
CORRECTION:	Refund \$137.77 1993 tax

Carried: Ayes - 1506 Noes - 0 Absent - 112, Cox (64), Haller (48)

# 5

**RESOLUTION NO. 93-155**  
**(July 13, 1993)**

By Mr. Herman, Chairman of the County Operations Committee:

**RESOLUTION NOS. 92-99 AND 92-160 AMENDED,**  
**RE: CORRECT TITLE OF NURSE IN PUBLIC HEALTH**  
**DEPARTMENT**

BE IT RESOLVED, That Resolution No. 92-99, passed by this Board of Supervisors on April 14, 1992; and Resolution No. 92-160, passed by this Board on July 14, 1992, are hereby amended to correct the title of nurse in Public Health Department, correct title to be Registered Professional Nurse (RPN.).

Carried: Ayes - 1506 Noes - 0 Absent - 112, Cox (64), Haller (48)

Regular Session

Mr. Erhart moved that the following resolution be amended to specify August 31, 1993 as the date for which this position is to be extended. No objections received.

# 6

**RESOLUTION NO. 93-156  
(July 13, 1993)**

By Mr. Herman, Chairman of the County Operations Committee:

**RESOLUTION NO. 93-97 AMENDED, RE: TEMPORARY POSITION OF ACCOUNT CLERK IN OFA EXTENDED**

BE IT RESOLVED, That Resolution No. 93-97, passed by this Board of Supervisors April 13, 1993, is hereby amended to extend the temporary position of account clerk in the Office for the Aging through the end of the medical leave of absense, August 31, 1993, said position to be placed in Schedule A, Grade 4 of the CSEA Agreement.

Carried: Ayes - 1506 Noes - 0 Absent - 112, Cox (64), Haller (48)

# 7

**RESOLUTION NO. 93-157  
(July 13, 1993)**

By Mr. Moran, Chairman of the Finance Committee:

**RESOLUTION 91-304 AMENDED, RE: ESTABLISHING THE OPERATING LINE OF CREDIT FOR THE HOSPITAL**

BE IT RESOLVED, That Resolution No. 91-304, passed by this Board of Supervisors on December 27, 1991, is hereby amended to remove conditions three (3) and four (4), and substitute a new condition three (3) as follows:

3. Operating Line of Credit must be paid in full by December 31st of each year.

Carried: Ayes - 1506 Noes - 0 Absent - 112, Cox (64), Haller (48)

July 13, 1993

**RESOLUTION NO. 93-158  
(July 13, 1993)**

By Mr. Bowles, Chairman of the Human Services Committee:

**A. HUMPHREY APPOINTED TO CAA BOARD**

BE IT RESOLVED, That Anne Humphrey, Town of Perry, Perry, NY, is hereby appointed Supervisor Member to the Community Action Agency Board to fill the unexpired term of W. Faulkner, said term to expire December 31, 1993.

Carried: Ayes - 1506 Noes - 0 Absent - 112, Cox (64), Haller (48)

# 9

**RESOLUTION NO. 93-159  
(July 13, 1993)**

By Mr. Bowles, Chairman of the Human Services Committee:

**MEMBERS APPOINTED TO GLOW PIC**

BE IT RESOLVED, That this Board of Supervisors approves the appointment of the following at-large members to the G.L.O.W. Private Industry Council as indicated, subject to concurrence from Genesee, Livingston and Orleans County Legislative bodies:

Dane R. Sprague, Genesee County, representing the Department of Social Services

Franklin E. Towner, Orleans County, representing the Veteran's Office

said terms to be for three years, expiring July 1, 1996.

Carried: Ayes - 1506 Noes - 0 Absent - 112, Cox (64), Haller (48)

Regular Session

**RESOLUTION NO. 93-160**  
**(July 13, 1993)**

By Mr. Faulkner, Chairman of the Planning Committee:

**AUTHORIZED CHAIRMAN TO SIGN DOCUMENTS TO  
APPROVE AGREEMENT FOR RPTCAP GRANT**

WHEREAS, The Board of Supervisors was informed by letter dated June 18, 1993 from the New York State Department of Transportation that Wyoming County has been awarded a grant to continue to assist the County in developing a coordinated public transportation service; and

WHEREAS, the purpose of such grant is to continue the development and implementation of a Coordinated Public Transportation Service in accordance with Department of Transportation guidelines; now, therefore

BE IT RESOLVED, That authorization be and hereby is given the appropriate County Officials to enter into all necessary agreements with the State and to take whatever steps are necessary to fulfill the terms of the grant; and be it

FURTHER RESOLVED, That certified copies of this resolution be forwarded along with the necessary State grant agreement, to the New York State Department of Transportation.

Carried: Ayes - 1506 Noes - 0 Absent - 112, Cox (64), Haller (48)

# 11

**RESOLUTION NO. 93-161**  
**(July 13, 1993)**

By Mr. Faulkner, Chairman of the Planning Committee:

**MEMBERSHIP TO THE RGRTA APPROVED**

July 13, 1993

**Proceedings of the Board of Supervisors**

WHEREAS, The Wyoming County Board of Supervisors has considered the potential benefits that would accrue to the County by becoming a member of the Rochester-Genesee Regional Transportation Authority, and

WHEREAS, said Board has evaluated Chapter 1124 of the Laws of 1969 which provides the basis for the creation and operation of the Authority, and

WHEREAS, the Board of Supervisors has concluded that County election to membership on the Rochester-Genesee Regional Transportation Authority would be to the good and betterment of the County of Wyoming and serve the interests of County residents;

NOW THEREFORE BE IT RESOLVED, That the Board of Supervisors of the County of Wyoming does hereby elect to become a member of the Rochester-Genesee Regional Transportation Authority;

and be it

FURTHER RESOLVED, That this membership shall become effective immediately upon the filling of certified copies of this resolution with the Rochester-Genesee Regional Transportation Authority, the Wyoming County Clerk, the Secretary of State and other public bodies and officials as required by law.

Carried: Ayes - 1506 Noes - 0 Absent - 112, Cox (64), Haller (48)

# 12

**RESOLUTION NO. 93-162  
(July 13, 1993)**

By Mr. Herman, Chairman of the County Operations Committee:

**ESSEX COUNTY POSITION SUPPORTED**

WHEREAS, Essex County has expressed its strong and unwavering support of Senator Ronald B. Stafford and his opposition to any further legislation seeking to impose more restrictive land use and development regulations and controls on lands with the Adirondack Park; now, therefore,

BE IT RESOLVED, That this Board of Supervisors expresses its support of Essex County and Senator Ronald B. Stafford.

Regular Session

Carried: Ayes - 1506 Noes - 0 Absent - 112, Cox (64), Haller (48)

Chairman Payne called a recess; business resumed. Mr. Moran explained that the following resolution had been passed by the Senate and the House however, it had not been signed by the Governor at this time. Mr. Moran expressed his extreme anger over the situation.

# 13

**RESOLUTION NO. 93-163**  
**(July 13, 1993)**

By Mr. Moran, Chairman of the Finance Committee:

**INCREASING THE RATE OF TAXES ON  
SALES AND USES OF TANGIBLE  
PERSONAL PROPERTY AND ON CERTAIN  
SERVICES, AND ON OCCUPANCY OF  
HOTEL ROOMS AND AMUSEMENT  
CHARGE, PURSUANT TO ARTICLE 29 OF  
THE TAX LAW OF THE STATE OF NEW  
YORK**

BE IT ENACTED by the Wyoming County Board of Supervisors as follows:

SECTION 1. The first sentence of section two of Resolution No. 80-284, as enacted November 25, 1980, as amended, is amended to read as follows:

SECTION 2. Imposition of sales tax.

On and after March 1, 1981, there is hereby imposed and there shall be paid a tax of three percent upon, and for the period commencing September 1, 1993 and ending November 30, 1994, there is hereby imposed and there shall be paid an additional tax of one percent upon:

SECTION 2. A new subdivision (f) of section three of Resolution No. 80-284 as enacted in nineteen hundred eighty, as amended, is added to read as follows:

(f) With respect to the additional tax of one percent imposed for the period commencing September 1, 1993 and ending November 30, 1994, the provisions of subdivisions (a), (b), (c), (d) and (e) of this section apply, except

July 13, 1993

**Proceedings of the Board of Supervisors**

that for the purposes of this subdivision, all references in said subdivisions (a), (b), (c) and (d) to an effective date shall be read as referring to September 1, 1993, all references in said subdivision (a) to the date four months prior to the effective date shall be read as referring to May 1, 1993, and the reference in subdivision (b) to the date immediately preceding the effective date shall be read as referring to August 31, 1993. Nothing herein shall be deemed to exempt from tax at the rate in effect prior to September 1, 1993 any transaction which may not be subject to the additional tax imposed effective on that date.

SECTION 3. Section four of Resolution No. 80-284 as enacted in nineteen hundred eighty, as amended, is amended to read as follows:

SECTION 4. Imposition of compensating use tax.

(a) Except to the extent that property or services have already been or will be subject to the sales tax under this enactment, there is hereby imposed on every person a use tax for the use within this taxing jurisdiction on and after September 1, 1993, except as otherwise exempted under this enactment, (A) of any tangible personal property purchased at retail, (B) of any tangible personal property (other than computer software used by the author or other creator) manufactured, processed or assembled by the user, (i) if items of the same kind of tangible personal property are offered for sale by him in the regular course of business or (ii) if items are used as such or incorporated into a structure, building or real property, by a contractor, subcontractor or repairman in erecting structures or buildings, or building on, or otherwise adding to, altering, improving, maintaining, servicing or repairing real property, property or land, as the terms real property, property or land are defined in the real property tax law, if items of the same kind are not offered for sale as such by such contractor, subcontractor or repairman or other user in the regular course of business, (C) of any of the services described in paragraphs (1), (7) and (8) of subdivision (c) of section two, (D) of any tangible personal property, however acquired, where not acquired for purposes of resale, upon which any of the services described under paragraphs (2), (3) and (7) of subdivision (c) of section two have been performed, (E) of any telephone answering service described in subdivision (b) of section two and (F) of any computer software written or otherwise created by the user if the user offers software of a similar kind for sale as such or as a component part of other property in the regular course of business.

(b) For purposes of clause (A) of subdivision (a) of this section, for the period commencing September 1, 1993

and ending November 30, 1994, the tax shall be at the rate of four percent, and on and after December 1, 1994, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for such property, or for the use of such property, including any charges for shipping or delivery as described in paragraph three of subdivision (b) of section one, but excluding any credit for tangible personal property accepted in part payment and intended for resale.

(c) For purposes of subclause (i) of clause (B) of subdivision (a) of this section, for the period commencing September 1, 1993 and ending November 30, 1994, the tax shall be at the rate of four percent, and on and after December 1, 1994, the tax shall be at the rate of three percent, of the price at which items of the same kind of tangible personal property are offered for sale by the user, and the mere storage, keeping, retention or withdrawal from storage of tangible personal property by the person who manufactured, processed or assembled such property shall not be deemed a taxable use by him.

(d) For purposes of subclause (ii) of clause (B) of subdivision (a) of this section, for the period commencing September 1, 1993 and ending November 30, 1994, the tax shall be at the rate of four percent, and on and after December 1, 1994, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the tangible personal property manufactured, processed or assembled into the tangible personal property the use of which is subject to tax, including any charges for shipping or delivery as described in paragraph three of subdivision (b) of section one.

(e) Notwithstanding the foregoing provisions of this section, for purposes of clause (B) of subdivision (a) of this section, there shall be no tax on any portion of such price which represents the value added by the user to tangible personal property which he fabricates and installs to the specifications of an addition or capital improvement to real property, property or land, as the terms real property, property or land are defined in the real property tax law, over and above the prevailing normal purchase price prior to such fabrication of such tangible personal property which a manufacturer, producer or assembler would charge an unrelated contractor who similarly fabricated and installed such tangible personal property to the specifications of an addition or capital improvement to such real property, property or land.

**Proceedings of the Board of Supervisors**

(f) For purposes of clauses (C), (D) and (E) of subdivision (a) of this section, for the period commencing September 1, 1993 and ending November 30, 1994, the tax shall be at the rate of four percent, and on and after December 1, 1994, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the service, including the consideration of any tangible personal property transferred in conjunction with the performance of the service and also including any charges for shipping and delivery of the property so transferred and of the tangible personal property upon which the service was performed as such charges are described in paragraph three of subdivision (b) of section one.

(g) For purposes of clause (F) of subdivision (a) of this section, for the period commencing September 1, 1993 and ending November 30, 1994, the tax shall be at the rate of four percent, and on and after December 1, 1994, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the tangible personal property which constitutes the blank medium, such as disks or tapes, used in conjunction with the software, or for the use of such property, and the mere storage, keeping, retention or withdrawal from storage of computer software described in such clause (F) by its author or other creator shall not be deemed a taxable use by such person.

SECTION 4. Section six of Resolution No. 80-284 as enacted in nineteen hundred eighty, as amended, is amended by adding a new subdivision (k) to read as follows:

(k) Exemption of certain energy sources and related services from additional one percent rate of tax. Notwithstanding any inconsistent provision of this resolution, receipts from the retail sale or use of fuel oil and coal used for residential purposes; the receipts from the retail sale or use of wood used for residential heating purposes; and the receipts from every sale, other than for resale, or use of propane (except when sold in containers of less than one hundred pounds), natural gas, electricity, steam and gas, electric and steam services used for residential purposes shall be exempt from the additional one percent rate of sales and compensating use taxes imposed, pursuant to the authority of Chapter 633 of the Laws of 1992 of the State of New York, by sections 2 and 4, respectively, of this resolution for the period commencing September 1, 1993 and ending November 30, 1994.

SECTION 5. Subdivision one of section eleven of Resolution No. 80-284 as enacted in nineteen hundred eighty, as amended, is amended to read as follows:

## **Proceedings of the Board of Supervisors**

129

(1)(A) In respect to the use of property used by the purchaser in this County prior to March 1, 1981.

(B) With respect to the additional tax of one percent imposed for the period beginning September 1, 1993 and ending November 30, 1994, in respect to the use of property used by the purchaser in this County prior to September 1, 1993.

SECTION 6. This enactment shall take effect on September 1, 1993.

Carried: Ayes - 1506 Noes - 0 Absent - 112, Cox (64), Haller (48)

# 14

## **RESOLUTION NO. 93-164**

**(July 13, 1993)**

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

### **CHAIRMAN AUTHORIZED TO SIGN 1993/94 CONTRACTS FOR ALTERNATIVES TO INCARCERATION PROGRAMS**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign contracts with the New York State Division of Probation and Correctional Alternatives for Wyoming County's Alternatives to Incarceration Program, covering the Correctional Alternatives and Pretrial Release Programs in the amount of \$21,533., and be it

FURTHER RESOLVED, That said contract shall be for the period July 1, 1993 through June 30, 1994.

Carried: Ayes - 1506 Noes - 0 Absent - 112, Cox (64), Haller (48)

# 15

## **RESOLUTION NO. 93-165**

**(July 13, 1993)**

By Mr. Bowles, Chairman of the Human Services Committee:

### **CLERK OF THE BOARD AND/OR DSS COMMISSIONER TO ADVERTISE FOR BIDS FOR OPTICAL FILE STORAGE EQUIPMENT**

July 13, 1993

**Proceedings of the Board of Supervisors**

BE IT RESOLVED, That the Clerk of the Board and/or the Commissioner of Social Services are hereby authorized and directed to advertise for bids for optical file storage equipment; and be it

FURTHER RESOLVED, That the Human Services Committee of this Board of Supervisors is hereby authorized to award the bid to the lowest responsible bidder.

Carried: Ayes - 1506 Noes - 0 Absent - 112, Cox (64), Haller (48)

# 16

**RESOLUTION NO. 93-166  
(July 13, 1993)**

By Mr. Faulkner, Chairman of the Planning Committee:

**CHAIRMAN AUTHORIZED TO SIGN CONTRACT FOR  
INDUSTRIAL SITES/BUILDING DIRECTORY  
PREPARATION**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, and on behalf of the office of Economic Development, is hereby authorized and directed to sign a contract with Stuart I. Brown Associates, Inc., Fairport, NY, for the preparation of an industrial sites/building directory for Wyoming County, cost of said contract not to exceed \$9,930.00.

Carried: Ayes - 1506 Noes - 0 Absent - 112, Cox (64), Haller (48)

# 17

**RESOLUTION NO. 93-167  
(July 13, 1993)**

By Mr. Bowles, Chairman of the Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN '93-94 CSBG  
APPLICATION**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed, on behalf of the Office for the Aging, to sign a Community Services Block Grant application through Regular Session

the NYS Office for the Aging in the amount of \$88,825.00 for the period October 1, 1993 through September 30, 1994.

Carried: Ayes - 1506 Noes - 0 Absent - 112, Cox (64), Haller (48)

# 18

**RESOLUTION NO. 93-168**  
**(July 13, 1993)**

By Mr. Herman, Chairman of the County Operations Committee:

**ONE POSITION OF CLERK, RECORDS MANAGEMENT,  
EXTENDED**

BE IT RESOLVED, That one (1) temporary position of clerk for records management in the County Clerk's office is hereby extended through December 31, 1993, said position to be paid at the rate of \$6.50 per hour for the purpose of conducting an inventory of the records of various county departments.

Carried: Ayes - 1506 Noes - 0 Absent - 112, Cox (64), Haller (48)

# 19

**RESOLUTION NO. 93-169**  
**(July 13, 1993)**

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

**CHAIRMAN AUTHORIZED TO SIGN U.S. DOT GRANT  
APPLICATION**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney and on behalf of the Local Emergency Planning Committee (LEPC), is hereby authorized and directed to sign a grant application and related documents with the U.S. Department of Transportation under the Hazardous Materials Transportation Uniform Safety Act, maximum amount of said grant to be \$1,325.00.

Carried: Ayes - 1506 Noes - 0 Absent - 112, Cox (64), Haller (48)

July 13, 1993

**RESOLUTION NO. 93-170  
(July 13, 1993)**

By Mr. Faulkner, Chairman of the Planning Committee:

**R/GRTA DESIGNATED AS CSO FOR COUNTYWIDE  
PUBLIC TRANSPORTATION SYSTEM**

WHEREAS, The Genesee Transportation Council (GTC) has completed the research and developed a conceptual plan for a Countywide Coordinated Public Transportation Service in accordance with New York State Department of Transportation guidelines for the Rural Public Transportation Coordination Assistance Program (RPTCAP); and

WHEREAS, the plan addresses the unmet transportation needs of County residents, departments, contract and human services agencies, and the Americans With Disabilities Act that requires the delivery of specialized transportation services for the disabled; and

WHEREAS, the County's RPTCAP Advisory Committee has recommended and the Board of Supervisors has previously adopted this conceptual plan for a Coordinated Public Transportation Service; and

WHEREAS, by adopting the conceptual plan to establish a Countywide Coordinated Public Transportation Service and designating a Coordinated Service Operator, Wyoming County will receive priority consideration for NYSDOT awards of funding for vehicle and equipment acquisition and operating subsidies; and

WHEREAS, the Board of Supervisors of Wyoming County needs to select a Coordinated Public Transportation Service Operator (CSO) to implement and oversee the Coordinated Public Transportation Service Plan; and

WHEREAS, the Rochester-Genesee Regional Transportation Authority is a public transportation operator, capable of providing said services.

NOW THEREFORE BE IT RESOLVED, that the Board of Supervisors hereby designates the Rochester-Genesee Regional Transportation Authority as the County's Coordinated Public Transportation Service Operator

Regular Session

to be responsible for the oversight and operation of the County's Coordinated Transportation Service.

Carried: Ayes - 1506 Noes - 0 Absent - 112, Cox (64), Haller (48)

# 21

**RESOLUTION NO. 93-171**  
**(July 13, 1993)**

By Mr. Faulkner, Chairman of the Planning Committee:

**APPOINTMENTS FOR REPRESENTATION ON THE  
BOARD OF COMMISSIONERS FOR R/GRTA**

WHEREAS, the Wyoming County Board of Supervisors has previously adopted a resolution to become a member of the Rochester-Genesee Regional Transportation Authority, and

WHEREAS, by virtue of Chapter 1124 of the Laws of 1969 which created the Authority, Wyoming County is entitled to have one seat on the Board of Commissioners of the Rochester-Genesee Regional Transportation Authority, and

WHEREAS, the Laws provide the Board of Supervisors with the responsibility of nominating individuals to represent the County on the Board of Commissioners and offering these nominations for appointment by the Governor.

NOW THEREFORE BE IT RESOLVED, That the Board of Supervisors hereby nominates Ross W. Roberts, Town of Perry, Perry, NY, and Douglas Bliss, Town of Castile, Castile, NY, for consideration by the Governor, and

BE IT FURTHER RESOLVED, That the Clerk of this Board shall transmit a certified copy of this resolution to the Governor with a request that action be taken to appoint the County's representative to the Board of Commissioners as soon as possible.

Carried: Ayes - 1506 Noes - 0 Absent - 112, Cox (64), Haller (48)

July 13, 1993

**RESOLUTION NO. 93-172**  
**(July 13, 1993)**

By Mr. Moran, Chairman of the Finance Committee:

**INCREASE IN PETTY CASH FUND APPROVED**

BE IT RESOLVED, That this Board of Supervisors hereby approves increasing to \$750.00 the petty cash fund held and used by the Wyoming County Highway Department.

Carried: Ayes - 1506 Noes - 0 Absent - 112, Cox (64), Haller (48)

# 23

**RESOLUTION NO. 93-173**  
**(July 13, 1993)**

By Mr. Faulkner, Chairman of the Planning Committee:

**AUTHORIZED R/GRTA TO FILE GRANT APPLICATIONS  
UNDER SECTION 18 OF URBAN MASS  
TRANSPORTATION ACT**

WHEREAS, Section 18 of the Urban Mass Transportation Act of 1964 as amended, makes Federal Funds available for public transportation in rural areas; and

WHEREAS, the New York State Department of Transportation makes annual allocations of these funds to Wyoming County to provide financial assistance for the operation of public transportation services in Wyoming County; and

WHEREAS, the New York State Department of Transportation periodically makes Section 18 funds available for the purchase of buses and related capital equipment; and

WHEREAS, the Wyoming County Board of Supervisors desires to make these funds available for the operation of the County's Coordinated Public Transportation Service;

Regular Session

NOW, THEREFORE BE IT RESOLVED, That the Wyoming County Board of Supervisors does hereby authorize the Rochester-Genesee Regional Transportation Authority (RGRTA) to apply on behalf of Wyoming County to the New York State Department of Transportation for Section 18 operating and capital funds for the operation of public transportation services in Wyoming County.

Carried: Ayes - 1506 Noes - 0 Absent - 112, Cox (64), Haller (48)

# 24

**RESOLUTION NO. 93-174**  
**(July 13, 1993)**

By Mr. Bowles, Chairman of the Human Services Committee:

**PUBLIC HEALTH NURSING MONTH DECLARED**

WHEREAS, the delivery of the best quality preventive and home health care to all residents in the function of the Wyoming County Public Health Department's nursing staff; and

WHEREAS, this sixty-four (64) year old Public Health Nursing Service is able to provide a wide range of health and supportive services which emphasizes the dignity and independence of residents in their homes; and

WHEREAS, home health care is recognized as an effective economical alternative to unnecessary institutionalization; and

WHEREAS, the Wyoming County Public Health Department's nursing staff's contributions over the past sixty-four (64) years have strengthened the role of preventive and home health services within our County's total health care system; now, therefore,

BE IT RESOLVED, That the Board of Supervisors of the County of Wyoming hereby recognizes the contributions of the Wyoming County Public Health Department nursing staff on this the ONE HUNDREDTH ANNIVERSARY OF PUBLIC HEALTH NURSING IN THE UNITED STATES OF AMERICA, and does hereby proclaim the month of August 1993 as

**PUBLIC HEALTH NURSING MONTH**

July 13, 1993

**Proceedings of the Board of Supervisors**  
**IN WYOMING COUNTY.**

Carried: Ayes - 1506 Noes - 0 Absent - 112, Cox (64), Haller (48)

There were no further questions or comments presented regarding Local Law Introductory No. S. Chairman Payn declared the public hearing closed.

# 26

**RESOLUTION NO. 93-176**  
**(July 13, 1993)**

By Mr. Moran, Chairman of the Finance Committee:

**LOCAL LAW INTRODUCTORY NO. S, YEAR 1993,  
ADOPTED**

WHEREAS, there was duly presented and introduced at a meeting of this Board, held on the 13th day of July 1993, a proposed local law of the County, designated Local Law Introductory No. S for the Year 1993, entitled a "LOCAL LAW OF THE COUNTY OF WYOMING ESTABLISHING THE POSITION OF ADMINISTRATOR OF THE COUNTY OF WYOMING"; and

WHEREAS, in accordance with the provision of Resolution No. 93-145, there was a public hearing held by the Board of Supervisors on the 13th day of July at 2:00 PM, after due notice of said hearing having been published according to law and said resolution, and

WHEREAS, after holding said public hearing and the said local laws having laid on the desks of the members of the Board of Supervisors at least seven calendar days, exclusive of Sunday, prior to the final adoption, it was unanimously agreed by all members of this committee to recommend the enactment and passage of the above-mentioned local law, designated as Local Law Introductory No. S for the Year 1993, in its original form, and which is designated as hereinabove set forth, therefore, be it

RESOLVED, that Local Law Introductory No. S, County of Wyoming, New York, as presented to this Board on the 8th day of June 1993, is hereby adopted, enacted and passed by this Board in its original form and as originally submitted.

Carried: Ayes - 1506 Noes - 0 Absent - 112, Cox (64), Haller (48)  
Regular Session

Mr. Erhart moved to adjourn. Carried. Adjourned.

\*\*\*\*\*

# 25

**RESOLUTION NO. 93-175  
(July 13, 1993)**

By Mr. Moran, Chairman of the Finance Committee:

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

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

**INVESTMENT POLICY  
FOR WYOMING COUNTY**

**I. SCOPE**

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

**II. OBJECTIVES**

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

- \* to conform with all applicable federal, state and other legal requirements (legal);
- \* to adequately safeguard principal (safety);
- \* to provide sufficient liquidity to meet all operating requirements (liquidity); and

July 13, 1993

- \* to obtain a reasonable rate of return (yield).

**III. DELEGATION OF AUTHORITY**

The governing board's responsibility for administration of the investment program is delegated to the Chief Fiscal Officer who shall establish written procedures for the operation of the investment program consistent with these investment guidelines. Such procedures shall include and adequate internal control structure to provide a satisfactory level of accountability based on a data base or records incorporating description and amounts of investments, transaction dates, and other relevant information and regulate the activities of subordinate employees.

**IV. PRUDENCE**

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

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

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

**V. DIVERSIFICATION**

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

**VI. INTERNAL CONTROLS**

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

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

**VII. DESIGNATION OF DEPOSITARIES**

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

<u>Depository Name</u>	<u>Maximum Amount</u>
<u>Officer</u>	
<u>Wyoming County Bank</u>	<u>\$ 16,000,000.00</u>
<u>Bank of Castile</u>	<u>\$ 14,000,000.00</u>
<u>M &amp; T Bank</u>	<u>\$ 6,000,000.00</u>
<u>Marine Midland Bank</u>	<u>\$ 6,000,000.00</u>

**VIII. COLLATERALIZING OF DEPOSITS**

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

1. By a pledge of "eligible securities" with an aggregate "market value" as provided by GML Sec. 10, equal to the aggregate amount of deposits from the categories designated in Appendix A to the policy.
2. By an eligible "irrevocable letter of credit" issued by a qualified bank other than the bank with the deposits in favor of the government for a term not to exceed 90 days with an aggregate value equal to 140% of the aggregate amount of deposits and the agreed upon interest, if any. A qualified bank is one whose commercial paper and other unsecured short-term debt obligations are rated in one of the three highest rating categories by at least one nationally recognized statistical rating organizations or by a bank that is in

**Proceedings of the Board of Supervisors**

compliance with applicable federal minimum risk-based capital requirements.

3. By an eligible surety bond payable to the government for an amount at least equal to 100% of the aggregate amount of deposits and the agreed upon interest, if any, executed by an insurance company authorized to do business in New York State, whose claims-paying ability is rated in the highest rating category by at least two nationally recognized statistical rating organizations.

**IX. SAFEKEEPING AND COLLATERALIZATION**

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

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

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

**X. PERMITTED INVESTMENTS**

As authorized by General Municipal Law, Sec. 11, the County of Wyoming authorizes the Chief Fiscal Officer to invest moneys not required for

immediate expenditure for terms not to exceed its projected cash flow needs in the following types of investments:

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

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

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

The County of Wyoming shall maintain a list of financial institutions and dealers approved for investment purposes and establish appropriate limits to the amount of investments which can be made with each financial institution or

July 13, 1993

**Proceedings of the Board of Supervisors**

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

**XII. PURCHASE OF INVESTMENTS**

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

1. Directly, including through a repurchase agreement, from an authorized trading partner.
2. By participation in a cooperative investment program with another authorized governmental entity pursuant to Article 5G of the General Municipal Law where such program meets all the requirements set forth in the Office of the State Comptroller Opinion No. 88-46, and the specific program has been authorized by the governing board.
3. By utilizing an ongoing investment program with an authorized trading partner pursuant to a contract authorized by the governing board.

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

The custodial agreement shall provide that securities held by the bank or trust company, as agent of and custodian for, the local government, will be

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

### **XIII. REPURCHASE AGREEMENTS**

Repurchase agreements are authorized subject to the following restrictions:

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

### **APPENDIX A**

#### Schedule of Eligible Securities

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

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

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

**Proceedings of the Board of Supervisors**

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

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

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

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

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

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

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

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

and be it

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

Carried: Ayes - 1506 Noes - 0 Absent - 112, Cox (64), Haller (48)

Mr. Erhart moved to adjourn. Carried. Adjourned.

\*\*\*\*\*

Regular Session

**SPECIAL SESSION**

**Monday**

**July 26, 1993**

**9:00 AM**

A Special Session of the Wyoming County Board of Supervisors was held in the Supervisors' Chambers, Court House, Warsaw, NY, with all members present, except Supervisors Barber, Nugent, Haller and Herman. Chairman Payne called the meeting to order and led the Pledge of Allegiance to the Flag.

There were no communications.

With the presentation of the first resolution, Mr. Moran, Chairman of the Finance Committee, indicated his disgust with the State of New York, in particular Governor Cuomo, in having to present these resolutions. He indicated that several telephone calls were made in the previous week in an attempt to determine if the bill was in fact signed by the Governor. The delay in signing resulted in the necessity of these resolutions.

# 1

**RESOLUTION NO. 93 - 177**  
**(July 26, 1993)**

By Mr. Moran, Chairman of the Finance Committee:

**RESOLUTION NO. 93-163 RESCINDED**

WHEREAS, timing is critical in the enactment of sales tax increases or extensions, and

WHEREAS, Governor Mario Cuomo was unable to sign the legislation adopted by the New York State Legislature prior to its adoption by this Board; now, therefore,

BE IT RESOLVED, That Resolution No. 93-163, passed by this Board on July 13, 1993 is hereby rescinded in full.

Carried: Ayes - 1466 Noes - 0 Absent - 152, Barber (49), Nugent (20), Haller (48), Herman (35)

After the presentation of the following resolution, Mr. Erhart indicated it would be necessary for him to vote "No" on this resolution because of the

July 26, 1993

problems within the business community and the potential decrease in local business.

# 2

**RESOLUTION NO. 93-178  
(July 26, 1993)**

By Mr. Moran, Chairman of the Finance Committee:

**INCREASING THE RATE OF TAXES ON SALES  
AND USES OF TANGIBLE PERSONAL PROPERTY  
AND ON CERTAIN SERVICES, AND ON  
OCCUPANCY OF HOTEL ROOMS AND  
AMUSEMENT CHARGE, PURSUANT TO ARTICLE  
29 OF THE TAX LAW OF THE STATE OF NEW  
YORK**

BE IT ENACTED by the Wyoming County Board of Supervisors as follows:

SECTION 1. The first sentence of section two of Resolution No. 80-284, as enacted November 25, 1980, as amended, is amended to read as follows:

SECTION 2. Imposition of sales tax.

On and after March 1, 1981, there is hereby imposed and there shall be paid a tax of three percent upon, and for the period commencing December 1, 1992 and ending November 30, 1994, there is hereby imposed and there shall be paid an additional tax of one percent upon:

SECTION 2. A new subdivision (f) of section three of Resolution No. 80-284 as enacted in nineteen hundred eighty, as amended, is added to read as follows:

(f) With respect to the additional tax of one percent imposed for the period commencing December 1, 1992 and ending November 30, 1994, the provisions of subdivisions (a), (b), (c), (d) and (e) of this section apply, except that for the purposes of this subdivision, all references in said subdivisions (a), (b), (c) and (d) to an effective date shall be read as referring to December 1, 1992, all references in said subdivision (a) to the date four months prior to the effective date shall be read as referring to August 1, 1992, and the reference in subdivision (b) to the date immediately preceding the effective date shall be read as referring to November 30, 1992. Nothing herein shall be deemed to exempt from tax at the rate in effect prior to December 1, 1992 any transaction which may not be subject to the additional tax imposed effective on that date.

SECTION 3. Section four of Resolution No. 80-284 as enacted in  
Special Session

nineteen hundred eighty, as amended, is amended to read as follows:  
SECTION 4. Imposition of compensating use tax.

(a) Except to the extent that property or services have already been or will be subject to the sales tax under this enactment, there is hereby imposed on every person a use tax for the use within this taxing jurisdiction on and after December 1, 1992, except as otherwise exempted under this enactment, (A) of any tangible personal property purchased at retail, (B) of any tangible personal property (other than computer software used by the author or other creator) manufactured, processed or assembled by the user, (i) if items of the same kind of tangible personal property are offered for sale by him in the regular course of business or (ii) if items are used as such or incorporated into a structure, building or real property, by a contractor, subcontractor or repairman in erecting structures or buildings, or building on, or otherwise adding to, altering, improving, maintaining, servicing or repairing real property, property or land, as the terms real property, property or land are defined in the real property tax law, if items of the same kind are not offered for sale as such by such contractor, subcontractor or repairman or other user in the regular course of business, (C) of any of the services described in paragraphs (1), (7) and (8) of subdivision (c) of section two, (D) of any tangible personal property, however acquired, where not acquired for purposes of resale, upon which any of the services described under paragraphs (2), (3) and (7) of subdivision (c) of section two have been performed, (E) of any telephone answering service described in subdivision (b) of section two and (F) of any computer software written or otherwise created by the user if the user offers software of a similar kind for sale as such or as a component part of other property in the regular course of business.

(b) For purposes of clause (A) of subdivision (a) of this section, for the period commencing December 1, 1992 and ending November 30, 1994, the tax shall be at the rate of four percent, and on and after December 1, 1994, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for such property, or for the use of such property, including any charges for shipping or delivery as described in paragraph three of subdivision (b) of section one, but excluding any credit for tangible personal property accepted in part payment and intended for resale.

## **Proceedings of the Board of Supervisors**

(c) For purposes of subclause (i) of clause (B) of subdivision (a) of this section, for the period commencing December 1, 1992 and ending November 30, 1994, the tax shall be at the rate of four percent, and on and after December 1, 1994, the tax shall be at the rate of three percent, of the price at which items of the same kind of tangible personal property are offered for sale by the user, and the mere storage, keeping, retention or withdrawal from storage of tangible personal property by the person who manufactured, processed or assembled such property shall not be deemed a taxable use by him.

(d) For purposes of subclause (ii) of clause (B) of subdivision (a) of this section, for the period commencing December 1, 1992 and ending November 30, 1994, the tax shall be at the rate of four percent, and on and after December 1, 1994, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the tangible personal property manufactured, processed or assembled into the tangible personal property the use of which is subject to tax, including any charges for shipping or delivery as described in paragraph three of subdivision (b) of section one.

(e) Notwithstanding the foregoing provisions of this section, for purposes of clause (B) of subdivision (a) of this section, there shall be no tax on any portion of such price which represents the value added by the user to tangible personal property which he fabricates and installs to the specifications of an addition or capital improvement to real property, property or land, as the terms real property, property or land are defined in the real property tax law, over and above the prevailing normal purchase price prior to such fabrication of such tangible personal property which a manufacturer, producer or assembler would charge an unrelated contractor who similarly fabricated and installed such tangible personal property to the specifications of an addition or capital improvement to such real property, property or land.

(f) For purposes of clauses (C), (D) and (E) of subdivision (a) of this section, for the period commencing December 1, 1992 and ending November 30, 1994, the tax shall be at the rate of four percent, and on and after December 1, 1994, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the service, including the consideration of any tangible personal property transferred in conjunction with the performance of the service and also including any charges for shipping and delivery of

the property so transferred and of the tangible personal property upon which the service was performed as such charges are described in paragraph three of subdivision (b) of section one.

(g) For purposes of clause (F) of subdivision (a) of this section, for the period commencing December 1, 1992 and ending November 30, 1994, the tax shall be at the rate of four percent, and on and after December 1, 1994, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for the tangible personal property which constitutes the blank medium, such as disks or tapes, used in conjunction with the software, or for the use of such property, and the mere storage, keeping, retention or withdrawal from storage of computer software described in such clause (F) by its author or other creator shall not be deemed a taxable use by such person.

SECTION 4. Subdivision (k) of section six of Resolution No. 80-284 as enacted in nineteen hundred eighty, as amended, is amended to read as follows:

(k) Exemption of certain energy sources and related services from additional one percent rate of tax. Notwithstanding any inconsistent provision of this resolution, receipts from the retail sale or use of fuel oil and coal used for residential purposes; the receipts from the retail sale or use of wood used for residential heating purposes; and the receipts from every sale, other than for resale, or use of propane (except when sold in containers of less than one hundred pounds), natural gas, electricity, steam and gas, electric and steam services used for residential purposes shall be exempt from the additional one percent rate of sales and compensating use taxes imposed, by sections 2 and 4, respectively, of this resolution for the period commencing December 1, 1992 and ending November 30, 1994.

SECTION 5. Subdivision one of section eleven of Resolution No. 80-284 as enacted in nineteen hundred eighty, as amended, is amended to read as follows:

(1)(A) In respect to the use of property used by the purchaser in this County prior to March 1, 1981.

(B) With respect to the additional tax of one percent imposed for the period beginning December 1, 1992 and ending November 30, 1994, in respect to the use of property used by the purchaser in this County prior to December 1, 1992.

SECTION 6. This enactment shall take effect on September 1, 1993.

Carried: Ayes - 1370 Noes - 96, Erhart Absent - 152, Barber (49), Nugent (20), Haller (48), Herman (35)

Mr. Erhart moved to adjourn. Carried. Adjourned.

\*\*\*\*\*

July 26, 1993

**REGULAR SESSION****Tuesday****August 10, 1993****2:00 PM**

The Regular Session of the Wyoming County Board of Supervisors was held in the Court House, Warsaw, NY, with all members present. Chairman Payne called the meeting to order and led the Pledge of Allegiance to the Flag. Mr. Erhart requested a moment of silence in memory of Maurice Montgomery, a past member of the Board, who passed away this week.

Communications were read and filed with the Clerk of the Board.

C-1. A letter from the Town of Sardinia Town Clerk regarding an amendment to their Zoning Ordinance, restricting mining within the Town of Sardinia, was read.

C-2. A thank you letter from Dawn Sciarrino of the Law Offices of Haley, Bader & Potts concerning the presentation of the Cable Act to the Wyoming County Board of Supervisors, was read.

C-3. A notice of the next Inter-County to be held August 19, 1993, was read.

C-4. An announcement of the Annual Supervisors Picnic to be held Friday, August 27, 1993 at the Fire Training Center, was read.

# 1

**RESOLUTION NO. 93-179  
(August 10, 1993)**

By Mr. Moran, Chairman of the Finance Committee:

**FUNDS APPROPRIATED TO VARIOUS ACCOUNTS**

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

**COUNTY CLERK/RECORDS MANAGEMENT**

to acct no. 1460.1 personal services 11,132.00

**MENTAL HEALTH**

Regular Session

to acct no. 4323.4 cont. expense 38,242.00

increase estimated revenues by equal amount;

**WORKERS COMPENSATION**

to acct no. 1710.4 cont. expense 4,000.00

**BUILDING & CAPITAL FUNDS**

to acct no. 012-61-9901.90 trans from gen. fund 131,000.00

**COUNTY BUILDINGS**

to acct no. 001-34-1620.4 cont. expense 131,000.00

with estimated revenues acct no. 5031.01 increased by an equal amount;

and be it

FURTHER RESOLVED, That the County Treasurer is hereby authorized and directed to transfer the said amounts from any funds available therefore.

Carried: Ayes - 1618 Noes - 0 Absent - 0

# 2

**RESOLUTION NO. 93-180  
(August 10, 1993)**

By Mr. Moran, Chairman of the Finance Committee:

**FUNDS TRANSFERRED WITHIN VARIOUS ACCOUNTS**

BE IT RESOLVED, That the County Treasurer is hereby authorized and directed to transfer funds within various accounts as follows:

**BUILDING CODE ENFORCEMENT**

From acct no. 3620.4 cont. expense 500.00

August 10, 1993

**Proceedings of the Board of Supervisors**

to acct no. 3620.23 motor vehicle equipment	500.00
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**O.T.E.O.**

From acct no. 6290.10 78% Admn per services	5,000.00
From acct no. 6292.11 78% Trng Staff salaries	12,000.00
From acct no. 6292.14 78% Trng OJT wages	14,000.00
From acct no. 6290.40 78% Admn cont. expense	2,000.00
From acct no. 6291.40 78% Support cont. exp.	4,000.00
From acct no. 6292.40 78% Trng cont. expense	9,000.00
From acct no. 6292.41 78% Trng cont./grant	1,000.00
From acct no. 6292.80 78% Trng Com. Ins.	200.00
From acct no. 6292.81 78% Trng Retirement	800.00
From acct no. 6292.83 78% Trng S.S.	1,055.00
From acct no. 6292.84 78% Trng U.I.	100.00
From acct no. 6292.85 78% Trng Medicare	250.00
From acct no. 6290.99 78% Admn Hlth Ins.	950.00
From acct no. 6292.99 78% Trng Hlth Ins.	<u>1,850.00</u>
	52,205.00
to acct no. 6301.10 IIC Per Services	17,000.00
to acct no. 6301.14 IIC OJT Wages	14,000.00
to acct no. 6301.40 IIC Cont. expense	15,000.00
to acct no. 6301.41 IIC Cont./grant	1,000.00
to acct no. 6301.80 IIC Comp. Ins.	200.00
to acct no. 6301.81 IIC Retirement	800.00
to acct no. 6301.83 IIC S.S.	1,055.00
to acct no. 6301.84 IIC U.I.	100.00
to acct no. 6301.85 IIC Medicare	250.00
to acct no. 6301.99 IIC Hlth Ins.	<u>2,800.00</u>
	52,205.00

Carried: Ayes - 1618   Noes - 0   Absent - 0

Mr. Erhart, Chairman of the Auditing Sub-Committee, presented bills totaling \$359,965.42 and asked that they be approved for payment.

# 3

**RESOLUTION NO. 93-181**  
**(August 10, 1993)**

Regular Session

By Mr. Herman, Chairman of the County Operations Committee:

**ONE TEMPORARY POSITION OF DIRECTOR OF PATIENT SERVICES IN PUBLIC HEALTH CREATED**

BE IT RESOLVED, That there is hereby created one (1) temporary position of Director of Patient Services in the Public Health Department to cover a medical leave of absence, said position to be placed in Schedule D of the Wyoming County Salary Plan at the annual salary of \$31,953 for the period July 6, 1993 through the end of the leave of absence.

Carried: Ayes - 1618 Noes - 0 Absent - 0

# 4

**RESOLUTION NO. 93-182  
(August 10, 1993)**

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

**RESOLUTION AUTHORIZING THE COUNTY OF WYOMING TO PARTICIPATE TO THE EXTENT OF UP TO 100% OF THE NON-FEDERAL SHARE IN THE COST OF A FEDERAL-AID PROJECT NOT ON THE STATE HIGHWAY SYSTEM ADMINISTERED BY THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION**

WHEREAS, a Project for the replacement of three (3) bridges, P.I.N. 4752.02, .03 & .10, funded for the Title 23 U.S. Code, as amended, calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% non-Federal funds; and

WHEREAS, the County of Wyoming desires to advance the above project by making a commitment of 100% of the non-Federal share of the costs of P.I.N. 4752.02 - B.I.N. 3320280 and P.I.N. 4752.03 - B.I.N. 3319560 and P.I.N. 4752.10 - B.I.N. 3319610.

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

August 10, 1993

**Proceedings of the Board of Supervisors**

FURTHER RESOLVED, That the Board of Supervisors hereby authorizes the County of Wyoming to pay 100% of the non-federal share of the cost of all work for the subject project or portions of the subject project that are not on the State Highway System; and it is

FURTHER RESOLVED, That the sum of \$765,200 is hereby appropriated to cover the cost of participation in the above phase of the project, and the County of Wyoming is hereby authorized and directed to deposit such sum with the State comptroller prior to the award of the contract; and it is

FURTHER RESOLVED, That in the event the full non-federal share costs of the project exceeds the amount deposited with the comptroller, the County of Wyoming shall deposit said excess amount immediately upon the direction of the Department of Transportation; and it is

FURTHER RESOLVED, That the Chairman of the Board of Supervisors of the County of Wyoming be and is hereby authorized to execute all necessary Agreements on behalf of the County of Wyoming with the New York State Department of Transportation approving the above-subject project and providing for the Municipality's participation in the cost of the local share of the subject project; and it is

FURTHER RESOLVED, That a copy of this resolution be filed with the New York State Commissioner of Transportation, it being understood that upon completion of the above project, the Commissioner shall transmit to the County a statement showing the actual costs and expenses of such work and shall notify the County of Wyoming of the amount, if any, to be returned to the County of Wyoming.

Carried: Ayes - 1618      Noes - 0      Absent - 0

# 5

**RESOLUTION NO. 93-183  
(August 10, 1993)**

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

**FIRE ADVISORY BOARD MEMBERS APPOINTED**

BE IT RESOLVED, That the following named persons, as recommended by the Wyoming County Fire Coordinator, in accordance with Section 225-a of the

Regular Session

## **Proceedings of the Board of Supervisors**

155

County Law, are hereby accepted and approved for a one year appointment to the Wyoming County Fire Advisory Board:

<u>DEPARTMENT</u>	<u>MEMBER</u>
Arcade	Chuck Witkop
Attica	Jay Myers
Bennington	Bernard Frounick
Bliss	Richard Maher
Castile	Donald Seymour
Cowlesville	William Caffery
Gainesville	Marv Wilcox
Genesee Falls	William Totsline
Harris Corners	Mark Keem
North Java	Kevin Vickers
Perry	Michael Laraby
Perry Center	Bob Miles
Pike	Jeff Reynolds
Sheldon	Jim Ruddock
Silver Springs	Thomas Dixon
Strykersville	Donald Simons
Varysburg	John Block
Warsaw	Dennis Parmarter
Wyoming	Larry Powers

Members for towns without Departments:

Covington  
Orangeville  
Wethersfield

Kenneth C. Lowe  
Roy Haller, Jr.  
Ronald Herman, Sr.

Carried: Ayes - 1618   Noes - 0   Absent - 0

# 6

## **RESOLUTION NO. 93-184 (August 10, 1993)**

By Mr. Herman, Chairman of the County Operations Committee:

### **TWO TEMPORARY POSITIONS OF RPN IN PUBLIC HEALTH CREATED**

BE IT RESOLVED, That there is hereby created one (1) temporary .6 FTE position of Registered Professional Nurse and one (1) temporary .4 FTE position of Registered Professional Nurse in the Public Health Department to cover a

August 10, 1993

**Proceedings of the Board of Supervisors**

medical leave of absense, said positions to be placed in Schedule A, Grade 10A of the C.S.E.A. Agreement for the period August 11, 1993 through the end of the leave of absence.

Carried: Ayes - 1618 Noes - 0 Absent - 0

# 7

**RESOLUTION NO. 93-185  
(August 10, 1993)**

By Mr. Bowles, Chairman of the Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN PHC CONTRACTS  
FOR 1992-93/1993-94**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign contracts with the following agencies for Pre-School Handicapped Children Programs (PHC) (3-5 years) as required by the New York State Education Department:

Cattaragus/Allegany/Erie/Wyoming BOCES, PHC, period September 1, 1992 through August 31, 1993;

Cattaragus/Allegany/Erie/Wyoming BOCES, PHC, period September 1, 1993 through August 31, 1994.

Carried: Ayes - 1618 Noes - 0 Absent - 0

# 8

**RESOLUTION NO. 93-186  
(August 10, 1993)**

By Mr. Herman, Chairman of the County Operations Committee:

**RESOLUTION NOS. 93-97 AND 93-156 AMENDED**

BE IT RESOLVED, That Resolution No. 93-97, passed by this Board on April 13, 1993 and Resolution No. 93-156, passed by this Board on July 13, 1993, are hereby amended to extend the temporary position of account clerk in

Regular Session

the Office of the Aging through October 1, 1993, said position to be placed in Schedule A, Grade 4 of the CSEA Agreement.

Carried: Ayes - 1618 Noes - 0 Absent - 0

# 9

**RESOLUTION NO. 93-187**  
**(August 10, 1993)**

By Mr. Bowles, Chairman of the Human Services Committee:

**CHAIRMAN/YOUTH BUREAU DIRECTOR AUTHORIZED  
TO SIGN GRANT APPLICATION**

BE IT RESOLVED, That the Chairman of this Board is hereby authorized to sign a grant application and related documents, with the approval of the County Attorney and behalf of the Youth Bureau, for the Community Venture Youth Incentive Program grant through the New York State Division for Youth in an amount up to \$75,000.00 for the period December 1, 1993 through November 30, 1994.

Carried: Ayes - 1618 Noes - 0 Absent - 0

# 10

**RESOLUTION NO. 93-188**  
**(August 10, 1993)**

By Mr. Faulkner, Chairman of the Planning Committee:

**PETTY CASH FUND FOR ECONOMIC DEVELOPMENT  
ESTABLISHED**

BE IT RESOLVED, That this Board of Supervisors, as provided by County Law Section 371, hereby approves the establishment of a petty cash fund in the amount of \$100.00 to be held and used by the Wyoming County Office of Economic Development.

Carried: Ayes - 1618 Noes - 0 Absent - 0

August 10, 1993

**RESOLUTION NO. 93-189  
(August 10, 1993)**

By Mr. Herman, Chairman of the County Operations Committee:

**POSITION OF WEATHERIZATION PROGRAM  
INSPECTOR, PT, CREATED IN OFA**

BE IT RESOLVED, That there is hereby created one (1) part-time position of weatherization program inspector, not to exceed twenty-eight hours per week, in the Office for the Aging, said position to be placed in Schedule G, Grade 9 of the Wyoming County Salary Plan through the end of the grant.

Carried: Ayes - 1618 Noes - 0 Absent - 0

# 12

**RESOLUTION NO. 93-190  
(August 10, 1993)**

By Mr. Bowles, Chairman of the Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN CONTRACT FOR  
FAMILY PLANNING NURSE PRACTITIONER**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney and on behalf of the Public Health Department, is hereby authorized to sign a contract for family planning nurse practitioner services at the rate of \$20.00 per hour through December 31, 1993.

Carried: Ayes - 1618 Noes - 0 Absent - 0

# 13

**RESOLUTION NO. 93-191  
(August 10, 1993)**

By Mr. Faulkner, Chairman of the Planning Committee:

Regular Session

**1993-94 SNOWMOBILE TRAIL CONTRACTS APPROVED**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign the Snowmobile Trail Project Application and related documents with the State of New York for funding during the 1993-1994 fiscal year; and be it

FURTHER RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign a contract with the Wyoming County Snowmobile Federation for implementation of the proposed activities.

Carried: Ayes - 1618 Noes - 0 Absent - 0

# 14

**RESOLUTION NO. 93-192**  
**(August 10, 1993)**

By Mr. Herman, Chairman of the County Operations Committee:

**BENEFITS TO SCHEDULES G, H, D & C EXTENDED**

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

1. The annexed Schedules 'G' and 'H' are hereby substituted for the existing Schedules 'G' and 'H' for job titles therein listed, wages to be paid according to C.S.E.A. Agreement Schedules 'A' and 'B' respectively, which became effective as of the 1st day of July, 1993.

2. Effective July 1, 1993, all wage increases by the County of Wyoming, which were granted in the 1993-1995 Agreement by and between the County of Wyoming and the Wyoming County Employees Unit, Wyoming County Local #861, Civil Service Employees Association, Inc., are hereby extended and granted to those employees on Schedules 'G' and 'H' of the Wyoming County Wage and Salary Plan.

August 10, 1993

**Proceedings of the Board of Supervisors**

3. Effective July 1, 1993, all benefits of employment by the County of Wyoming, which were granted in the 1993-1995 Agreement by and between the County of Wyoming and the Wyoming County Employees Unit, Wyoming County Local #861, Civil Service Employees Association, Inc., are hereby extended and granted to all employees, except for part-time, seasonal and temporary employees, on Schedules 'G' and 'H' of the Wyoming County Wage and Salary Plan, except for the following:

- a) There shall be no right to receive vacation pay without taking vacation as described in Section 11.7(d) (or as renumbered) of the said 1993-1995 C.S.E.A. Agreement.
- b) In no event shall there be any right to compensation for an unused personal leave day as such personal leave days are described in Section 11.5 (or as renumbered) of the said 1993-1995 C.S.E.A. Agreement.
- c) No such employee shall be allowed to join or contribute to the Sick Leave Bank nor receive any benefits therefrom.
- d) No such employee shall be allowed to the buy-back provision as described in Section 11.2 (or as renumbered) of the 1993-1995 C.S.E.A. Agreement.
- e) No such employee shall be entitled to the provision of Resolution No. 93-192 # 14

Page 2

Article 4 or Article 12 Section 12.4 (or as renumbered) of the 1993-1995 C.S.E.A. Agreement.

f) No such employee shall be entitled to the provision of Article 1 Section 1.2 (or as renumbered) of the 1993-1995 C.S.E.A. Agreement.

4. Effective July 1, 1993, health insurance choices, which were granted in the 1993-1995 Agreement by and between the County of Wyoming and the Wyoming County Employees Unit, Wyoming County Local #861, Civil Service Employees Association, Inc., are hereby extended and granted to all employees on Schedules 'C' and 'D' of the Wyoming County Wage and Salary Plan as described in Article 12 (or as renumbered), except as follows:

- a) No such employee on Schedule 'D' shall be subject to co-pay provision as set forth in Section 12.1 (or as renumbered), or reduction in sick leave or vacation benefits as set forth in the 1993-1995 C.S.E.A. Agreement.

b) No such employee on Schedules 'C' or 'D' shall be eligible for repudiation under Section 12.4 (or as renumbered).

5. This resolution shall become effective immediately.

Carried: Ayes - 1618 Noes - 0 Absent - 0

Mr. Erhart moved to adjourn. Carried. Adjourned.

\*\*\*\*\*

WYOMING COUNTY SALARY PLAN  
1993-1995 SCHEDULE G  
General Wage and Salary Schedule

Grade 2 (2) Seasonal Energy Resource Aide (D.S.S.); Clerk (OFA); (1) Clerk (Records Mgmt)

Grade 3 (PH) Employment & Training Aide (OTEO); (1) Home Health Aide

Grade 4 Sr. Clerk (OTEO)

Grade 6

Grade 7 Employment & Training Assistant (OTEO)

Grade 8 Specialist Services for Aging (OFA); Accountant (OTEO); (3) Summer Youth Counselor; Probation Assistant (Probation)

Grade 9 Employment & Training Counselor (OTEO)

Grade 10

Grade 12 (2) Sr. Counselor (OTEO); Employment & Training Job Developer (OTEO); Community Services Coordinator, FT (Probation)

Grade 13 (2) Employment & Training Coordinator (OTEO)

Grade 15 Case Manager (PH)

August 10, 1993

## Grade 15A Public Health Nurse (PH)

Grade 16 Substance Abuse Program Coordinator

WYOMING COUNTY SALARY PLAN  
1993-1995 SCHEDULE H  
General Wage and Salary Schedule

Grade 1 (5) Seasonal Worksite Supervisor (OTEO); Seasonal Motor Vehicle Operator (OTEO)

## Grade 7 (10) Seasonal Laborer

## Grade 12 (1) Outreach Coordinator (WCCH)

Grade 14 (1) Registered Professional Nurse (Educator, .40 Hospital)

**REGULAR SESSION**

**Tuesday**

**September 14, 1993**

**2:00 PM**

The Regular Session of the Wyoming County Board of Supervisors was held in the Court House, Warsaw, NY, with all members present except Mr. Nugent. Chairman Payne called the meeting to order and led the Pledge of Allegiance to the Flag.

Communications were read and filed with the Clerk of the Board.

C-1. A notice of the next Inter-County to be held September 16, 1993, was read. The Clerk reminded the Board that the October Inter-County meeting will be hosted by Wyoming County and held at the Attica Country Club.

C-2. A reminder was read concerning a memorial service to be held for Per Omland, on September 14, 1993, in Perry, NY.

# 1

**RESOLUTION NO. 93-193**  
**(September 14, 1993)**

By Mr. Moran, Chairman of the Finance Committee:

**FUNDS APPROPRIATED TO VARIOUS ACCOUNTS**

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

COUNTY TREASURER

to acct no. 1325.2 equipment	4,915.00
to acct no. 1325.4 cont. expense	<u>35,750.00</u>
	40,665.00

COUNTY ADMINISTRATOR

to acct no. 1230.4 cont. expense	5,000.00
----------------------------------	----------

September 14, 1993

**CIVIL DEFENSE**

to acct no. 3640.4 cont. expense	1,325.00
with estimated revenues increased by an equal amount	

**OFFICE FOR THE AGING**

to acct no. 6774.1 per. serv.	8,900.00
to acct no. 6774.4 cont. expense	38,800.00
to acct no. 6774.83 soc. sec.	550.00
to acct no. 6774.85 Medicare	130.00
to acct no. 6774.99 health ins.	<u>1,620.00</u>
	50,000.00

with estimated revenues increased by an equal amount

**PLANNING**

to acct no. 8020.41 grant exp. cont.	33,542.60
--------------------------------------	-----------

**COUNTY HIGHWAY (SNOW REMOVAL)**

to acct no. 5142.4 cont. expense	260,000.00
----------------------------------	------------

and be it

FURTHER RESOLVED, That the County Treasurer is hereby authorized and directed to transfer the said amounts from any funds available therefore.

Carried: Ayes - 1598   Noes - 0   Absent - 20, Nugent

# 2

**RESOLUTION NO. 93-194**  
**(September 14, 1993)**

By Mr. Moran, Chairman of the Finance Committee:

**FUNDS TRANSFERRED WITHIN VARIOUS ACCOUNTS**

BE IT RESOLVED, That the County Treasurer is hereby authorized and directed to transfer funds within various accounts as follows:

Regular Session

**BOARD OF SUPERVISORS/CENTRAL STORES**

From acct no. 1010.2 equipment	8,037.62
to acct no. 1010.4 cont. expense	8,000.00
to acct no. 1660.4 cont. exp.	37.62

**PHC EDUCATION**

From acct no. 2960.41 trans/tuition	4,000.00
to acct no. 2960.4 cont. expenses	4,000.00

Carried: Ayes - 1598 Noes - 0 Absent - 20, Nugent

Mr. Erhart, Chairman of the Auditing Sub-Committee, presented bills totaling \$ 528,906.65 and asked that they be approved for payment.

Carried: Ayes - 1598 Noes - 0 Absent - 20, Nugent

# 3

**RESOLUTION NO. 93-195  
(September 14, 1993)**

By Mr. Herman, Chairman of the County Operations Committee:

**1993 - 1995 HOSPITAL SUPERVISORY CONTRACT  
APPROVED**

BE IT RESOLVED, That the Wyoming County Board of Supervisors hereby accepts the three (3) year contract for the years 1993, 1994, 1995 with the Hospital Supervisory Group, Civil Service Employees Association, Inc. Local 1000, AFSCME AFL-CIO, subject to language approval by the office of County Attorney; and be it

FURTHER RESOLVED, That the Chairman of this Board and the members of the County Operations Committee of this Board, are hereby authorized to execute the above mentioned agreement on behalf of the County of Wyoming.

This resolution shall be effective immediately.

Carried: Ayes - 1598 Noes - 0 Absent - 20, Nugent

September 14, 1993

**RESOLUTION NO. 93-196  
(September 14, 1993)**

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

**CHAIRMAN AUTHORIZED TO SIGN AGREEMENT FOR  
CONSULTANT SERVICES FOR SOLID WASTE**

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 agreement with tasmithassociates, inc., Ogdensburg, NY, for consultant services in connection with the solid waste recycling, waste reduction and curbside collection programs, cost of said agreement not to exceed \$1,000.00 plus travel expenses.

Carried: Ayes - 1598 Noes - 0 Absent - 20, Nugent

# 5

**RESOLUTION NO. 93-197  
(September 14, 1993)**

By Mr. Bowles, Chairman of the Human Services Committee:

**AMENDED CONTRACT WITH RESEARCH  
FOUNDATION/RE: TO EXTEND DATE**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign an amendment to extend the contract with Research Foundation through December 31, 1993.

Carried: Ayes - 1598 Noes - 0 Absent - 20, Nugent

# 6

**RESOLUTION NO. 93-198  
(September 14, 1993)**

Regular Session

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

**AUTHORIZED CHAIRMAN TO SIGN MAINTENANCE  
AGREEMENT**

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 Retco, Inc. for the Wyoming County Sheriff's Civil accounting program at a cost of \$375.00 for 1993-94.

Carried: Ayes - 1598 Noes - 0 Absent - 20, Nugent

# 7

**RESOLUTION NO. 93-199  
(September 14, 1993)**

By Mr. Bowles, Chairman of the Human Services Committee:

**SDPP APPLICATION AND OTHER DOCUMENTS  
AUTHORIZED**

BE IT RESOLVED, That the Chairman of this Board, on behalf of the County of Wyoming and with the approval of the County Attorney, is hereby authorized and directed to sign fiscal year 1994 renewal applications and any other related documents for the Wyoming County Youth Resource Allocation Package, formerly the Youth Bureau Special Delinquency Prevention Program (SDPP-IIA), grant funds.

Carried: Ayes - 1598 Noes - 0 Absent - 20, Nugent

# 8

**RESOLUTION NO. 93-200  
(September 14, 1993)**

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

**1992-93 ISP CONTRACT APPROVED**

September 14, 1993

**Proceedings of the Board of Supervisors**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign the necessary documents for the Wyoming County Probation Department to participate in the ISP (Intensive Supervision Program) through the NYS Division of Probation and Correctional Alternatives; and be it

FURTHER RESOLVED, that the said contract shall be for the period April 1, 1993 through March 30, 1994 at a maximum reimbursement rate of \$8,000.00 annually.

Carried: Ayes - 1598   Noes - 0   Absent - 20, Nugent

# 9

**RESOLUTION NO. 93-201**  
**(September 14, 1993)**

By Mr. Moran, Chairman of the Finance Committee:

**ERRORS CORRECTED IN TOWN OF GAINESVILLE**

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

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

PARCEL ONE:	Town of Gainesville, Tax Map #146.-1-24
ASSESSED TO:	William Beckwith, 5993 Rt. 39, Castile, NY 14427
ERROR:	Clerical
AUTHORITY:	RPT Law # 550.2(c)
CORRECTION:	Refund in the amount of \$207.15

Carried: Ayes - 1598   Noes - 0   Absent - 20, Nugent

# 10

**RESOLUTION NO. 93-202**  
**(September 14, 1993)**

Regular Session

By Mr. Faulkner, Chairman of the Planning Committee:

**W. FAULKNER AND A. HUMPHREY APPOINTED TO  
G/FLRPC**

BE IT RESOLVED, That William B. Faulkner, Town of Warsaw, Warsaw, NY, is hereby appointed to the Genesee Finger Lakes Regional Planning Council as a Supervisor member representative; and be it

FURTHER RESOLVED, That Anne Humphrey, Town of Perry, Perry, NY, is hereby appointed as an alternate representative to the Genesee Finger Lakes Regional Planning Council.

Carried: Ayes - 1598 Noes - 0 Absent - 20, Nugent

Prior to reading Res. # 11, Mr. Moran asked that it be moved down on the agenda; no objections.

# 12

**RESOLUTION NO. 93-203  
(September 14, 1993)**

By Mr. Herman, Chairman of the County Operations Committee:

**SCHEDULE D AMENDED TO SET SALARY FOR HUMAN  
SERVICES DIRECTOR**

BE IT RESOLVED, That Schedule D of the Wyoming County Salary Plan, adopted November 24, 1992, is hereby amended to set the salary of the Human Services Director at \$33,500.00 annually, said salary to be effective October 1, 1993.

Carried: Ayes - 1255 Noes - 343, (96) Erhart, (93) Moran, (48) Haller, (106) Glaus Absent - 20, Nugent

# 13

**RESOLUTION NO. 93-204  
(September 14, 1993)**

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

September 14, 1993

**Proceedings of the Board of Supervisors**  
**AUTHORIZED SHERIFF TO ADVERTISE**  
**FOR BIDS FOR NEW PATROL BOAT IN SHERIFF'S**  
**DEPARTMENT**

BE IT RESOLVED, That the Wyoming County Sheriff and/or purchasing agent is hereby authorized and directed to advertise for the purchase of a new patrol boat in the Sheriff's Department; and be it

FURTHER RESOLVED, That the Public Safety Committee of this Board is hereby authorized to award the bid to the lowest responsible bidder.

Carried: Ayes - 1563   Noes - 35, Herman   Absent - 20, Nugent

# 14

**RESOLUTION NO. 93-205**  
**(September 14, 1993)**

By Mr. Moran, Chairman of the Finance Committee:

**APPROVED INCREASE IN PETTY CASH FUND FOR DSS**

BE IT RESOLVED, That this Board of Supervisors hereby approves increasing the petty cash fund held and used by the Wyoming County Department of Social Services from \$750. to \$1,000.

Carried: Ayes - 1598   Noes - 0   Absent - 20, Nugent

# 15

**RESOLUTION NO. 93-206**  
**(September 14, 1993)**

By Mr. Bowles, Chairman of the Human Services Committee:

**M. MUCHER APPOINTED DIRECTOR OF HUMAN SERVICES**

BE IT RESOLVED, That, under Local Law #7, Year 1984, Martin D. Mucher, Town of Warsaw, Warsaw, NY, is hereby appointed Director of Human

Regular Session

**Proceedings of the Board of Supervisors**

171

Services for Wyoming County effective October 1, 1993 for a two-year term, said term to expire September 30, 1995.

Carried: Ayes - 1598 Noes - 0 Absent - 20, Nugent

# 16

**RESOLUTION NO. 93-207  
(September 14, 1993)**

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

**CHAIRMAN AUTHORIZED TO SIGN 1994-5  
INTERMUNICIPAL SOLID WASTE AGREEMENT**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign an Intermunicipal Agreement for the period January 1, 1994 through December 31, 1995 for the provision of solid waste programs.

Carried: Ayes - 1598 Noes - 0 Absent - 20, Nugent

Chairman Payne declared a recess. The full Board was called to executive session to discuss the proposed acquisition of real property. No decision was made. Business resumed.

# 11

**RESOLUTION NO. 93-208  
(September 14, 1993)**

By Mr. Moran, Chairman of the Finance Committee:

**A. PARMELE APPOINTED TO THE WCCH BOARD OF  
MANAGERS**

BE IT RESOLVED, That Audrey Parmele, Town of Warsaw, Warsaw, NY, is hereby appointed to the Wyoming County Community Hospital Board of Managers to fill the unexpired term of Anne Humphrey, said term to expire April 30, 1996.

Carried: Ayes - 1563 Noes - 35, Herman Absent - 20, Nugent  
September 14, 1993

**RESOLUTION NO. 93-209**  
**(September 14, 1993)**

By Mr. Herman, Chairman of the County Operations Committee:

**VARIOUS POSITIONS CREATED IN DSS**

BE IT RESOLVED, That Schedule D of the Wyoming County Salary Plan, adopted November 24, 1992, is hereby amended to establish and set the salary of the following positions in the Department of Social Services:

Title	Salary	Effective
Deputy Commissioner of DSS	\$38,000.00	January 1, 1994 - December 31, 1994
Administrative Secretary	21,500.00	September 15, 1993
Social Services Information Systems Administrator	33,000.00	September 15, 1993
Director of Administrative Services, PT	7,500.00	November 1, 1993 thru end of grant

and be it

FURTHER RESOLVED, That there is hereby created the following position in the Department of Social Services as indicated:

Title	Schedule/Grade	Effective
Sr. Account Clerk, temporary	Sch. A, Gr. 6	8/28/93 - end of Medical LOA

Carried: Ayes - 1361 Noes - 237, (96) Erhart, (93) Moran, (48) Haller Absent - 20, Nugent

# 18

**RESOLUTION NO. 93-210**  
**(September 14, 1993)**

Regular Session

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

**1994 G.L.O.W. SOLID WASTE BUDGET APPROVED**

BE IT RESOLVED, That this Board of Supervisors does hereby approve the 1994 G.L.O.W. Solid Waste Management Administrative Budget, as submitted, in the amount of \$175,339.00.

Carried: Ayes - 1598 Noes - 0 Absent - 20, Nugent

# 19

**RESOLUTION NO. 93-211**  
**(September 14, 1993)**

By Mr. Herman, Chairman of the County Operations Committee:

**VARIOUS POSITIONS CREATED IN PUBLIC HEALTH  
DEPARTMENT**

BE IT RESOLVED, That there is hereby created one (1) position of Public Health Nurse in the Public Health Department, said position to be placed in Schedule A, Gr. 15A of the CSEA Agreement effective September 15, 1993; and be it

FURTHER RESOLVED, That there is hereby created one (1) temporary .4 FTE position of account clerk in the Public Health Department, said position to be placed in Schedule A, Gr. 4 of the CSEA Agreement for the period September 13, 1993 through November 5, 1993.

Carried: Ayes - 1598 Noes - 0 Absent - 20, Nugent

# 20

**RESOLUTION NO. 93-212**  
**(September 14, 1993)**

By Mr. Moran, Chairman of the Finance Committee:

September 14, 1993

**RESOLUTION NO. 93-53 RESCINDED: APPROPRIATION OF FUNDS**

BE IT RESOLVED, That Resolution No. 93-53, passed by this Board on March 10, 1993, appropriating funds to the Sheriff's accounts is hereby rescinded.

Carried: Ayes - 1598   Noes - 0   Absent - 20, Nugent

# 21

**RESOLUTION NO. 93-213  
(September 14, 1993)**

By Mr. Faulkner, Chairman of the Planning Committee:

**AFP BOARD ESTABLISHED**

WHEREAS, the Agricultural Protection Act of 1992 revised the methods used to oversee the farmlands within New York State; and

WHEREAS, the Agricultural Protection Act abolished the previously established Agriculture District Advisory Committee and replaced it with a newly organized board; now, therefore,

BE IT RESOLVED, That the Wyoming County Board of Supervisors does hereby approve the establishment of an eleven member Agricultural and Farmland Protection Board as provided in the Agricultural Protection Act of 1992; and be it

FURTHER RESOLVED, That the Chairman of this Board is hereby authorized to appoint members to this Board for four-year terms:

farm members, minimum 4 members  
agri-businessmen, 1 member  
farmland preservation representative, 1 member, optional

and be it

FURTHER RESOLVED, That the following members will be appointed concurrent with the term of office for that title:

Regular Session

Chairman, County Soil and Water Conservation District Board of Directors  
County Planner  
Real Property Tax Services Director  
Member Board of Supervisors  
Cooperative Extension Agent.

Carried: Ayes - 1598 Noes - 0 Absent - 20, Nugent

# 22

**RESOLUTION NO. 93-214**  
**(September 14, 1993)**

By Mr. Moran, Chairman of the Finance Committee:

**COLUMBIA COUNTY RESOLUTIONS SUPPORTED**

WHEREAS, Columbia County has expressed their concerns with the untimely payment of vouchers to local municipalities by New York State; and

WHEREAS, Columbia County has also expressed their concerns with the extended period of time required for the processing of permits by the NYS Department of Environmental Conservation; now, therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors does hereby support Columbia County's resolutions which

1) charges the State of New York with the responsibility to the taxpayers of all on New York State to make timely payments within a maximum of sixty days from receipt of vouchers for reimbursement programs.

2) requires that the New York State Dept. of Environmental Conservation be required to process proper permit applications within ninety days or less.

and be it,

FURTHER RESOLVED, That the copies of this resolution be forwarded to Columbia County and all agencies or departments as directed by the Chairman of this Board.

September 14, 1993

Carried: Ayes - 1598 Noes - 0 Absent - 20, Nugent

# 23

**RESOLUTION NO. 93-215  
(September 14, 1993)**

By Mr. Bowles, Chairman of the Human Services Committee:

**PROCLAIMS DOWN SYNDROME AWARENESS MONTH**

WHEREAS, Down syndrome is a genetic disorder of uncertain cause which is characterized by an extra chromosome in every cell throughout the body, producing some alterations in physical and mental development; and

WHEREAS, A Down Syndrome birth occurs about once in every six hundred births; and

WHEREAS, The Down Syndrome Parent Support Group of Genesee County, Inc. is a non-profit organization consisting of parents of children with Down Syndrome working together to bring a greater acceptance and understanding of Down Syndrome, and providing opportunities available for persons with Down Syndrome to engage productively in community life. Now, therefore,

BE IT RESOLVED, That the Wyoming County Board of Supervisors does hereby proclaim the month of October 1993 as "**DOWN SYNDROME AWARENESS MONTH**" in Wyoming County to provide education and public awareness among the general public and to familiarize citizens with education programs, community services and other organizations available for the mentally disabled persons and their families.

Carried: Ayes - 1598 Noes - 0 Absent - 20, Nugent

# 24

**RESOLUTION NO. 93-216  
(September 14, 1993)**

By Mr. Moran, Chairman of the Finance Committee:

Regular Session

**BOND RESOLUTION OF THE COUNTY OF WYOMING, NEW YORK, DATED SEPTEMBER 14, 1993, FOR THE ISSUANCE AND SALE OF BONDS OF THE COUNTY OF WYOMING, NEW YORK, IN THE AMOUNT OF \$500,000.00 FOR THE ACQUISITION OF HOSPITAL EQUIPMENT FOR COUNTY PURPOSES.**

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

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

PERIOD OF EQUIPMENT ITEMS	SUB'D OF \$11 PROBABLE USEFULNESS	LOCAL FINANCE LAW	MAXIMUM ESTIMATED COST
3 Nikon Microscopes	5 years	32	9,631.00
Belscope Blade Set	5 years	32	1,086.00
TC-6 Centrifuge	5 years	32	2,886.00
Force IB Generator	5 years	32	3,865.00
Microfiche Printer/Reader	5 years	32	2,743.00
(14) Psychiatric Room Furniture Sets	5 years	32	22,450.00
Computer Equipment	5 years	32	8,200.00
(14) Hospital Beds	5 years	32	63,000.00
(7) Nursing Facility Bed Sets	5 years	32	21,700.00
Fetal Monitor	5 years	32	30,000.00
Wallaby Bilirubin Wraparsend Light	5 years	32	8,000.00
Skin Graft System	5 years	32	4,995.00
Cystoscopy Instrument Set	5 years	32	7,000.00
Vascular Doppler	5 years	32	3,000.00
Hyper/Hopothermia Unit	5 years	32	6,000.00
Allen Stirrups	5 years	32	3,000.00
Zeiss Microscope	5 years	32	1,000.00
(2) Sonic Cleaners	5 years	32	60,000.00
Adjustable Storage Shelving	5 years	32	16,000.00
Minatome Micitime	5 years	32	11,000.00
Upgrade IBM System 36	5 years	32	3,000.00
Uninterruptable Power System	5 years	32	4,437.00
Convection Oven	5 years	32	7,875.00
Convection Steamer	5 years	32	5,250.00
Dish Machine & Soiled Table Unit	5 years	32	79,000.00
Dish Machine Racks	5 years	32	1,000.00
Hood Assembly	5 years	32	27,000.00
Mobile Unit for Whirlpool	5 years	32	3,200.00
Turbo P.T. Network Software	5 years	32	3,495.00
Electrical Stimulator	5 years	32	1,200.00
Traction Unit	5 years	32	2,800.00

September 14, 1993

(Bowl Cutter) Vertical Chopper	5 years	32	3,200.00
Air Curtain Refrigerator	5 years	32	2,250.00
Hospital Uniform Billing/Retrieval System	5 years	32	59,000.00
Arthroscopy Monitor	5 years	32	1,850.00
Jewett Blood Bank Refrigerator	5 years	32	4,992.00
Richards Tourniquet System	5 years	32	4,895.00

The estimated maximum cost of the acquisition of such equipment is the sum of \$500,000.00 and said amount is hereby appropriated therefor. The plan of financing involves the issuance of \$500,000.00 in serial bonds of the County of Wyoming to finance the appropriation, and the levy and collection of taxes upon all the taxable real property in the County in an amount sufficient to pay the principal of the interest on said bonds.

Section 2. Serial bonds of said County of Wyoming in the principal amount of \$500,000.00 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law of the State of New York, to finance the said appropriation.

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

a. In accordance with Section 11 of the Local Finance Law, the period of probable usefulness for which said bonds are to be issued is hereinabove set forth in Section 1 for each item or items Resolution No. 93-216 # 24

to be acquired, such period of five (5) years. Also, set forth for each item is the maximum estimated cost of each item or items.

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

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

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

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

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

Section 8. This resolution shall take effect immediately.

Carried: Ayes - 1667   Noes - 0   Absent - 20, Nugent

# 25

**RESOLUTION NO. 93-217**  
**(September 14, 1993)**

By Mr. Herman, Chairman of the County Operations Committee:

**1993 - 1994 SCHEDULE F APPROVED**

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

The following titles heretofore appearing on Schedule 'F', Wyoming County Nutrition Wage Schedule, shall receive the total hourly wage indicated for the calendar year 1993 and 1994, effective July 1, 1993:

September 14, 1993

**Proceedings of the Board of Supervisors**

1993 Schedule 'F'

Wyoming County Nutrition Wage Schedule

<u>Number of Positions</u>	<u>Position title</u>	<u>Hourly wage</u>
10	Food Service Helper	5.74
4	Food Service Helper/sub	5.61
10	Meal Site Managers	5.47
2	Meal Site Managers/sub	5.35

1994 Schedule 'F'

Wyoming County Nutrition Wage Schedule

<u>Number of Positions</u>	<u>Position title</u>	<u>Hourly wage</u>
10	Food Service Helper	6.06
4	Food Service Helper/sub	5.93
10	Meal Site Managers	5.79
2	Meal Site Managers/sub	5.67

and be it

FURTHER RESOLVED, That no benefit other than the wage indicated shall accrue or be paid for any position on this schedule.

Carried: Ayes - 1598   Noes - 0   Absent - 20, Nugent

Mr. Moran moved to withdraw Resolution # 26; no objection.

Unanimous consent was requested and granted for the following resolution.

UC # 27

**RESOLUTION NO. 93-218**  
**(September 14, 1993)**

By Mr. Moran, Chairman of the Finance Committee:

**APPROVES PROPERTY AUCTION SALES**

WHEREAS, the County has acquired title to the following properties with this County by the following tax sale deeds, and

Regular Session

WHEREAS, the Finance Committee of the Board has obtained an offer to purchase said properties through auction and recommends the acceptance thereof, namely:

Item #1. Wesley W. Wolcott, Sr., 54 St. Helena St, Perry, NY 14530, has offered \$23,000.00 for tax map no. 88.19-3-12, lot 100' x117', 22 Grove St, in the Town and Village of Perry, formerly owned by Mary Smith Estate.

Item #2. Paul Hendel & Diane Hendel, 1636 Maxon Rd, Attica, NY 14011, has offered \$16,500.00 for tax map no. 69.2-1-8, lot 235' x 190', Rt 98, Town of Sheldon, formerly owned by Kate Due.

Item #3. Matthew and Gladys Bryant, PO Box 58, Castile, NY 14427, has offered \$6,000.00 for tax map no. 123.8-1-27, lot 40' x 100', 6682 Lake Shore Drive, Town of Castile, formerly owned by Dennis & Susan Stanek.

Item #4. Bernard Rykert, PO Box 203, Oakfield, NY 14125, has offered \$2,400.00 for tax map no. 122.16-1-58, lot 83' x 165', 8 Creamery Rd, Town of Gainesville, Village of Silver Springs, formerly owned by Hobart & Audrey VanBuren.

Item #5. Clyde E. Brauer, T.T.E.E. & Nancy C. Brauer, T.T.E.E. & the Brauer Family Living Trust, 6075 Thompson Rd, Clarence Center, NY 14032 has offered \$9,000.00 for tax map no. 94.1-18, 9.59 acres, Almeter Rd, Town of Orangeville, formerly owned by Richard Cieslak.

Item #6. Nicholas Giangualano, 1555 Broadway, Buffalo, NY 14212, has offered \$2,300.00 for tax map no. 140.8-7-60, lot 330' x 160', Maplewood & Beechwood Ave, Town of Java, formerly owned by Thomas J. Fisher.

Item #7. Colleen Pac, 169 Washington St, Warsaw, NY 14569, has offered \$2,100.00 for tax map no. 87.1-7, 2.02 acres, Rt 20A, Town of Perry, formerly owned by Alice Hare.

Item #8. Stanley Gubner & Karen Gubner, 2220 Eck Rd, Attica, NY 14011, has offered \$3,000.00 for tax map no. 44.1-35, 4.48 acres, off Maxon Rd, Town of Bennington, formerly owned by Augustine Roth Estate.

Item #9. Michael J. Gallo, 2290 Eck Rd, Attica, NY 14011, has offered \$2,250.00 for tax map no. 44.-1-38, 2.24 acres, off Maxon Rd, Town of Bennington, formerly owned by Robert Koscielnaik.

Item #10. Esther J. Tennity, 134 Lake Shore Dr, Castile, NY 14427, has offered \$1,500.00 for tax map no. 111.20-4-71, lot 35' x 80', corner of Lake Shore Drive & Private Drive 11, Town of Castile, formerly owned by Marion Kaufman.

**Proceedings of the Board of Supervisors**

Item #11. Thomas L. Hollister & Christine Hollister, 137 S Main St, Warsaw, NY 14569, has offered \$1,200.00 for tax map no. 111.20-2-52, lot 30' x 80', Strawberry Way, Private Drive 9, Town of Castile, formerly owned by Marion Kaufman.

Item #12. Matthew Martin & Alfred Beck, 63 S Maple St, Warsaw, NY 14569, has offered \$1,750.00 for tax map no. 73.20-1-12, 1.0 acre, Roberts St, Town & Village of Warsaw, formerly owned by Michael Jakubasek.

Item #13. Robert Reinholtz, 306 Hook Rd, Macedon, NY 14052, has offered \$4,200.00 for tax map no. 182.1-45, lot 110' x 3.02 acres, Hurdville Rd, Town of Arcade, formerly owned by Buffalo & Susquehanna RR Co.

Item #14. Alexander Koroniwsky, 43 Park Rd, East, Castile, NY 14427, has offered \$400.00 for tax map no. 147.7-3-5.2, lot 190' x 105', between Park Rd & Pickett St Ext, Town of Castile, formerly owned by Unknown Owner.

Item #15. Merlyn Davis, 686 Creekside, Alden, NY 14004, has offered \$600.00 for tax map no. 31.2-1-28, lot 266' x 50', Cotton Hill Rd, Town of Bennington, formerly owned by Charles Knisley % Robert White.

Item #16. Duane Shute, 13 Tempest St, Perry, NY 14530, has offered \$600.00 for tax map no. 82.-2-16, 1.10 acres, landlocked off Centerline Rd, Town of Orangeville, formerly owned by Elmore & Carmen Riley.

Now, therefore, be it

RESOLVED, That the above are hereby approved and accepted and the County Treasurer, in the name of the County, is hereby authorized to execute and deliver a quit claim deed to the purchaser, providing payment of said purchase price is received by him on or before October 1, 1993.

Carried: Ayes - 1598   Noes - 0   Absent - 20, Nugent  
Mr. Erhart moved to adjourn. Carried. Adjourned.

\*\*\*\*\*

**REGULAR SESSION**

**Tuesday**

**October 12, 1993**

**2:00 PM**

The Regular Session of the Wyoming County Board of Supervisors was held in the Court House, Warsaw, NY, with all members present. Chairman Payne called the meeting to order and led the Pledge of Allegiance to the Flag.

Communications were read and filed with the Clerk of the Board.

C-1. The Clerk announced that copies of the 1993 NYSAC Legislative Scorecard are available for review.

C-2. A notice of the BDC Legislative Conference to be held October 27, 1993, at Byrncliff was read.

C-3. A reminder of the next Inter-County to be held October 21, 1993, hosted by Wyoming County at the Attica Country Club, was read.

C-4. Emergency Services Coordinator, Jack Fisher, will set a date for all interested Supervisors and Mayors to discuss the Wyoming Co. Emergency Plan.

C-5. A reminder that volunteers are needed to coordinate the Annual Supervisors Christmas Party.

Mr. Erhart, Chairman of the Auditing Sub-Committee, presented bills totaling \$518,091.94 and requested that they be approved for payment.

Carried: Ayes - 1618   Noes - 0   Absent - 0

# 1

**RESOLUTION NO. 93-219**  
**(October 12, 1993)**

By Mr. Moran, Chairman of the Finance Committee:

**FUNDS TRANSFERRED WITHIN YOUTH BUR./PHC  
ACCOUNTS**

BE IT RESOLVED, That the County Treasurer is hereby authorized and directed to transfer funds within various accounts as follows:

October 12, 1993

**Proceedings of the Board of Supervisors**

<u>YOUTH BUREAU/PHC EDUCATION</u>		
From acct no. 2960.41 tran & tuit.	4,788.00	
to acct no. 2960.2 equipment		4,788.00
From acct no. 7310.1 per. serv.	214.95	
to acct no. 7310.4 cont. exp.		214.95

Carried: Ayes - 1618 Noes - 0 Absent - 0

After Resolution #2 was read, a lengthy discussion followed with regard to the fiscal impact of changing the part time position of District Attorney to full time, and creating a . Speaking in opposition were Mr. Erhart, Mr. Herman and Mr. Moran. Chairman Payne noted that the County spent \$7,000. to have a feasibility study completed that recommended a change in these positions would be an economic saving for the County. Mr. Lowe, Chairman of the Public Safety Committee, requested to move the resolution to the end of the agenda so that it could be discussed by the Public Safety Committee during recess, with regard to the language content. Business resumed.

# 3

**RESOLUTION NO. 93-220**  
**(October 12, 1993)**

By Mr. Moran, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN CAFETERIA PLAN**

WHEREAS, this Board of Supervisors has approved and adopted union contracts for the period through December 31, 1995; and

WHEREAS, these contracts have included language which allows a Cafeteria Plan for health insurance only under Internal Revenue Service Code Section 125 and Section 4980B; now, therefore,

BE IT RESOLVED, That the form of Cafeteria Plan to become effective November 1, 1993, as presented to this Board is hereby approved and adopted and that the Chairman of this Board is hereby authorized and directed to execute and deliver to the Administrator of the Plan one or more counterparts of the Plan; and be it

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

FURTHER RESOLVED, That the Executive Secretary of County Insurance Programs shall act as soon as possible to notify the employees of the County of the adoption of the Cafeteria Plan by delivering to each employee a copy of the summary description of the plan in the form of the Summary Plan Description presented to this Board, of which the form is hereby approved; and be it

FURTHER RESOLVED, That true copies of the Wyoming County - C.S.E.A. Local 1000 Premium Conversion Plan and the Summary Plan Description are on file in the office of the Board of Supervisors.

Carried: Ayes - 1522 Noes - 96, Erhart Absent - 0

# 4

**RESOLUTION NO. 93-221  
(October 12, 1993)**

By Mr. Bowles, Chairman of the Human Services Committee:

**PROCLAMATION--DOMESTIC VIOLENCE AWARENESS  
MONTH**

WHEREAS, Violence against women and children continues to become more prevalent as a social problem due to the imbalance of power due to gender and age;

WHEREAS, The problems of domestic violence are not confined to any group or groups of people but cross all economic, racial, sexual preference and societal boundaries; and are supported by societal indifference;

October 12, 1993

**Proceedings of the Board of Supervisors**

WHEREAS, The crime of domestic violence violates an individuals' privacy, dignity, security and humanity due to systematic use of physical, emotional, sexual, psychological and economic control and/or abuse;

WHEREAS, The impact of domestic violence is wide-ranging, directly affecting women and children and society as a whole;

WHEREAS, It is battered women themselves who have been in the forefront of efforts to bring peace and equality to the home; now, therefore,

BE IT RESOLVED, That in recognition of the important work done by domestic violence programs, the Wyoming County Board of Supervisors, does hereby proclaim the month of October 1993 as

**DOMESTIC VIOLENCE AWARENESS MONTH**

and urge all citizens to actively participate in the scheduled activities and programs sponsored by the Wyoming County Domestic Violence Project to work toward the elimination of personal and institutional violence against women.

Carried: Ayes - 1618   Noes - 0   Absent - 0

# 5

**RESOLUTION NO. 93-222  
(October 12, 1993)**

By Mr. Faulkner, Chairman of the Planning Committee:

**VARIOUS MEMBERS APPOINTED/REAPPOINTED TO  
PLANNING BOARD**

BE IT RESOLVED, That Joseph Heller, Town of Bennington, Attica NY, and Donald Norton, Town of Arcade, Arcade, NY, are hereby reappointed to the Wyoming County Planning Board each for a three year term, said terms to expire December 31, 1996; and be it

Regular Session

FURTHER RESOLVED, That Ross W. Roberts, Town of Perry, Perry, NY, is hereby appointed to the Wyoming County Planning Board for a three year term, said term to expire December 31, 1996.

Carried: Ayes - 1618 Noes - 0 Absent - 0

# 6

**RESOLUTION NO. 93-223  
(October 12, 1993)**

By Mr. Moran, Chairman of the Finance Committee:

**NATIONAL UNFUNDED MANDATES DAY SUPPORTED**

WHEREAS, the number of unfunded federal mandates on counties and cities have significantly increased during the last decade, while many federal programs, which were made available to local governments to ease the burden of carrying out federal mandates, have been terminated or drastically reduced; and

WHEREAS, such mandates stem from federal laws and regulations that require counties and cities to provide services and programs, and perform certain responsibilities without providing federal funding for such services; and

WHEREAS, by shifting costs to counties and cities, unfunded federal mandates breach the underlying principles of federalism which assumes a working partnership and shared responsibilities between the federal, state and local governments; and

WHEREAS, American citizens are unaware of the impact of unfunded mandates on local services and their own local taxes; and

WHEREAS, risk assessment is an essential component to any cost-benefit analysis of mandates and should be included in all bills that impose mandates on counties and cities; now, therefore,

BE IT RESOLVED That Wyoming County urges Congress and the Administration to enact legislation that would relieve counties and cities of all obligations to carry out any new mandate arising from federal law, regulation or policy unless federal funds are provided; and be it

**Proceedings of the Board of Supervisors**

FURTHER RESOLVED, That Congress and the Administration are urged to enact legislation to reimburse local governments for the costs of complying with existing federal mandates; and be it

FURTHER RESOLVED, That Congress and the Administration are urged to include in any future mandate, a provision that requires federal departments and agencies to provide scientifically sound assessments of purported health, safety or environmental risk prior to the imposition of any new mandate on local governments; and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors supports a "**National Unfunded Mandates Day**" to be held **October 27, 1993**, during which county officials in all counties will be urged to hold press conferences in coordination with local and state officials to draw public attention to the problems imposed on counties by unfunded federal mandates.

Carried: Ayes - 1618 Noes - 0 Absent - 0

# 7

**RESOLUTION NO. 93-224  
(October 12, 1993)**

By Mr. Bowles, Chairman of the Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN AMENDED 1993  
SUBURBAN ADULT SERVICES CONTRACT**

BE IT RESOLVED, That the Chairman of this Board is hereby authorized and directed to sign an amended 1993 contract with Suburban Adult Services, previously approved by Resolution No. 92-306, passed by this Board on December 29, 1992, said amendment to reflect the increase in state aid funding to provide services through the Wyoming County Mental Health Department.

Carried: Ayes - 1618 Noes - 0 Absent - 0

# 8

**RESOLUTION NO. 93-225**

Regular Session

**Proceedings of the Board of Supervisors**  
**(October 12, 1993)**

189

By Mr. Moran, Chairman of the Finance Committee:

**ERROR CORRECTED IN TOWN OF WARSAW**

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

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

PARCEL ONE:	Town of Warsaw, Tax Map #73.12-1-8.1
ASSESSED TO:	Amity Resource Management, Inc. 4222 Boliver Road Wellsville, NY 14895
ERROR:	Clerical
AUTHORITY:	RPT Law Section 726
CORRECTION:	Re-issue tax bill in the amount of \$797.44

Carried: Ayes - 1618   Noes - 0   Absent - 0

# 9

**RESOLUTION NO. 93-226**  
**(October 12, 1993)**

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

**CONTRACTS FOR SNOW REMOVAL AND ICE  
CONTROL ON COUNTY ROADS APPROVED**

WHEREAS, the public interest demands the snow removal and sanding of all County roads, with the County bearing the entire cost in accordance with Section 129 of the Highway Law; and

October 12, 1993

**Proceedings of the Board of Supervisors**

WHEREAS, the County is desirous of making agreements with the several towns and villages of the County for the removal of snow from and the control of ice on county roads, therefore,

BE IT RESOLVED, That the County of Wyoming enter into agreement with the various towns and villages of the County for the purpose of removing snow from and the control of ice on county roads for the winter season of 1994-95. Payment to be made to the towns and villages by the County from the County Snow Funds as follows: the rental of snow removal and sanding equipment is to be at rates established by the State Department of Transportation and sanding materials to be furnished to the various towns and villages without cost to said towns and villages, and be it

FURTHER RESOLVED, that the snow removal and ice control is to be done immediately following the opening and treating of county roads in such manner as directed by the County Superintendent of Highways of Wyoming County who shall be in charge of all such work done on county roads; and be it

FURTHER RESOLVED, that records of such work done on county roads will be kept and submitted to the County Highway Department for payment in such a manner as may be directed by the County Superintendent of Highways.

Carried: Ayes - 1618    Noes - 0    Absent - 0

# 10

**RESOLUTION NO. 93-227  
(October 12, 1993)**

By Mr. Moran, Chairman of the Finance Committee:

**BOND RESOLUTION OF THE COUNTY OF WYOMING,  
NEW YORK, DATED OCTOBER 12, 1993, FOR THE  
ISSUANCE AND SALE OF BONDS OF THE COUNTY OF  
WYOMING, NEW YORK, IN THE AMOUNT OF  
\$1,000,000.00 FOR THE RENOVATION OF PROPERTY  
LOCATED AT 3791 SOUTH WARSAW ROAD, WARSAW,  
NEW YORK, AND RENOVATION OF PROPERTY  
LOCATED AT 466 NORTH MAIN STREET, WARSAW,  
NEW YORK, FOR COUNTY PURPOSES**

Regular Session

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

Section 1. The County of Wyoming, New York is hereby authorized to renovate property located at 3791 South Warsaw Road, Warsaw, New York, and property located at 466 North Main Street, Warsaw, New York as follows.

Section 2. Pursuant to Subdivision 11 of the Local Finance Law, the period of probable usefulness shall be twenty (20) years.

Section 3. The maximum estimated cost of renovation to property located at 3791 South Warsaw Road, Warsaw, New York, is \$750,000.00.

Section 4. The maximum estimated cost of renovation to property located at 466 North Main Street, Warsaw, New York, is \$250,000.00.

Section 5. The estimated maximum cost of the renovation of said properties is the sum of \$1,000,000.00 and said amount is hereby appropriated therefore. The plan of financing involves the issuance of \$1,000,000.00 in serial bonds of the County of Wyoming to finance the appropriation, and the levy and collection of taxes upon all the taxable real property in the County in an amount sufficient to pay the principal of and interest on said bonds.

Section 6. Serial bonds of said County of Wyoming in the principal amount of \$1,000,000.00 are hereby authorized to be issued pursuant to the provisions of the local Finance Law of the State of New York, to finance the said appropriation.

Section 7. The following additional matters are hereby determined and declared:

a. In accordance with Section 11 of the Local Finance Law, the period of probable usefulness for which said bonds are to be issued is hereinabove set forth in Section 1 for each item or items to be acquired, such period of probable usefulness being the period of twenty (20) years. Also, set forth for each item is the maximum estimated cost of each item or items.

Section 8. Each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of such bonds shall contain the recital of validity prescribed by Section 52.00 of said Local Finance Law, and said serial bonds and any notes issued in anticipation of said bonds

**Proceedings of the Board of Supervisors**

shall be general obligations of the County payable as to both principal and interest by general tax upon all taxable real property within the County without limitation of rate or amount. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of the interest on said bonds and provision shall be made annually in the budget of the County by appropriation for (a) the amortization and redemption of the bonds to mature such year and (b) the payment of interest to be due and payable in such year.

Section 9. Subject to the provisions of this resolution and pursuant to Section 30.00 of the Local Finance Law relative to the authorization of the issuance of bond anticipation notes and of Section 50.00 and Section 56.00 to Section 60.00 of said law, the powers and duties of the Board of Supervisors relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the serial bonds authorized by this resolution and of any notes authorized and issued in anticipation of the sale of said bonds, and the renewals thereof, are hereby delegated to the County Treasurer, as the Chief Fiscal Officer of County.

Section 10. The validity of the bonds authorized by this resolution and of any notes issued in anticipation of the sale of said bonds may be contested only if: (a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or (b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or (c) such obligations are authorized in violation of the provisions of the constitution.

Section 11. The specific object or purpose of the purchase herein authorized is to provide renovation to property located at 3791 South Warsaw Road, Warsaw, New York, and to provide renovation to property located at 466 North Main Street, Warsaw, New York, properties which are owned by the County of Wyoming.

Section 12. This resolution shall take effect immediately.

Carried: Ayes - 1391    Noes - 296, (130) Huber, (98) Erhart, (20) Nugent, (48) Haller    Absent - 0

# 11

**RESOLUTION NO. 93-228  
(October 12, 1993)**

Regular Session

By Mr. Bowles, Chairman of the Human Services Committee:

**CONTRACT FOR CELLULOSE INSULATION APPROVED**

BE IT RESOLVED, That the Chairman of this Board is hereby authorized and directed, with the approval of the County Attorney, to sign an agreement with Bonded Insulation Co. Inc. for the provision of cellulose insulation through the Office for the Aging/Weatherization Program, said contract to be for the period October 1, 1993 through September 30, 1994 at the rate of \$2.89 per 25# bag or \$ 11.56 per 100# bag.

Carried: Ayes - 1618 Noes - 0 Absent - 0

# 12

**RESOLUTION NO. 93-229**  
**(October 12, 1993)**

Mr. Herman, Chairman of the County Operations Committee:

**VARIOUS POSITIONS CREATED OR EXTENDED  
IN OFA AND COUNTY TREASURER'S OFFICE**

BE IT RESOLVED, That there is hereby created one position of account clerk/typist in the County Treasurer's office, said position to be placed in Schedule A, Grade 4 of the CSEA Agreement; and be it

FURTHER RESOLVED, That there is hereby created one .5 FTE position of account clerk in the Office for the Aging, said position to be placed in Schedule G, Grade 4 of the Wyoming County Salary Plan; and be it

FURTHER RESOLVED, That Resolution No. 92-311, passed by this Board on December 29, 1992, is hereby amended to extend the temporary part time clerk position in the Office for the Aging for the period November 1, 1993 through the end of grant, said position not to exceed \$3,500 at \$5.66/hr.

Carried: Ayes - 1439 Noes - 179, (96) Erhart, (48) Haller, (35) Herman Absent 0

October 12, 1993

**RESOLUTION NO. 93-230  
(October 12, 1993)**

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

**PROPOSED TARIFF INCREASE BY NY TELEPHONE  
OPPOSED**

WHEREAS, The County of Wyoming has had an operational Enhanced 911 system since February 2, 1992 with the maintenance of the equipment, ANI and ALI being provided by Rochester Telephone; and

WHEREAS, The purposed tariff to be imposed on New York Telephones lines would cost the County of Wyoming an additional ten thousand dollars per year with no increase in surcharge to offset the increased operating expenses; and

WHEREAS, This increased cost of the system would not seem to in anyway better the service that we now provide; now therefore

BE IT RESOLVED, That this Board of Supervisors goes on record as being strongly opposed to the tariff New York Telephone has applied for; and be it

FURTHER RESOLVED, That the Chairman of the Board of Supervisors of Wyoming County is hereby instructed to express our concerns to the Public Service Commission.

Carried: Ayes - 1618   Noes - 0   Absent - 0

# 14

**RESOLUTION NO. 93-231  
(October 12, 1993)**

By Mr. Bowles, Chairman of the Human Services Committee:

**RESOLUTION NO. 93-199 RESCINDED,  
RE: SDPP APPLICATION AND OTHER DOCUMENTS  
AUTHORIZED**

BE IT RESOLVED, That Resolution No. 93-199, passed by this Board on September 14, 1993, is hereby rescinded; and be it

Regular Session

FURTHER RESOLVED, That the Chairman of this Board, on behalf of the County of Wyoming and with the approval of the County Attorney, is hereby authorized and directed to sign fiscal year 1994 Resource Allocation Package and Special Delinquency Prevention Program (SDPP-IIA) grant funds and any other related documents for the Wyoming County Youth Bureau.

Carried: Ayes - 1583 Noes - 35, Herman Absent - 0

Chairman Payne declared a recess; business resumed.

# 15

**RESOLUTION NO. 93-232**  
**(October 12, 1993)**

By Mr. Moran, Chairman of the Finance Committee:

**RESOLUTION NO. 93-205 AMENDED, RE: CORRECT  
INCREASE IN PETTY CASH FUND AT DSS**

BE IT RESOLVED, That Resolution No. 93-205, passed by this Board on September 14, 1993, is hereby amended to correct the increase in the petty cash fund held and used by the Wyoming County Department of Social Services from \$500. to \$1,000.

Carried: Ayes - 1618 Noes - 0 Absent - 0

# 16

**RESOLUTION NO. 93-233**  
**(October 12, 1993)**

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

**CHAIRMAN AUTHORIZED TO SIGN AGREEMENT  
WITH WYOMING ATTICA LEGAL AID AND NYS DCJS  
FOR 1994-95**

BE IT RESOLVED, That the County of Wyoming enter into an agreement with the Wyoming County - Attica Legal Aid Bureau, Inc. to provide necessary services to indigent parolees and others as mandated by the Parole  
October 12, 1993

**Proceedings of the Board of Supervisors**

Reform Act of 1977 and Article 18-B of the County Law, as such acts or laws are from time to time amended. The contract term shall be from April 1, 1994 to March 31, 1995 in the maximum sum of \$ 178,750.00; and be it

FURTHER RESOLVED, That such contract and this resolution shall be contingent upon full reimbursement to the County of Wyoming for all sums expended pursuant to said contract, including the cost of clerical help as may be needed by the County to execute the terms thereof; and be it

FURTHER RESOLVED, That the Chairman of this Board of Supervisors is hereby authorized to execute said contract for the County of Wyoming in accordance with the terms of this resolution; and be it

FURTHER RESOLVED, That the Chairman of this Board, with the approval of the County Attorney is hereby authorized and directed to sign a contract between the County of Wyoming and the State of New York, acting by and through the Division of Criminal Justice Services, for reimbursement of expenses made by the County for the Legal Defense of Indigents through the Wyoming County - Attica Legal Aid Bureau Inc. for the period April 1, 1994 to March 31, 1995, said reimbursement will be on a cost basis amount of not to exceed \$ 178,750.00.

Carried: Ayes - 1618 Noes - 0 Absent - 0

# 17

**RESOLUTION NO. 93-234  
(October 12, 1993)**

By Mr. Bowles, Chairman of the Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT FOR  
COMPUTER CONSULTANT AT YOUTH BUREAU**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign an agreement for computer consultant services at the Youth Bureau, cost of said contract, which is to be completed by December 1, 1993, not to exceed \$1,050.

Carried: Ayes - 1618 Noes - 0 Absent - 0

Regular Session

**RESOLUTION NO. 93-235  
(October 12, 1993)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT  
WITH TOWN OF PERRY TO PROVIDE BUILDING CODE  
ENFORCEMENT SERVICES**

BE IT RESOLVED, That the Chairman of this Board is hereby authorized and directed, with the approval of the County Attorney, to sign an agreement with the Town of Perry for Building and Fire Code Enforcement Services for the period January 1, 1993 - December 31, 1994.

Carried: Ayes - 1618 Noes - 0 Absent - 0

Mr. Lowe moved to withdraw Resolution # 2; no objection. Unanimous consent was requested and granted for the following resolution.

UC # 19

**RESOLUTION NO. 93-236  
(October 12, 1993)**

By Mr. Moran, Chairman of the Finance Committee:

**FUNDS APPROPRIATED TO HIGHWAY ACCOUNTS**

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

Wyo. Co. Highway

to acct no. 5144.4 state snow	211,207.00
with revenue account no. 2302 increased by an equal amount	

and be it

October 12, 1993

**Proceedings of the Board of Supervisors**

FURTHER RESOLVED, That the County Treasurer is hereby authorized and directed to transfer the said amounts from any funds available therefore.

Carried: Ayes - 1618 Noes - 0 Absent - 0

Mr. Erhart moved to adjourn. Carried. Adjourned.

\*\*\*\*\*

**REGULAR SESSION**

**Tuesday**

**November 09, 1993**

**2:00 PM**

The Regular Session of the Wyoming County Board of Supervisors was held in the Court House, Warsaw, New York, with all members present except Supervisor Haller. Chairman Payne called the meeting to order and led the Pledge of Allegiance to the flag. Supervisors Elect from the Towns of Gainesville, Attica, and Warsaw were introduced.

The Clerk of the Board presented copies of communications received from each of the following:

C-1. A reminder of the next Inter-County meeting to be held November 18, 1993, was read.

C-2. Newly elected officials may attend a training seminar at Cooperative Extension on November 29, 1993 for County Boards and December 6, 1993 for Town Boards, a notice will be sent.

C-3. Reminder that 1994 Town Budgets are due.

C-4. The Wyoming County Transit System has scheduled a ribbon cutting ceremony for December 1, 1993, in the Courthouse parking lot at 9:00am.

# 1

**RESOLUTION NO. 93-237**  
**(November 9, 1993)**

By Mr. Moran, Chairman of the Finance Committee:

**FUNDS TRANSFERRED IN VARIOUS ACCOUNTS**

BE IT RESOLVED, That funds are hereby transferred within various accounts as follows:

<u>DISTRICT ATTORNEY</u>		
From acct no. 1165.41 pros. fund	3,000.00	
to acct. no. 1165.40 cont. exp.		3,000.00
<u>COUNTY ATTORNEY</u>		
From acct no. 1420.10 pers. svc.	1,000.00	
to acct no. 1420.41 exp/grant fund		1,000.00

November 09, 1993

## Proceedings of the Board of Supervisors

<u>BOARD OF ELECTIONS</u>		
From acct no. 1450.40 cont. exp.	3,000.00	
to acct no. 1450.10 pers. svc.		3,000.00
<u>PUBLIC HEALTH</u>		
From acct no. 4010.40 cont. exp.	12,500.00	
to acct no. 4010.20 equipment		12,500.00
From acct no. 4048.40 adult polio	800.00	
From acct no. 4070.40 Tuberculosis	1,500.00	
to acct no. 4046.40 PHCP		2,300.00
<u>MENTAL HEALTH</u>		
From acct no. 4220.84 Unemploy. Ins.	565.00	
From acct no. 4250.81 Retirement	260.00	
From acct no. 4310.81 Retirement	460.00	
From acct no. 4321.81 Retirement	60.00	
to acct no. 4220.1 Pers. svc.		530.00
to acct no. 4220.83 Soc. Security		35.00
to acct no. 4250.99 Health Ins.		260.00
to acct no. 4310.99 Health Ins.		460.00
to acct no. 4321.99 Health Ins.		60.00
<u>TRAINING AND EMPLOYMENT OPPORTUNITIES</u>		
From acct no. 6291.12 78% suppt. part. wages	10,000.00	
From acct no. 6295.10 IIB suppt. pers. svc.	24,520.00	
From acct no. 6297.40 8% contractual	5,000.00	
to acct no. 6290.99 78% admin-health ins.		1,250.00
to acct no. 6292.40 78% train. contractual		15,000.00
to acct no. 6294.10 IIB admin. pers. svc.		5,000.00
to acct no. 6294.83 IIB admin. soc. security		410.00
to acct no. 6294.85 IIB admin. medicare		100.00
to acct no. 6296.10 IIB train. pers. svc.		3,150.00
to acct no. 6296.83 IIB train. soc. security		200.00
to acct no. 6296.85 IIB train. medicare		50.00
to acct no. 6297.10 8% personal services		1,000.00
to acct no. 6297.83 8% social security		620.00
to acct no. 6297.85 8% medicare		150.00
to acct no. 6298.40 6% contractual		2,000.00
to acct no. 6300.10 Title III pers. svc.		5,000.00
to acct no. 6300.40 Title III contractual		5,000.00
to acct no. 6300.83 Title III soc. sec.		310.00
to acct no. 6300.85 Title III medicare		80.00
to acct no. 6301.20 IIC equipment		200.00

Carried: Ayes - 1570   Noes - 0   Absent - 48, Haller

Regular Session

**RESOLUTION NO. 93-238**  
**(November 9, 1993)**

By Mr. Moran, Chairman of the Finance Committee:

**FUNDS APPROPRIATED TO VARIOUS ACCOUNTS**

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

**CIVIL SERVICE**

to acct no. 1430.10 pers.svc.	9,800.00	9,800.00
<b>COUNTY ATTORNEY</b>		
to acct no. 1420.40 cont. expense	2,000.00	
to acct no. 1420.20 equipment	200.00	
to acct no. 1420.41 assigned council	2,000.00	4,200.00
<b>MENTAL HEALTH</b>		
to acct no. 4310.40 contractual	19,036.10	19,036.10
<b>WORKERS COMPENSATION</b>		
to acct no. 1720.40 benefits & awards (from Reserve fund)	50,000.00	50,000.00
with estimated revenue account increased by same amount		
<b>YOUTH BUREAU</b>		
to acct no. 7310.40 cont. expense	1,842.00	1,842.00
with estimated revenue account increased by same amount		

and be it

FURTHER RESOLVED, That the County Treasurer is hereby authorized and directed to transfer the said amounts from any fund available therefore.

Carried: Ayes - 1570   Noes - 0   Absent - 48, Haller

Mr. Erhart, Chairman of the Auditing Sub-Committee, presented bills totaling \$490,730.31 and requested that they be approved for payment.

Prior to reading Resolution No. 3, Mr. Herman, requested that the aforesaid be temporarily tabled until later in the session; business resumed.

November 09, 1993

**RESOLUTION NO. 93-239**  
**(November 9, 1993)**

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

**CONTRACT FOR FORENSIC LAB SERVICES WITH  
MONROE COUNTY APPROVED**

BE IT RESOLVED, That this Board of Supervisors hereby approves a contract with the County of Monroe, in which Monroe County agrees to furnish forensic laboratory services to the County of Wyoming in the amount of \$13,900. for the period January 1, 1994 through December 31, 1994; and be it

FURTHER RESOLVED, that the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to execute the said contract in the name of Wyoming County.

Carried: Ayes - 1570 Noes - 0 Absent - 48, Haller

# 5

**RESOLUTION NO. 93-240**  
**(November 9, 1993)**

By Mr. Bowles, Chairman of the Human Services Committee:

**ANNUAL IMPLEMENTATION PLAN FOR OFA  
APPROVED**

BE IT RESOLVED, That the Chairman of the Board, with the approval of the County Attorney, is hereby authorized and directed to sign the Annual Implementation Plan (AIP) with New York State Office for the Aging on behalf of the Office for the Aging for 1994 implementation; and be it

FURTHER RESOLVED, That the Chairman of this Board, with the approval of the County Attorney and on behalf of the Office for the Aging, is hereby authorized and directed to sign renewal contracts with the following as indicated:

## **Proceedings of the Board of Supervisors**

203

Home Health Care Services with Wyoming Area Homemakers, Inc., contract period April 1, 1994 - March 31, 1995, at the proposed Medicaid rate;

Food Services for the Elderly with Frontier Food Service Corp., contract period January 1, 1994 - December 31, 1994, at the rate of \$3.70 per meal for home delivered meals;

Legal Services for the Elderly with Wyoming/Attica Legal Aid, contract for period January 1, 1994 - December 31, 1994, \$5,000.00 (\$25./per hour).

Carried: Ayes - 1570 Noes - 0 Absent - 48, Haller

# 6

## **RESOLUTION NO. 93-241 (November 9, 1993)**

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

### **CHAIRMAN AUTHORIZED TO SIGN VARIOUS CONTRACTS:RE: IMPROVEMENTS TO SOUTH WARSAW HUMAN SERVICES FACILITY**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign contracts with the following for improvements to the Human Services Facility - South Warsaw:

<u>CONTRACTOR</u>	<u>SERVICES PROVIDED</u>	<u>AMOUNT</u>
Whitney East, Inc. Rochester, NY	General Construction	\$ 341,200.00
Francis A. Simons & Assoc., Inc., Strykersville, NY	Plumbing	32,680.00
Frank C. Kellner Co., Inc. Elma, NY	HVAC	115,500.00
Oatka Valley Construction Co., Inc., Warsaw, NY	Electrical	84,280.00

Carried: Ayes - 1443 Noes - 127, Huber Absent - 48, Haller

November 09, 1993

**RESOLUTION NO. 93-242  
(November 9, 1993)**

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

**CONTRACT FOR COURT SECURITY 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 renewal contract with the NYS Office of Court Administration for deputy sheriff services as court security for the period April 1, 1993 through March 31, 1994, cost of said contract not to exceed \$47,633.00.

Carried: Ayes - 1570 Noes - 0 Absent - 48, Haller

# 8

**RESOLUTION NO. 93-243  
(November 9, 1993)**

Mr. Moran, Chairman of the Finance Committee, presented the SEMI-ANNUAL MORTGAGE TAX REPORT for the period of April 1, 1993 through September 30, 1993 and moved that the Clerk draw warrants on the County Treasurer for the various amounts therein.

To: John B. Edwards, 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 \$205,873.39 to the several tax districts of Wyoming County, in accordance with the report filed with the Clerk/Administrative Assistant of the Board of Supervisors, as follows:

<u>TAX DISTRICTS</u>	<u>Current Tax</u>
Arcade - Village	\$5,240.37
Arcade - Town	15,477.91
Attica - Village	7,161.23

Regular Session

## Proceedings of the Board of Supervisors

205

Attica - Town	20,000.81
Bennington - Town	19,660.95
Castile - Village	1,248.47
Castile - Perry Village	1,110.75
Castile - Town	14,023.03
Covington - Town	8,643.76
Eagle - Town	4,698.31
Gainesville - Village	339.61
Gainesville - Silver Springs	1,263.49
Gainesville - Town	6,208.32
Genesee Falls - Town	575.73
Java - Town	17,156.27
Middlebury - Village	925.64
Middlebury - Town	10,554.68
Orangeville - Town	8,235.17
Perry - Village	5,067.70
Perry - Town	12,817.23
Pike - Village	375.85
Pike - Town	3,216.22
Sheldon - Town	15,984.36
Warsaw - Village	7,278.50
Warsaw - Town	15,662.52
Wethersfield - Town	2,946.51

Let This Be Your Warrant for Such Payment: \$ 205,873.39

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the Board of Supervisors this 9th day of November 1993.

Michelle J. Millen, Clerk  
Board of Supervisors

Carried: Ayes - 1570 Noes - 0 Absent - 48

# 9

November 09, 1993

**Proceedings of the Board of Supervisors**  
**RESOLUTION NO. 93-244**  
**(November 9, 1993)**

By Mr. Herman, Chairman of the County Operations Committee:

**POSITIONS IN COUNTY CLERK'S OFFICE AND OFA  
ADJUSTED**

BE IT RESOLVED, That one (1) position of clerk for records management in the County Clerk's office is hereby transferred from Schedule G, Grade 2 of the Wyoming County Salary Plan to Schedule A, Grade 2 of the CSEA Agreement;

FURTHER RESOLVED, That one (1) position of clerk for records management in the County Clerk's office, currently paid under Res. No. 93-168, is hereby transferred from an hourly wage to Schedule G, Grade 2 of the Wyoming County Salary Plan for the life of the grant; and be it

FURTHER RESOLVED, That Resolution No. 93-229, adopted October 12, 1993, is hereby amended to correct the hourly wage for a temporary part time clerk in the Office for the Aging from \$5.66 per hour to \$5.77 per hour.

Carried: Ayes - 1570   Noes - 0   Absent - 48, Haller

# 10

**RESOLUTION NO. 93-245**  
**(November 9, 1993)**

By Mr. Bowles, Chairman of the Human Services Committee:

**VETERANS' SERVICE DIRECTOR REAPPOINTED**

BE IT RESOLVED, That Gardner V. Comstock, Town of Warsaw, Warsaw, NY, is hereby reappointed Veterans' Service Agency Director for a two year term, said term to expire November 14, 1995.

Carried: Ayes - 1570   Noes - 0   Absent - 48, Haller

**RESOLUTION NO. 93-246**  
**(November 9, 1993)**

By Mr. Bowles, Chairman of the Human Services Committee:

**BIDS FOR DIETICIAN SERVICES AUTHORIZED**

BE IT RESOLVED, That the Office for the Aging and/or the Human Services Director is hereby authorized and directed to advertise for bids for dietician services for 1994, and be it,

FURTHER RESOLVED, That the Human Services Committee of this Board of Supervisors is hereby authorized to award the bid to the lowest responsible bidder.

Carried: Ayes - 1570 Noes - 0 Absent - 48, Haller

Chairman Payne called for a recess; business resumed. A general discussion followed the reading of the this resolution. Several Supervisors expressed their concerns regarding increasing the Dist. Attorney position to full time.

# 3

**RESOLUTION NO. 93-247**  
**(November 9, 1993)**

By Mr. Herman, Chairman of the County Operations Committee:

**SCHEDULE D AMENDED, RE: DA POSITION**

BE IT RESOLVED, That Schedule D of the Wyoming County Salary Plan, adopted November 24, 1992, is hereby amended to increase the position of District Attorney, part time, to District Attorney, full time, effective January 1, 1994; and be it

**Proceedings of the Board of Supervisors**

FURTHER RESOLVED, That Schedule D of the Wyoming County Salary Plan, adopted November 24, 1992, is hereby amended to abolish one (1) position of Assistant District Attorney, part time, effective December 31, 1993.

Carried: Ayes - 938 Noes - 632, Petri (164), Lowe (54), Erhart (96), Nugent (20), Moran (93), Cox (64), Glaus (106), Herman (35) Absent - 48, Haller

# 12

**RESOLUTION NO. 93-248**  
**(November 9, 1993)**

By Mr. Moran, Chairman of the Finance Committee:

**1994 ESTIMATED WORKERS COMPENSATION COST  
 APPROVED**

BE IT RESOLVED, That the cost of Workers' Compensation Insurance of the County and Towns, based upon the estimated costs for the calendar year 1994, are as follows:

<u>Participants</u>	<u>Assessed</u>	<u>Adjusted</u>	<u>Estimated</u>
	<u>Value</u>	<u>Value</u>	<u>Costs 1994</u>
Co. of Wyoming	\$852,807,252.	\$1,657,502,293	\$365,873.30
Towns			
Arcade	90,708,712.	74,108,425.	16,358.53
Attica	84,350,218.	75,169,514.	16,592.75
Bennington	96,322,981.	77,579,720.	17,124.77
Castile	138,845,048.	83,220,479.	18,369.90
Covington	2,971,829.	31,705,146.	6,998.52
Eagle	2,302,560.	20,150,758.	4,448.03
Gainesville	61,934,111.	41,503,380.	9,161.36
Genesee Falls	9,656,544.	12,467,564.	2,752.06
Java	63,400,383.	47,933,757.	10,580.79
Middlebury	38,637,868.	37,820,935.	8,348.51
Orangeville	3,490,631.	28,180,552.	6,220.51
Perry	132,538,401.	97,579,072.	21,539.38
Pike	26,628,494.	20,844,766.	4,601.23
Sheldon	73,554,501.	59,884,798.	13,218.83
Warsaw	25,063,306.	97,801,662.	21,588.52
Wethersfield	2,401,665.	22,800,617.	5,032.96
Town and County Totals	1,705,614,504.	2,486,253,438.	548,809.95

and be it

FURTHER RESOLVED, That the Clerk of this Board is hereby authorized and

Regular Session

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.

Wyoming County Workers' Compensation Insurance, estimated costs for villages:

Participants	Assessed Value	Adjusted Value	Estimated Costs 1994
Arcade	\$45,846,579.	\$64,698,820.	\$14,281.47
Attica	43,270,336.	66,918,198.	14,771.37
Castile	20,182,507.	27,606,544.	6,093.80
Gainesville	5,214,842.	6,973,148.	1,539.24
Perry	91,602,054.	112,474,261.	24,827.32
Pike	5,452,600.	7,398,371.	1,633.10
Silver Springs	19,682,370.	26,248,544.	5,794.04
Warsaw	15,775,807.	106,815,359.	23,578.18
Wyoming	6,156,710.	10,466,487.	2,310.35
Total, Villages	253,183,805.	429,599,732.	94,828.87

Wyoming County Workers' Compensation Insurance estimated costs for participating School Districts:

Attica		\$210,947,000.	\$46,563.96
Pioneer		297,589,169.	65,689.16
Warsaw		123,876,185.	27,344.15
Wyoming		29,768,555.	6,571.04
Perry		137,116,878.	30,266.87
Total, Schools:		799,297,787.	176,435.18
GRAND TOTALS:		\$3,715,150,957.	\$820,074.00

Carried: Ayes - 849 Noes - 721, Payne (162), Petri (164), Bowles (127), Lowe (54), Humphrey (214) Absent - 48, Haller

# 13

## **RESOLUTION NO. 93-249 (November 9, 1993)**

By Mr. Bowles, Chairman of the Human Services Committee:

### **WORLD AIDS DAY PROCLAIMED**

November 09, 1993

**Proceedings of the Board of Supervisors**

WHEREAS, Over 194,000 Americans have died from AIDS related illnesses; and

WHEREAS, Over 315,000 Americans have been diagnosed with AIDS; and

WHEREAS, It is estimated that over thirteen million people throughout the world are currently infected with HIV, and that by the year 2000 there will be over 100 million people living with this disease worldwide; and

WHEREAS, AIDS and HIV disease affects people from all walks of life and poses a serious threat to mankind; and

WHEREAS, It is estimated that in New York State there are currently 200,000 individuals living with HIV; and

WHEREAS, In the absence of a cure or vaccine, AIDS awareness and education offer the only hope to prevent the further spread of debilitating disease; and

WHEREAS, There is an enormous need for health care resources, social services financial assistance and housing to meet the needs of individuals and families affected by AIDS; now, therefore,

BE IT RESOLVED, That the Wyoming County Board of Supervisors does hereby proclaim Wednesday, December 1, Nineteen Hundred and Ninety Three as

**"WORLD AIDS DAY"**

in this County of Wyoming, and of the Great State of New York - The Empire State.

Carried: Ayes - 1570    Noes - 0    Absent - 48, Haller

# 14

**RESOLUTION NO. 93-250  
(November 9, 1993)**

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

Regular Session

**NYS USE OF COUNTY STREETS AND ROADS AS  
DETOURS AUTHORIZED**

WHEREAS, the New York State Department of Transportation proposes the reconstruction of the bridge carrying Route 39 over Trout Brook in the Town of Pike, Wyoming County; and

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

Centerville Road (C.R. #17) between Route 39 and Telegraph Road, Telegraph Road (C.R. #17) between Centerville Road and Route 19.

WHEREAS, the New York State Department of Transportation will provide for maintenance of the roadway during construction except for snow and ice control;

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

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

FURTHER RESOLVED, That the Clerk of the Board of Supervisors is hereby directed to transmit two (2) certified copies of this resolution to the State Department of Transportation.

Carried: Ayes - 1570   Noes - 0   Absent - 48, Haller

# 15

**RESOLUTION NO. 93-251  
(November 9, 1993)**

By Mr. Bowles, Chairman of the Human Services Committee:

**NATIONAL HOME CARE WEEK DECLARED**

November 09, 1993

**Proceedings of the Board of Supervisors**

WHEREAS, home health care is recognized as an effective, economical alternative to unnecessary institutionalization, allowing individuals to remain in their homes; and

WHEREAS, the Wyoming County Health Department as a certified provider of home health care able to provide a wider range of health and supportive services which emphasizes the dignity and independence of Wyoming County residents in their homes; and

WHEREAS, the residents of Wyoming County are beneficiaries of home care through the Inter-Agency network available; now, therefore,

BE IT RESOLVED, That the Board of Supervisors of the County of Wyoming hereby recognizes and proclaims the week of November 28, 1993 through December 4, 1993 as Home Care Week in Wyoming County.

Carried: Ayes - 1570 Noes - 0 Absent - 48, Haller

# 16

**RESOLUTION NO. 93-252  
(November 9, 1993)**

By Mr. Moran, Chairman of the Finance Committee:

**1994 EQUALIZATION TABLE PRESENTED**

BE IT RESOLVED, That the 1994 Equalization Table is hereby presented, and be it

FURTHER RESOLVED, that its adoption be tabled for at least one day.

Carried: Ayes - 1570 Noes - 0 Absent - 48, Haller

# 17

**RESOLUTION NO. 93-253  
(November 9, 1993)**

Mr. Moran, Chairman of the Finance Committee:

Regular Session

**DATE OF PUBLIC HEARING FOR 1994 BUDGET SET**

BE IT RESOLVED, That the Public Hearing upon the Tentative Budget of the County for the fiscal year and calendar year 1994 will be held in the Supervisors' Chambers at the County Court House in the Village of Warsaw, NY, on November 30, 1993 at 2:00 P.M. and that copies of that tentative County Budget will be available at the Public Hearing and after 1:00 P.M. on November 23, 1993, at the office of the Clerk of the Board of Supervisors, and be it

FURTHER RESOLVED, That the Clerk of this Board is hereby directed to publish a notice of said public hearing in the official newspapers published in the County of Wyoming, in accordance with the provisions of Section 359 of the County Law of this State, and be it

FURTHER RESOLVED, That, with the approval of the Finance Committee, the Rules of Procedure shall be suspended for that day only, to allow resolutions to be accepted until 1:30 P.M. on November 30, 1993.

Carried: Ayes - 1570 Noes - 0 Absent - 48, Haller

Mr. Erhart moved to adjourn. Carried. Adjourned.

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**SPECIAL SESSION**  
**Tuesday November 30, 1993 2:00 P.M.**

A Special Session of the Wyoming County Board of Supervisors was held in the Court House, Warsaw, NY, with all members present except Mr. Haller and Mrs. Huber. Chairman Payne called the meeting to order and led the Pledge of Allegiance to the Flag.

There were no communications.

Chairman Payne opened the public hearing on the 1994 Wyoming County Budget and turned the floor over to Mr. Moran, Chairman of the Finance Committee. Mr. Moran requested that, Mr. Edwards, County Treasurer and Budget Director, be given the floor for the purpose of presenting the tentative budget. Mr. Edwards presented the budget line-by-line following his opening message.

**"HONORABLE MEMBERS OF THE BOARD OF SUPERVISORS, COUNTY OFFICIALS AND RESIDENTS OF WYOMING COUNTY;"**

"This proposed 1994 County Budget has been developed with the assistance of Department Heads, committees of the Board of Supervisors and several individuals serving on various Boards and non-county Agencies. To all of them, we express our appreciation.

The County's figures look like this:

	1994	1993	Increase (Decrease)
Taxable Valuation	802,791,200	730,784,056	72,007,144
Taxable Full Valuation	1,037,926,275	956,959,263	80,967,012
Co Ave. Tax Rate Full Value	6.91 per 1000	6.79 per 1000	.12
Co Ave. Tax Rate	8.94 per 1000	8.89 per 1000	.05

"This proposed Budget has total appropriations of \$61,334,784.68 up \$2,935,428.90 for 1993. Revenues total \$52,736,840.65 for an increase of \$2,184,013.76 for 1994. In order to hold down the tax rate, surplus funds have been applied from the following: General Fund \$1,000,000; Road Machinery Fund \$231,041.00; and County Road Fund \$200,000.00. The increase in levy over 1993 is \$677,061.14.

"Estimated Sales Tax of \$7,800.000 is an increase of \$450,000 over last year. This is due to the increase in the County Sales Tax for 1994. There is no levy

Special Session

for the Wyoming County Community Hospital and the Hospital has agreed to reimburse the County up to \$250,000.00 if no losses are incurred in 1994.

The larger departments and their percent of the total County Budget.

Hospital	\$27,271,785	41.39%
Social Services	10,380,373	15.75%
Highway	7,458,238	11.32%
Law Enforcement	3,919,339	5.95%
Health	3,312,816	5.03%
Education	2,094,124	3.19%

One of the major increases to the County Levy is Medicare Management Information System (MMIS). The county's share alone is up 1.5 million over last year and is projected to be short \$700,000 for 1993.

"The total indebtedness of the County as of November 1 is \$5,970,000.00 for the Jail Capital Project, \$4,790,000.00 for the Nursing Facility Expansion, \$1,600,000.00 for the Hospital Equipment and \$2,300,000 for a Hospital Renovation Project. Total indebtedness is \$14,660,000.00.

"The Budget reflects salaries and fringe benefits for all union contracts except the Sheriff's Union Contract which expires December 31, 1993.

"The Finance Committee, Deputy Budget Director and I thank all who helped in putting this 1994 County Budget together and we present it to you for your consideration."

Respectfully submitted,

John B. Edwards, Budget Director

Mr. Payne thanked the Budget Director, Deputy Budget Director and Finance Committee for their work on the 1994 Budget. Further questions were presented by several Supervisors and the general public, all of which were satisfactorily answered by Mr. Edwards.

# 1

**Resolution No. 93 - 254  
(November 30, 1993)**

By Mr. Moran, Chairman of the Finance Committee:

November 30, 1993

**Proceedings of the Board of Supervisors**  
**1994 EQUALIZATION TABLE ADOPTED**

BE IT RESOLVED, That the 1994 Equalization Table, which was tabled on November 9, 1993, be lifted from the table, and be it

FURTHER RESOLVED, That the said Equalization Table, setting forth the percentage of County Tax to be paid by each Town for 1994 is hereby adopted as presented.

Carried: Ayes - 1443 Noes - 0 Absent - 175, Haller (48), Huber (127)

No additional questions were presented. Chairman Payne therefore declared the public hearing closed.

# 2

**Resolution No. 93 - 255**  
**(November 30, 1993)**

By Mr. Moran, Chairman of the Finance Committee:

**TENTATIVE 1994 BUDGET FOR WYOMING COUNTY**  
**APPROVED**

BE IT RESOLVED, That the tentative budget for the year 1994, as filed with the Clerk of this Board, and as subsequently altered and amended by resolutions subsequently passed, and as hereto attached, is hereby adopted as the county budget for the year 1994, which requires the raising by tax levy the amount of \$7,176,903.03, and be it

FURTHER RESOLVED, That the said sum of \$7,176,903.03, is hereby levied against the taxable property within the County, as equalized by this Board, and the 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, 1994.

Carried: Ayes - 1443 Noes - 0 Absent - 175, Haller (48), Huber (127)  
Mr. Erhart moved to adjourn. Carried. Adjourned.

\*\*\*\*\*

Special Session

**REGULAR SESSION**

**Tuesday**

**December 14, 1993**

**2:00pm**

The Regular Session of the Wyoming County Board of Supervisors was held in the Court House, Warsaw, New York, with all members present except Mr. Haller. Chairman Payne called the meeting to order and led the Pledge of Allegiance to the Flag.

Communications were read and filed with the Clerk of the Board.

C-1. A reminder of annual Supervisors Christmas Party, was read.

C-2. A reminder of the annual Austin, Hardie, Wise Christmas Party, was read.

Chairman Payne introduced the student interns from Warsaw

Central School.

# 1

**RESOLUTION NO. 93-256**  
**(December 14, 1993)**

By Mr. Moran, Chairman of the Finance Committee:

**FUNDS TRANSFERRED IN VARIOUS ACCOUNTS**

BE IT RESOLVED, That funds are hereby transferred within various accounts as follows:

<u>JAIL CAPITAL PROJECT</u>		
from acct no. 9731.70 Interest	0.04	
to acct no. 9730.70 Interest		0.04
<u>COUNTY TREASURER</u>		
from acct no. 1325.2 equipment	1,452.62	
from acct no. 1340.2 equipment	301.00	
to acct no. 1325.4 cont. expense		1,753.62
<u>BOARD OF SUPERVISORS</u>		
from acct no. 1010.2 equipment	688.00	
from acct no. 1010.41 motor veh.	1,000.00	
from acct no. 1010.9 risk retention	20.00	
to acct no. 1010.4 cont. expense		1,708.00

December 14, 1993

## Proceedings of the Board of Supervisors

<u>COMMUNITY DEVELOPMENT</u>		
from acct no. 8610.4 cont. expense	26.00	
to acct no. 8610.99 hospital		26.00
 <u>COMMUNITY ACTION AGENCY</u>		
from acct 6310.4 cont. expense	8,766.00	
to acct 6310.1 pers. services		6,275.00
to acct 6310.83 FICA		398.00
to acct 6310.85 Medical		93.00
to acct 6310.2 equipment		2,000.00
<u>DEPT. OF SOCIAL SERVICES</u>		
from acct no. 6010.81 retirement	4,770.00	
from acct no. 6010.84 unemp. ins.	3,575.00	
from acct no. 6010.90 risk retention	155.00	
from acct no. 6010.99 health insurance	27,500.00	
to acct no. 6010.2 equipment		36,000.00
 <u>MENTAL HEALTH (Substance Abuse)</u>		
from acct no. 4220.84 unemp. ins.	340.00	
to acct no. 4220.1 pers. services		300.00
to acct no. 4220.83 Soc. Security		30.00
to acct no. 4220.85 FICA/Medicare		10.00
 <u>MENTAL HEALTH</u>		
from acct no. 4310.84 unemp. insurance	730.00	
from acct no. 4250.84 unemp. insurance	1,100.00	
from acct no. 4250.90 risk retention	806.00	
to acct no. 4310.1 pers. services		680.00
to acct no. 4310.85 FICA/Medicare		50.00
to acct no. 4250.1 personal services		1,870.00
to acct no. 4250.85 FICA/Medicare		36.00
 <u>PROBATION DEPARTMENT</u>		
from acct no. 3140.4 cont. expense	130.00	
to acct no. 3140.2 equipment		130.00
 <u>REAL PROPERTY TAX SERVICE</u>		
from acct no. 1355.2 equipment	400.00	
to acct no. 1355.1 pers. services		400.00
 <u>OFFICE OF TRAINING AND EMPLOYMENT</u>		
from acct no. 6291.41 78% support-cont./grant	7,000.00	
from acct no. 6292.11 78% trng-staff salaries	4,000.00	
to acct no. 6298.40 6% contractual		10,000.00
to acct no. 6298.20 6% equipment		1,000.00

Carried: Ayes - 1570   Noes - 0   Absent - 48, Haller

**RESOLUTION NO. 93-257**  
**(December 14, 1993)**

By Mr. Moran, Chairman of the Finance Committee:

**FUNDS APPROPRIATED TO VARIOUS ACCOUNTS**

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

**BOARD OF SUPERVISORS**

to acct no. 1010.1 pers. services	3,290.00	
<u>CIVIL SERVICE</u>		
to acct no 1430.4 cont. expense	2,100.00	
<u>BUILDING CODES</u>		
to acct no 3620.2 equipment	2,800.00	
with estimated revenue account increased by same amount		
<u>MENTAL HEALTH</u>		
to acct no 4310.4 court ordered serv.	6,867.70	
<u>TRAFFIC SAFETY BOARD</u>		
to acct no 3310.4 cont. expense	280.00	
<u>WORKERS COMPENSATION</u>		
to acct no. 1720.4 benefits and awards	50,000.00	

and be it

FURTHER RESOLVED, That the County Treasurer is hereby authorized and directed to transfer the said amounts from any fund available therefore.

Carried: Ayes - 1570 Noes - 0 Absent - 48, Haller

Mr. Erhart, Chairman of the Audit Sub-committee presented bills in the amount of \$1,064,761.72 and requested that they be approved for payment.

Carried: Ayes - 1570 Noes - 0 Absent - 48, Haller  
December 14, 1993

**RESOLUTION NO. 93-258  
(December 14, 1993)**

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

**MEMBERS REAPPOINTED TO TRAFFIC SAFETY  
BOARD**

BE IT RESOLVED, That the following members are hereby reappointed to the Traffic Safety Board, each for a term of three years, said terms to expire November 7, 1996:

Alton J. Pettit, Town of Arcade, Arcade, NY

Ralph Marvin, Town of Attica, Attica, NY

Joseph Heller, Jr., Town of Bennington, Attica, NY

Douglas Richardson, Town of Covington, Pavilion, NY.

Carried: Ayes - 1570 Noes - 0 Absent - 48, Haller

# 4

**RESOLUTION NO. 93-259  
(December 14, 1993)**

By Mr. Faulkner, Chairman of the Planning Committee:

**R. TINDELL REAPPOINTED DIRECTOR OF ECONOMIC  
DEVELOPMENT**

BE IT RESOLVED, That Richard L. Tindell, Town of Warsaw, Warsaw, NY, is hereby reappointed Director of Economic Development for a two (2) year term, said term to expire December 31, 1995.

Carried: Ayes - 1570 Noes - 0 Absent - 48, Haller

**RESOLUTION NO. 93-260**  
**(December 14, 1993)**

By Mr. Moran, Chairman of the Finance Committee:

**MEMBERS REAPPOINTED TO HOSPITAL BOARD OF  
MANAGERS**

BE IT RESOLVED, That the following members are hereby reappointed to the Wyoming County Community Hospital Board of Managers, each for a five-year term, said terms to expire December 31, 1998:

John Hurst, Town of Warsaw, Warsaw, NY  
Norman Smith, Town of Middlebury, Warsaw, NY  
Stuart Hempel, Town of Attica, Warsaw, NY  
Raymond George, Town of Arcade, Arcade, NY

Carried: Ayes - 1570   Noes - 0   Absent - 48, Haller

# 6

**RESOLUTION NO. 93-261**  
**(December 14, 1993)**

By Mr. Bowles, Chairman of the Human Services Committee:

**OFA ADVISORY BOARD MEMBERS  
APPOINTED/REAPPOINTED**

BE IT RESOLVED, That the following persons are hereby appointed to the Office for the Aging Advisory Board each for a term of three (3) years, said terms to expire December 31, 1996:

December 14, 1993

**Proceedings of the Board of Supervisors**

MEMBER	TOWN	ADDRESS
Audrey Parmele	Public Health Dept.	338 N. Main St. Warsaw, NY
Kathleen Murtha	Dept. of Social Services	466 N. Main St. Warsaw, NY
Laverne Deahn	Town of Arcade	6207 Route 98 Arcade, NY
Mermie Lemley	Town of Perry	10 N. Center St. Perry, NY

Carried: Ayes - 1570 Noes - 0 Absent - 48, Haller

# 7

**RESOLUTION NO. 93-262**  
**(December 14, 1993)**

By Mr. Herman, Chairman of the County Operations Committee:

**SR. DEMO POSITION IN CIVIL SERVICE ABOLISHED;  
TYPIST POSITION CREATED**

BE IT RESOLVED, That there is hereby abolished one (1) position of senior data entry machine operator in the Civil Service office effective December 31, 1993; and be it

FURTHER RESOLVED, That there is hereby created one (1) position of typist in the Civil Service office, said position to be placed on Schedule A, Grade 2 of the CSEA Agreement effective January 3, 1994.

Carried: Ayes - 1570 Noes - 0 Absent - 48, Haller

Regular Session

**RESOLUTION NO. 93-263  
(December 14, 1993)**

By Mr. Herman, Chairman of the County Operations Committee:

**VARIOUS POSITIONS TRANSFERRED FROM PUBLIC  
HEALTH DEPT. TO HUMAN SERVICES OFFICE**

BE IT RESOLVED, That there are hereby transferred the following positions, currently located in the Public Health Department, to the Office of Human Services, effective January 3, 1994:

Clerk (Information and Referral Program)  
EISEP case manager (EISEP Program).

Carried: Ayes - 1176 Noes - 394, Erhart (96), Moran (93), Cox (64), Glaus (106), Herman (35) Absent - 48, Haller

# 9

**RESOLUTION NO. 93-264  
(December 14, 1993)**

By Mr. Bowles, Chairman of the Human Services Committee:

**CSB EMPOWERED TO INITIATE NECESSARY ACTIONS  
RE: MENTAL HEALTH FUNDING**

WHEREAS, the Wyoming County Community Services Board supports the Community Mental Health Resources Bill (S2020/A4239) which provides reinvestment of New York State funding to local government efforts on behalf of the "deinstitutionalized" mentally disabled; now, therefore,

December 14, 1993

**Proceedings of the Board of Supervisors**

BE IT RESOLVED, That the Community Services Board, upon the receipt of such State Aid funding, be empowered to initiate the necessary appropriation and/or encumbrances, within the limits of the normal budgetary process, to facilitate integration of said funding within the 1993 or 1994 adopted budgets to continue any enhanced programming for the mental disabilities programs.

Carried: Ayes - 1570 Noes - 0 Absent - 48, Haller

# 10

**RESOLUTION NO. 93-265  
(December 14, 1993)**

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

**CHAIRMAN AUTHORIZED TO SIGN AMENDED  
CONTRACTS WITH NYS FOR PETROLEUM TESTING  
THROUGH WEIGHTS AND MEASURES**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, on behalf of the Weights and Measures Director, is hereby authorized and directed to sign an amended contract with the NYS Department of Agriculture and Markets, Bureau of Weights and Measures, for the inspection, screening and sampling of petroleum products within Wyoming County, said contract to be for the period April 1, 1993 through March 31, 1994 in the amount of \$10, 218.00.

Carried: Ayes - 1570 Noes - 0 Absent - 48, Haller

# 11

**RESOLUTION NO. 93 - 266  
(December 14, 1993)**

By Mr. Faulkner, Chairman of the Planning Committee:

**GTC APPROVED AS SERVICES COORDINATOR FOR  
PUBLIC TRANSPORTATION**

BE IT RESOLVED, That the Board of Supervisors hereby authorizes the Chairman to enter into an agreement with the Genesee Transportation Council (GTC) to serve as Services Coordinator and to assist the County and the Regular Session

**Proceedings of the Board of Supervisors**

225

Rochester-Genesee Regional Transportation Authority (R/GRTA) in the process of implementing the approved coordinated public transportation service in Wyoming County.

Carried: Ayes - 1570 Noes - 0 Absent - 48, Haller

# 12

**RESOLUTION NO. 93-267**  
**(December 14, 1993)**

By Mr. Bowles, Chairman of the Human Services Committee:

**CONTRACT FOR MEDICAID MANAGED CARE PLAN  
SERVICES APPROVED**

BE IT RESOLVED, That the Chairman of this Board and/or the Commissioner of Social Services is hereby authorized and directed, with the approval of the County Attorney, to sign a contract with H.M.S. Associates for services in the preparation of the medicaid managed care plan, cost of said contract not to exceed \$13,750.00.

Carried: Ayes - 1570 Noes - 0 Absent - 48, Haller

# 14

**RESOLUTION NO. 93-268**  
**(December 14, 1993)**

By Mr. Herman, Chairman of the County Operations Committee:

**VARIOUS POSITIONS REMOVED FROM SCHEDULE D**

BE IT RESOLVED, That the following positions previously listed on Schedule D of the Wyoming County Salary Plan are hereby removed from said schedule, effective January 1, 1994:

December 14, 1993

**Proceedings of the Board of Supervisors**

<u>TITLE</u>	<u>DEPARTMENT</u>
Deputy Director	Office for the Aging
Supt. of Buildings and Grounds	Highway Dept.
Supervising Social Worker	Mental Health Dept.
Supervising Clinical Psychologist	Mental Health Dept.
Staff Psychiatrist	Mental Health Dept.

Carried: Ayes - 1570 Noes - 0 Absent - 48, Haller

# 15

**RESOLUTION NO. 93-269**  
**(December 14, 1993)**

By Mr. Herman, Chairman of the County Operations Committee:

**1994 SCHEDULE D ADOPTED**

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

Schedule "D" annexed hereto shall be substituted for the existing Schedule "D", adopted on November 24, 1992. Commencing January 1, 1994, employees in the job classifications covered thereby shall be paid the basic salary in accordance with this wage and salary schedule plus any longevity increments to which they may be entitled, and be it

FURTHER RESOLVED, That the salary of any position vacated shall be open to review by the necessary committee.

Carried: Ayes - 1570 Noes - 0 Absent - 48, Haller

**1994**  
**WYOMING COUNTY SALARY PLAN**  
**SCHEDULE 'D'**

## Proceedings of the Board of Supervisors

227

<u>*Constitutional Officer</u>	<u>1994 Salary</u>	<u>Salary</u>
<u>AGING, OFFICE FOR THE</u>		
Director	\$26,000.00	
Nutrition services coordinator	20,349.00	
<u>BOARD OF ELECTIONS</u>		
Election Commissioners (2) each	10,200.00	
Custodians (2) each	1,000.00	
Deputy Commissioner/Elections (2)	20,894.00	
<u>BOARD OF SUPERVISORS</u>		
Chairman of the Board	12,000.00	
Supervisors (15) each	8,000.00	
Clerk/Administrative Assistant	27,600.00	
Deputy Clerk	20,250.00	
<u>BUREAU OF FIRE</u>		
Fire Coordinator, PT	3,250.00	
Deputy Fire Coordinator hr./	6.42	
max./	3,774.00	
<u>CIVIL DEFENSE</u>		
Director, PT	26,750.00	
Deputy Civil Defense Director	19,000.00	
<u>CONSUMER AFFAIRS</u>		
Director of Weights and Measures	32,000.00	
*Constitutional Officer	<u>1994 Salary</u>	<u>Salary</u>
<u>CONTROL OF ANIMALS</u>		
Dog Control Officer	17,136.00	
Deputy Dog Control Officer	13,500.00	
<u>COUNTY ATTORNEY</u>		
County Attorney, PT	36,000.00	
1st Asst. Co. Attorney, PT	28,500.00	
2nd Asst. Co. Attorney	41,400.00	
Conf. Secretary to Co. Atty., PT	12,895.00	
Secretary to 1st Asst. Co. Atty., PT	2,650.00	
Secretary to 2nd Asst. Co. Attorney	17,185.00	
Administrator, (Indigent Defender, PT)	2,100.00	
<u>COUNTY CLERK</u>		
*County Clerk	34,500.00	

December 14, 1993

**Proceedings of the Board of Supervisors**

*County Clerk for 1995		36,500.00
1st Deputy County Clerk	18,000.00	
<u>COUNTY HISTORIAN</u>		
County Historian	9,020.00	
Deputy County Historian	6,900.00	
<u>DISTRICT ATTORNEY</u>		
*District Attorney	90,500.00	
*District Attorney eff. 4/1/94		94,750.00
*District Attorney eff. 10/1/94		99,000.00
1st Asst. District Attorney, PT	21,250.00	
2nd Asst. District Attorney, PT	21,250.00	
Confidential Secretary to DA	13,000.00	
Secretary to Assistant DA	2,225.00	
Secretary to 2nd Assistant DA	2,225.00	
*Constitutional Officer	<u>1994 Salary</u>	<u>Salary</u>
Secretary to DWI Coordinator	7,000.00	
<u>ECONOMIC DEVELOPMENT</u>		
Director	39,675.00	
County Planner	26,730.00	
<u>EMPLOYMENT AND TRAINING</u>		
E & T Director	25,000.00	
<u>FIRE &amp; BUILDING CODE ENFORCEMENT</u>		
Enforcement Officer	28,400.00	
Building Inspector	20,050.00	
<u>HIGHWAY DEPARTMENT</u>		
Highway Supt. & Cust. of Co. Bldgs.	53,000.00	
Deputy Highway Superintendent	35,000.00	
<u>HUMAN SERVICES</u>		
Human Services Director	34,000.00	
Weatherization Coordinator	25,500.00	
<u>MENTAL HEALTH DEPARTMENT</u>		
Director of Community Health Services	10,600.00	
Deputy Director of Community Services	1,850.00	
<u>PERSONNEL</u>		

## Proceedings of the Board of Supervisors

229

Personnel Officer	35,500.00	
Secretary to Personnel Officer	19,000.00	
 <u>PLANNING</u>		
County Grantsman, PT	15,000.00	
 <u>*Constitutional Officer</u>	<u>1994 Salary</u>	<u>Salary</u>
 <u>PROBATION</u>		
Director	31,500.00	
 <u>PUBLIC DEFENDER</u>		
Public Defender, PT	28,300.00	
1st Assistant Public Defender, PT	11,335.00	
2nd Assistant Public Defender, PT	11,335.00	
3rd Assistant Public Defender, PT	9,900.00	
Secretary to Public Defender	5,000.00	
Secretary to Asst. Public Defender, PT	2,250.00	
 <u>PUBLIC HEALTH DEPARTMENT</u>		
Public Health Director	42,500.00	
Medical Consultant, PT	13,300.00	
Public Health Engineer	40,000.00	
Director of Patient Services	35,000.00	
Supervising Public Health Nurse	32,700.00	
Sr. Sanitarian	29,500.00	
 <u>REAL PROPERTY TAX SERVICE</u>		
Director, PT	12,036.00	
Sr. Real Property Tax Service Aide	23,000.00	
 <u>SHERIFF &amp; JAIL</u>		
*Sheriff	39,500.00	
*Sheriff for 1995	41,500.00	
Undersheriff	36,500.00	
Administrative Assistant	22,930.00	
 <u>SOCIAL SERVICES</u>		
<u>DEPARTMENT</u>		
Commissioner	a 60,800.00	
*Constitutional Officer	<u>1994 Salary</u>	<u>Salary</u>
Deputy Commissioner	38,000.00	
Administrative Secretary	21,500.00	
SS information Systems Admin.	33,000.00	
Director of Administrative Services, PT	7,500.00	

December 14, 1993

<u>TREASURER</u>		
County Treasurer	39,000.00	
Deputy County Treasurer	31,000.00	
Budget Director	3,570.00	
Deputy Budget Director	1,530.00	
<u>VETERANS' SERVICES</u>		
Director	15,759.00	
<u>WORKERS' COMPENSATION</u>		
Executive Secretary (Administrator) of Insurance Programs, PT	18,768.00	
Deputy Executive Secretary (Administrator) of Insurance Programs, PT	2,250.00	
<u>YOUTH BUREAU</u>		
Director	26,000.00	

a --effective Anniversary Date

# 17

**RESOLUTION NO. 93-270**  
**(December 14, 1993)**

By Mr. Moran, Chairman of the Finance Committee:

**LITIGATION AGAINST NYS,  
RE: UNCONSTITUTIONAL MANDATES, SUPPORTED**

WHEREAS, the Counties of Nassau, Monroe, and Ulster have commenced legal proceedings against the State of New York to secure a declaratory judgement that portions of the mandate laws which require Counties within New York State to fund statewide programs through increases in local real estate taxation are unconstitutional; and

WHEREAS, the County of Wyoming wishes to record its support of the legal position which Nassau, Monroe, and Ulster counties have taken in this litigation, and to communicate that fact to the Justice of the Supreme Court who is presiding; now, therefore,

BE IT RESOLVED, That the Wyoming County Board of Supervisors endorses and supports the legal positions of the Counties of Nassau, Monroe, and Ulster in the above described litigation; and be it

FURTHER RESOLVED, That a copy of this resolution be sent to all parties in the litigation and to the Presiding Justice, the Honorable Alfred S. Robbins, J.S.C.

Carried: Ayes - 1570 Noes - 0 Absent - 48, Haller

# 18

**RESOLUTION NO. 93-271**  
**(December 14, 1993)**

By Mr. Faulkner, Chairman of the Planning Committee:

**CHAIRMAN AUTHORIZED TO SIGN LETTER OF  
AGREEMENT WITH CORNELL COOPERATIVE  
EXTENSION**

BE IT RESOLVED, That the Chairman of this Board of Supervisors is hereby authorized to execute the Letter of Agreement, dated December 15, 1993, in the name of the County of Wyoming, between the said County and the Cornell Cooperative Extension of Wyoming County for the expenditure of money appropriated by the Board of Supervisors in the 1994 budget, in the amount of \$380,000.00 for the support and maintenance of the work of the Cornell Cooperative Extension of this County.

Carried: Ayes - 1570 Noes - 0 Absent - 48, Haller

#19

**RESOLUTION NO. 93-272**  
**(December 14, 1993)**

By Mr. Moran, Chairman of the Finance Committee:

**20 COPIES OF ANNUAL REPORTS REQUESTED**

BE IT RESOLVED, That the Public Officials of this County present at least twenty (20) copies of their annual report, in writing, to the Clerk of this

December 14, 1993

**Proceedings of the Board of Supervisors**

Board not later than January 31, 1994, said annual report to contain a financial summary of the department, and be it

FURTHER RESOLVED, That any supervisor may request any official to present an oral report in addition to a written report.

Carried: Ayes - 1570 Noes - 0 Absent - 48, Haller

COUNTY OF WYOMING, NEW YORK  
LOCAL LAW INTRODUCTORY A, YEAR 1994

A LOCAL LAW ESTABLISHING THE SALARY OF THE COUNTY HISTORIAN

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

1. Notwithstanding the provisions of any local county law previously enacted or resolution previously adopted, the annual compensation of the County Historian, for the County of Wyoming, for the calendar year 1994 and thereafter until duly changed, shall be \$9,020., and shall be payable upon submission of payrolls as heretofore.

2. This local law shall take effect on the day that it is filed in the office of the Secretary of the State of New York.

COUNTY OF WYOMING, NEW YORK  
LOCAL LAW INTRODUCTORY B, YEAR 1994

A LOCAL LAW ESTABLISHING THE SALARY OF THE DISTRICT ATTORNEY

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

1. Notwithstanding the provisions of any local county law previously enacted or resolution previously adopted, the annual compensation of the District Attorney, for the County of Wyoming, for the calendar year 1994 and thereafter until duly changed, shall be the minimum amount required by law, and shall be payable upon submission of payrolls as heretofore.

2. This local law shall take effect on the day that it is filed in the office of the Secretary of the State of New York.

COUNTY OF WYOMING, NEW YORK  
LOCAL LAW INTRODUCTORY C, YEAR 1994

A LOCAL LAW ESTABLISHING THE SALARY OF THE EMPLOYMENT AND TRAINING DIRECTOR

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

1. Notwithstanding the provisions of any local county law previously enacted or resolution previously adopted, the annual compensation of the Employment and Training Director, for the County of Wyoming, for the calendar year 1994 and thereafter until duly changed, shall be \$25,000., and shall be payable upon submission of payrolls as heretofore.

2. This local law shall take effect on the day that it is filed in the office of the Secretary of the State of New York.

COUNTY OF WYOMING, NEW YORK  
LOCAL LAW INTRODUCTORY D, YEAR 1994

A LOCAL LAW ESTABLISHING THE SALARY OF THE HIGHWAY SUPERINTENDENT

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

1. Notwithstanding the provisions of any local county law previously enacted or resolution previously adopted, the annual compensation of the Highway Superintendent, for the County of Wyoming, for the calendar year 1994 and thereafter until duly changed, shall be \$53,000., and shall be payable upon submission of payrolls as heretofore.

2. This local law shall take effect on the day that it is filed in the office of the Secretary of the State of New York.

COUNTY OF WYOMING, NEW YORK  
LOCAL LAW INTRODUCTORY E, YEAR 1994

**Proceedings of the Board of Supervisors****A LOCAL LAW ESTABLISHING THE SALARY OF THE DEPUTY HIGHWAY SUPERINTENDENT**

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

1. Notwithstanding the provisions of any local county law previously enacted or resolution previously adopted, the annual compensation of the Deputy Highway Superintendent, for the County of Wyoming, for the calendar year 1994 and thereafter until duly changed, shall be \$35,000., and shall be payable upon submission of payrolls as heretofore.

2. This local law shall take effect on the day that it is filed in the office of the Secretary of the State of New York.

**COUNTY OF WYOMING, NEW YORK  
LOCAL LAW INTRODUCTORY F, YEAR 1994**

**A LOCAL LAW ESTABLISHING THE SALARY OF THE HUMAN SERVICES DIRECTOR**

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

1. Notwithstanding the provisions of any local county law previously enacted or resolution previously adopted, the annual compensation of the Human Services Director, for the County of Wyoming, for the calendar year 1994 and thereafter until duly changed, shall be \$34,000., and shall be payable upon submission of payrolls as heretofore.

2. This local law shall take effect on the day that it is filed in the office of the Secretary of the State of New York.

**COUNTY OF WYOMING, NEW YORK  
LOCAL LAW INTRODUCTORY G, YEAR 1994**

**A LOCAL LAW ESTABLISHING THE SALARY OF THE PERSONNEL OFFICER**

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

Regular Session

1. Notwithstanding the provisions of any local county law previously enacted or resolution previously adopted, the annual compensation of the Personnel Officer, for the County of Wyoming, for the calendar year 1994 and thereafter until duly changed, shall be \$35,500., and shall be payable upon submission of payrolls as heretofore.

2. This local law shall take effect on the day that it is filed in the office of the Secretary of the State of New York.

**COUNTY OF WYOMING, NEW YORK  
LOCAL LAW INTRODUCTORY H, YEAR 1994**

**A LOCAL LAW ESTABLISHING THE SALARY OF THE  
COMMISSIONER OF SOCIAL SERVICES**

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

1. Notwithstanding the provisions of any local county law previously enacted or resolution previously adopted, the annual compensation of the Commissioner of Social Services, for the County of Wyoming, for the calendar year 1994 and thereafter until duly changed, shall be \$60,800., and shall be payable upon submission of payrolls as heretofore.

2. This local law shall take effect on the day that it is filed in the office of the Secretary of the State of New York.

**COUNTY OF WYOMING, NEW YORK  
LOCAL LAW INTRODUCTORY I, YEAR 1994**

**A LOCAL LAW ESTABLISHING THE SALARY OF THE YOUTH  
BUREAU DIRECTOR**

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

1. Notwithstanding the provisions of any local county law previously enacted or resolution previously adopted, the annual compensation of the Youth Bureau Director, for the County of Wyoming, for the calendar year

1994 and thereafter until duly changed, shall be \$26,000., and shall be payable upon submission of payrolls as heretofore.

2. This local law shall take effect on the day that it is filed in the office of the Secretary of the State of New York.

# 20

**RESOLUTION NO. 93-273**  
**(December 14, 1993)**

By Mr. Herman, Chairman of the County Operations Committee:

**LOCAL LAWS INTRODUCTORY NOS. A THROUGH I**

WHEREAS, there have been duly presented and introduced at a meeting of this Board, held on this 14th day of December 1993, nine proposed local laws of the County, establishing and relating to the annual compensation of certain County Officers, to become effective for the year 1994 and during the period for which each was elected or appointed, said local laws as follows:

- A. Establishes the Salary of the County Historian
- B. Establishes the Salary of the District Attorney
- C. Establishes the Salary of the Employment and Training Director
- D. Establishes the Salary of the Highway Superintendent
- E. Establishes the Salary of the Deputy Highway Superintendent
- F. Establishes the Salary of the Human Services Director
- G. Establishes the Salary of the Personnel Officer
- H. Establishes the Salary of the Commissioner of Social Services
- I. Establishes the Salary of the Youth Bureau Director

now, therefore, be it

RESOLVED, That a public hearing is required to be had on the said nine local laws by this Board of Supervisors' on the 28th day of December, 1993, at 2:00 PM in the Supervisors' Chambers in the County Courthouse in the

Regular Session

Village of Warsaw, New York, and at least five days notice of such hearing shall be given by the Clerk of this Board by publishing such notice at least once in the official newspapers of the county designated for such publications.

Carried: Ayes - 1570 Noes - 0 Absent - 48, Haller

# 21

**RESOLUTION NO. 93-274  
(December 14, 1993)**

By Mr. Herman, Chairman of the County Operations Committee:

**RES. NO. 91-96 AMENDED, RE: RPN SALARY AT  
HOSPITAL**

BE IT RESOLVED, That Resolution No. 91-96, passed on April 9, 1991, is hereby amended to set the rate of pay for substitute positions of Registered Professional Nurses (RPN) at the Hospital as follows with no benefits except those mandated by law:

\$13.50 per hour for an RPN with 0 to 1 year experience who works the day shift  
\$14.45 per hour for an RPN with 0 to 1 year experience who works the evening or night shift

\$13.75 per hour for an RPN with 0 to 1 year experience who works a weekend/major holiday on the day shift

\$14.60 per hour for an RPN with 0 to 1 year experience who works a weekend/major holiday on the evening or night shift

\$13.75 per hour for an RPN with 1 or more years experience who works the day shift

\$14.70 per hour for an RPN with 1 or more years experience who works the evening or night shift

\$14.00 per hour for an RPN with 1 or more years experience who works a weekend/major holiday on the day shift

\$14.75 per hour for an RPN with 1 or more years experience who works a weekend/major holiday on the evening or night shift.

Carried: Ayes - 1570 Noes - 0 Absent - 48, Haller

Chairman Payne declared a recess; business resumed.

# 22

**RESOLUTION NO. 93-275**

December 14, 1993

**Proceedings of the Board of Supervisors**  
**(December 14, 1993)**

By Mr. Moran, Chairman of the Finance Committee:

**1993 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 1994 Tax Rolls of the respective Towns:

<u>TOWN</u>	<u>DEBIT</u>	<u>CREDIT</u>
ARCADE	\$ 2,679.66	0.00
ATTICA	0.00	0.00
BENNINGTON	133.38	0.00
CASTILE	0.00	0.00
COVINGTON	380.70	0.00
EAGLE	0.00	0.00
GAINESVILLE	129.51	0.00
GENESEE FALLS	0.00	0.00
JAVA	0.00	0.00
MIDDLEBURY	137.88	0.00
ORANGEVILLE	125.27	0.00
PERRY	162.40	0.00
PIKE	0.00	0.00
SHELDON	107.16	0.00
WARSAW	195.78	0.00
WETHERSFIELD	<u>0.00</u>	<u>0.00</u>
	4,051.74	0.00

Dated: December 6, 1993

John B. Edwards  
 Wyoming County Treasurer

Carried: Ayes - 1570 Noes - 0 Absent - 48, Haller

# 23

**RESOLUTION NO. 93-276**  
**(December 14, 1993)**

Regular Session

## Proceedings of the Board of Supervisors

239

By Mr. Moran, Chairman of the Finance Committee:

### **1993 ELECTION EXPENSES APPORTIONED**

BE IT RESOLVED, That pursuant to Section 4-136 of the Election Law of the State of New York, the following Election expenses for the County of Wyoming for 1993 are accepted and the Clerk of this Board is hereby directed to apportion the same to the Townships with Wyoming County as follows:

<u>TOWNS</u>	<u>NO. ENROLLED VOTERS</u>	<u>AMOUNT OF LEVY</u>
ARCADE	1,709	\$ 841.75
ATTICA	2,010	990.00
BENNINGTON	1,752	862.93
CASTILE	1,429	703.84
COVINGTON	620	305.37
EAGLE	715	352.16
GAINESVILLE	1,137	560.02
GENESEE FALLS	236	116.24
JAVA	1,134	558.54
MIDDLEBURY	713	351.18
ORANGEVILLE	534	263.01
PERRY	2,185	1,076.20
PIKE	440	216.72
SHELDON	1,357	668.38
WARSAW	2,377	1,170.76
WETHERSFIELD	425	209.33
	18,773	9,246.43

Carried: Ayes - 1570 Noes - 0 Absent - 48, Haller

# 24

### **RESOLUTION NO. 93-277 (December 14, 1993)**

By Mr. Faulkner, Chairman of the Planning 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, 1994 through Midnight, December 31, 1994, and be it

December 14, 1993

**Proceedings of the Board of Supervisors**

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

Arcade Herald, Arcade, NY

Wyoming County Times/ Western New Yorker, Warsaw, 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: Ayes - 1570 Noes - 0 Absent - 48, Haller

# 25

**RESOLUTION NO. 93-278**  
**(December 14, 1993)**

By Mr. Herman, Chairman of the County Operations Committee:

**VARIOUS POSITIONS IN DSS CREATED**

BE IT RESOLVED, That there are hereby created three (3) positions in the Department of Social Services, each effective January 3, 1994 as indicated:

TITLE	SCHEDULE/GRADE
Support Investigator	Schedule A, Grade 10, per CSEA Agreement
Data Entry Operator (DEO)	Schedule G, Grade 4--part time for 12 months <b>or</b> full time for 6 months, per Wyoming Co. Salary Plan
Caseworker	Schedule A, Grade 13, per CSEA Agreement

Carried: Ayes - 1570 Noes - 0 Absent - 48, Haller

# 26

**RESOLUTION NO. 93-279**

Regular Session

By Mr. Moran, Chairman of the Finance Committee:

**RULES OF PROCEDURE AMENDED, RE: SOLID WASTE**

BE IT RESOLVED, That the Rules of Procedure of this Board, adopted on the 10th day of March 1993, are hereby amended as follows, effective January 1, 1994:

1) Rule 12 is hereby amended by adding a Subdivision 12j. Board of Supervisors/Legislature. This Committee shall have charge of all matters relating to the Board of Supervisors.

2) Rule 12 is hereby amended by adding a Subdivision 12k. Clerk of the Board. This Committee shall have charge of all matters relating to the Clerk of the Board.

3) Rule 13 is hereby amended by deleting Subdivision 13h. Board of Supervisors/Legislature and Subdivision 13i. Clerk of the Board.

4) Rule 15 is hereby amended by adding a Subdivision 15j. Office of Human Services.

5) Rule 16 is hereby amended by deleting Subdivision 16e. Solid Waste.

6) Rule 17 is hereby amended by adding a Subdivision n. Solid Waste.

Carried: Ayes - 1639   Noes - 0   Absent - 48, Haller

# 27

**RESOLUTION NO. 93-280**  
**(December 14, 1993)**

By Mr. Moran, Chairman of the Finance Committee:

December 14, 1993

**Proceedings of the Board of Supervisors**  
**DATE FOR YEAR END MEETING SET**

BE IT RESOLVED, That the last meeting of this Board of Supervisors for the year 1993 be set at Tuesday, December 28, 1993, at 2:00 P.M., and be it

FURTHER RESOLVED, That the rules of procedure be suspended for that day only to allow resolutions for end-of-year business, and that the said resolutions shall be accepted until 1:30 P.M.

Carried: Ayes - 1570 Noes - 0 Absent - 48, Haller

# 28

**RESOLUTION NO. 93-281**  
**(December 14, 1993)**

By Mr. Moran, Chairman of the Finance Committee:

**DATE OF ANNUAL ORGANIZATIONAL MEETING SET**

BE IT RESOLVED, That the Annual Organization Meeting of the Wyoming County Board of Supervisors will be set at Tuesday, January 4, 1994 at 2:00 P.M.

Carried: Ayes - 1570 Noes - 0 Absent - 48, Haller

# 29

**RESOLUTION NO. 93-282**  
**(December 14, 1993)**

By Mr. Moran, Chairman of the Finance Committee:

**JANUARY 1994 REGULAR SESSION CHANGED**

WHEREAS, the Rules of Procedure of the Board of Supervisors have been suspended by unanimous consent for the purpose recited in the resolution,

BE IT RESOLVED, That the Regular Session of the Board for January 1994 be held on Tuesday, January 18, 1994, at **2:00 P.M.**

Carried: Ayes - 1570 Noes - 0 Absent - 48, Haller

Regular Session

**RESOLUTION NO. 93-283  
(December 14, 1993)**

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

**RESOLUTION ACCEPTING THE DRAFT ENVIRONMENTAL IMPACT STATEMENT FOR THE PROPOSED NEW WYOMING COUNTY COURTHOUSE, DIRECTING THE COMPLETION OF TASKS THAT ARE REQUIRED BY THE STATE ENVIRONMENTAL QUALITY REVIEW REGULATIONS AND THE DISTRIBUTION OF COPIES OF THE REPORT FOR PUBLIC REVIEW, SETTING THE DATE FOR A PUBLIC HEARING, AND ESTABLISHING THE LENGTH OF THE PUBLIC COMMENT PERIOD.**

WHEREAS, the Board of Supervisors has reviewed the draft environmental impact statement (draft EIS), which was prepared by Stuart I. Brown Associates, Inc., with assistance from MRB Group, P.C., and has found it to provide suitable descriptions of the existing conditions, proposed actions, expected impacts, potential alternatives, and other relevant features as required by the State Environmental Quality Review (SEQR) regulations; and

WHEREAS, the Board of Supervisors intends to provide adequate opportunity for public review of and comment on the draft EIS and to make revisions as necessary and appropriate based upon the comments that are received; now, therefore,

**BE IT RESOLVED**, That the Wyoming County Board of Supervisors hereby accepts the draft EIS as satisfactory with respect to its scope, content, and adequacy for the purpose of public review; and be it

**FURTHER RESOLVED**, That notices of completion and copies of the draft EIS shall be filed as required by the SEQR regulations and that other copies of the draft EIS shall be distributed and made available for public review as indicated in Table-1 of the document; and be it

**FURTHER RESOLVED**, That a public hearing on the draft EIS shall be held at 7:00 P.M. on Wednesday, January 12, 1994 at the Legislative

December 14, 1993

**Proceedings of the Board of Supervisors**

Chambers in the Wyoming County Courthouse, 143 North Main St., Warsaw, NY, and that a notice of the hearing shall be published as required by the SEQR regulations at least 14 days prior to the date of the hearing; and be it

FURTHER RESOLVED, That the public comment period on the draft EIS shall extend from the date that the notice of completion and draft EIS are filed accordance with the SEQR regulations until 5:00 P.M. on Monday, January 24, 1994, after which, the draft EIS will be revised and supplemented as necessary and appropriate to produce a final EIS; and be it

FURTHER RESOLVED, That this resolution shall take effect immediately.

Carried: Ayes - 1570 Noes - 0 Absent - 48, Haller

# 16

**RESOLUTION NO. 93-284  
(December 14, 1993)**

By Mr. Bowles, Chairman of the Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT  
BETWEEN MENTAL HEALTH AND WCCH FOR  
EMERGENCY PSYCHIATRIC ASSESSMENT SERVICES  
FOR 1993 AND 1994**

BE IT RESOLVED, That the Chairman of the Board of Supervisors, with the approval of the County Attorney, is hereby authorized and directed to sign a contract between the Wyoming County Mental Health Department and Wyoming County Community Hospital for emergency psychiatric assessment services, said contract to be for the period November 1, 1993 through December 31, 1993 at a cost of \$10,000.00 and the period of January 1, 1994 through December 31, 21994 at a cost of \$20,000.00.

Carried: Ayes - 1570 Noes - 0 Absent - 48, Haller

Unanimous consent was requested and granted for the following resolution.

UC #30

**RESOLUTION NO. 93 - 285**

Regular Session

**Proceedings of the Board of Supervisors**  
**(December 14, 1993)**

245

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

**CHAIRMAN AUTHORIZED TO SIGN 1994 STOP D.W.I.  
PLAN**

BE IT RESOLVED, That This Board of Supervisors does hereby accept and approve the renewal of the STOP-DWI Program for 1994 in Wyoming County; and be it

FURTHER RESOLVED, That the Chairman of this Board and the STOP-DWI Coordinator are hereby authorized and directed to sign the 1994 Plan and submit the DWI Program to the State of New York for approval and immediate implementation.

Carried: Ayes - 1570 Noes - 0 Absent - 48, Haller

Mr. Erhart moved to adjourn. Carried. Adjourned.

\*\*\*\*\*

**SPECIAL SESSION**  
**Tuesday December 28, 1993 2:00 PM**

A Special Session of the Wyoming County Board of Supervisors was held in the Court House, Warsaw, New York with all members present except Mr. Haller. Chairman Payne called the meeting to order and led the Pledge of Allegiance to the Flag.

There were no communications. Notices were read by the Clerk of the Board.

1. Reminder of the Annual Austin, Hardie, Wise Christmas Party, was read.

2. An announcement of a reception at the conclusion of the regular session in honor of Mr. Petri, and Mr. Erhart who are retiring, was made.

Chairman Payne opened the public hearing regarding Local Law No. A through I, Year 1994, establishing the salary of various county officers.

No opening comments were made.

# 1

**RESOLUTION NO. 93-286**  
**(December 28, 1993)**

By Mr. Moran, Chairman of the Finance Committee:

**FUNDS TRANSFERRED IN VARIOUS ACCOUNTS**

BE IT RESOLVED, That funds are hereby transferred within various accounts as follows:

<u>COUNTY ATTORNEY</u>		
from acct no. 1420.41 assigned counsel	2,100.00	
to acct no. 1420.40 cont. exp.		1,100.00
to acct no. 1420.20 equipment		1,000.00
<u>DISTRICT ATTORNEY</u>		
from acct no. 1165.41 pros. fund	2,000.00	
to acct no. 1165.2 equipment		2,000.00

Special Session

**Proceedings of the Board of Supervisors**

247

<u>OFFICE FOR THE AGING (Weatherization)</u>		
from acct no. 6774.4 cont. expense	125.00	
to acct no. 6774.2 equipment		125.00
<u>MENTAL HEALTH (Substance Abuse)</u>		
from acct no. 4220.81 retirement	170.00	
to acct no. 4220.1 pers. services		170.00
<u>PUBLIC HEALTH</u>		
from acct no. 4025.4 laboratory	3,600.00	
from acct no. 4035.4 family planning contr.	16,500.00	
from acct no. 4010.90 risk retention	3,500.00	
from acct no. 4010.81 retirement	13,700.00	
to acct no. 4010.4 cont. expenses		37,300.00

Carried: Ayes - 1570 Noes - 0 Absent - 48, Haller

# 2

**RESOLUTION NO. 93-287**  
**(December 28, 1993)**

By Mr. Moran, Chairman of the Finance Committee:

**FUNDS APPROPRIATED TO VARIOUS ACCOUNTS**

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

<u>SHERIFF'S DEPT.</u>		
to acct no 3110.41 seized assets	293.00	
with estimated revenue account increased by an equal amount		
<u>MENTAL HEALTH</u>		
to acct no 4310.4 court ordered serv.	5,446.70	

and be it

FURTHER RESOLVED, That the County Treasurer is hereby authorized and directed to transfer the said amounts from any fund available therefore.

December 28, 1993

Carried: Ayes - 1570 Noes - 0 Absent - 48, Haller

Mr. Erhart, Chairman of the Auditing Sub-committee presented bills totaling the amount of \$ 288,442.12 and asked that they be approved for payment.

Carried: Ayes - 1570 Noes - 0 Absent - 48, Haller

# 3

**RESOLUTION NO. 93 - 288**  
**(December 28, 1993)**

By Mr. Herman, Chairman of the County Operations Committee:

**CORRECTS SCHEDULE D, RE: PUBLIC DEFENDER  
STAFF SALARIES**

BE IT RESOLVED, That the 1994 Schedule D of the Wyoming County Salary Plan, adopted December 14, 1993, is hereby amended to correct salaries omitted at the time of the original adoption:

**PUBLIC DEFENDER**

Public Defender, pt	\$ 29,935.00
1st Assistant Public Defender, pt	11,970.00
2nd Assistant Public Defender, pt	11,970.00
3rd Assistant Public Defender, pt	10,475.00
Secretary to Public Defender	5,240.00
Secretary to Asst. Public Defender, pt	3,000.00

Carried: Ayes - 1570 Noes - 0 Absent - 48, Haller

# 4

**RESOLUTION NO. 93-289**  
**(December 28, 1993)**

By Mr. Moran, Chairman of the Finance Committee:

Special Session

**RESOLUTION OF THE BOARD OF SUPERVISORS  
LEVYING TAXES AND ASSESSMENTS REQUIRED FOR  
PURPOSE OF ANNUAL BUDGET OF TOWNS OF  
WYOMING COUNTY**

WHEREAS, There has been presented to this Board of Supervisors a duly certified copy of the annual budget of each of the several Towns in the County of Wyoming for the fiscal year beginning January 1, 1994, 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	17,950.00	98,000.00	115,950.00
ATTICA	0.00	104,941.00	104,941.00
BENNINGTON	0.00	0.00	0.00
CASTILE	21,875.00	88,920.00	110,795.00
COVINGTON	0.00	0.00	0.00
EAGLE	0.00	0.00	0.00
GAINESVILLE	3,700.00	91,000.00	94,700.00
GENESEE FALLS	0.00	0.00	0.00
JAVA	0.00	0.00	0.00
MIDDLEBURY	8,795.00	135,108.00	143,903.00
ORANGEVILLE	0.00	0.00	0.00
PERRY	10,662.00	111,685	122,347.00
PIKE	590.00	63,950.00	64,540.00
SHELDON	0.00	0.00	0.00
WARSAW	2,976.00	143,340.00	146,316.00
WETHERSFIELD	0.00	0.00	0.00
<b>TOTAL</b>	<b>66,548.00</b>	<b>836,944.00</b>	<b>903,492.00</b>

and be it

FURTHER RESOLVED, That there shall be and hereby is assessed and levied upon and collected from real property liable therefor within the respective fire protection, lighting and water districts in the following towns, as listed below, the following respective budgets:

## Proceedings of the Board of Supervisors

TOWN	FIRE DISTRICT	FIRE PROTECTION	LIGHT	WATER & SEWER	TOTAL
ARCADE		47,600.00			47,600.00
ATTICA		34,604.00			34,604.00
BENNINGTON		B 55,900.00	2,500.00		
		HC 7,550.00			
		C 42,350.00			
		V 3,385.00			111,685.00
CASTILE		26,800.00	3,300.00	188,685.56 822.59	
				* 4,174.22	223,782.37
COVINGTON		Pa 16,500.00			
		Pe 2,000.00			
		W 5,439.00			23,939.00
EAGLE		23,935.00	5,900.00		29,835.00
GAINESVILLE		19,600.00			19,600.00
GENESEE FALLS		24,000.00	7,000.00		31,000.00
JAVA	2,267.55	NJ 20,327.87	NJ 1,800.00	NJ 0.00	
		ST 22,279.70	JC 240.00	* 1,364.00	48,279.12
MIDDLEBURY		34,450.00			34,450.00
ORANGEVILLE		V 18,930.00	L3 1,050.00		
		O 10,800.00	L4 0.00		30,780.00
PERRY	725.00	13,000.00	1,500.00	4,691.60	
				25,589.96	45,506.56
PIKE		15,000.00			15,000.00
SHELDON	V 3,745.00	ST 14,212.91	L1 3,400.00	* 923.32	
		NJ 4,082.53	L2 2,100.00		
		V 13,313.00	L3 650.00		
		SH 10,000.00	L9 1,200.00		
		HC 7,550.00			61,176.76
WARSAW		33,000.00			33,000.00
WETHERSFIELD		G 5,300.00			
		NJ 10,230.00			
		B 3,000.00			18,530.00
<b>TOTAL</b>	<b>6,737.55</b>	<b>545,139.01</b>	<b>30,640.00</b>	<b>226,251.25</b>	<b>808,767.81</b>

\*UNPAID WATER BILLS

and be it

FURTHER RESOLVED, That the amounts to be raised by tax for all other purposes, as specified in the said several budgets are presented to this Board and which are on file in the office of the Clerk hereof, shall be and hereby are assessed and levied upon and collected from all the taxable property in the Towns as indicated below, except otherwise provided by Law, namely:

## Proceedings of the Board of Supervisors

251

NAME OF TOWN	GENERAL FUND TOWN WIDE	HIGHWAY FUND TOWN WIDE	TOTAL
ARCADE	104,050.00	122,968.00	227,018.00
ATTICA	80,899.00	131,192.00	212,091.00
BENNINGTON	121,501.00	367,900.00	489,401.00
CASTILE	122,500.00	63,530.00	186,030.00
COVINGTON	53,340.00	142,790.00	196,130.00
EAGLE	108,561.50	181,374.00	289,935.50
GAINESVILLE	121,949.00	64,300.00	186,249.00
GENESEE FALLS	51,104.00	73,636.03	124,740.03
JAVA	141,200.00	217,879.00	359,079.00
MIDDLEBURY	105,873.00	91,500.00	197,373.00
ORANGEVILLE	66,912.00	250,002.07	316,914.07
PERRY	314,119.00	73,015.00	387,134.00
PIKE	70,364.00	75,280.00	145,644.00
SHELDON	133,708.00	337,671.00	471,379.00
WARSAW	234,210.00	88,402.00	322,612.00
WETHERSFIELD	65,645.00	121,300.00	186,945.00
<b>TOTAL</b>	<b>1,895,935.50</b>	<b>2,402,739.10</b>	<b>4,298,674.60</b>

Carried: Ayes - 1570 Noes - 0 Absent - 48, Haller

# 4

### **RESOLUTION NO. 93-289 (December 28, 1993)**

By Mr. Moran, Chairman of the Finance Committee:

### **RESOLUTION OF THE BOARD OF SUPERVISORS LEVYING TAXES AND ASSESSMENTS REQUIRED FOR PURPOSE OF ANNUAL BUDGET OF TOWNS OF WYOMING COUNTY**

WHEREAS, There has been presented to this Board of Supervisors a duly certified copy of the annual budget of each of the several Towns in the County of Wyoming for the fiscal year beginning January 1, 1994, 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:

December 28, 1993

## Proceedings of the Board of Supervisors

NAME OF TOWN	GENERAL FUND OUTSIDE	HIGHWAY OUTSIDE	TOTAL
ARCADE	17,950.00	98,000.00	115,950.00
ATTICA	0.00	104,941.00	104,941.00
BENNINGTON	0.00	0.00	0.00
CASTILE	21,875.00	88,920.00	110,795.00
COVINGTON	0.00	0.00	0.00
EAGLE	0.00	0.00	0.00
GAINESVILLE	3,700.00	91,000.00	94,700.00
GENESEE FALLS	0.00	0.00	0.00
JAVA	0.00	0.00	0.00
MIDDLEBURY	8,795.00	135,108.00	143,903.00
ORANGEVILLE	0.00	0.00	0.00
PERRY	10,662.00	111,685	122,347.00
PIKE	590.00	63,950.00	64,540.00
SHELDON	0.00	0.00	0.00
WARSAW	2,976.00	143,340.00	146,316.00
WETHERSFIELD	0.00	0.00	0.00
<b>TOTAL</b>	<b>66,548.00</b>	<b>836,944.00</b>	<b>903,492.00</b>

and be it

FURTHER RESOLVED, That there shall be and hereby is assessed and levied upon and collected from real property liable therefor within the respective fire protection, lighting and water districts in the following towns, as listed below, the following respective budgets:

TOWN	FIRE DISTRICT	FIRE PROTECTION	LIGHT	WATER & SEWER	TOTAL
ARCADE		47,600.00			47,600.00
ATTICA		34,604.00			34,604.00
BENNINGTON		B 55,900.00	2,500.00		
		HC 7,550.00			
		C 42,350.00			
		V 3,385.00			111,685.00
CASTILE		26,800.00	3,300.00	188,685.56 822.59 * 4,174.22	223,782.37
COVINGTON		Pa 16,500.00 Pe 2,000.00 W 5,439.00			23,939.00
EAGLE		23,935.00	5,900.00		29,835.00
GAINESVILLE		19,600.00			19,600.00
GENESEE FALLS		24,000.00	7,000.00		31,000.00
JAVA	2,267.55	NJ 20,327.87 ST 22,279.70	NJ 1,800.00 JC 240.00	NJ 0.00 * 1,364.00	48,279.12
MIDDLEBURY		34,450.00			34,450.00
ORANGEVILLE		V 18,930.00	L3 1,050.00		
		O 10,800.00	L4 0.00		30,780.00
PERRY	725.00	13,000.00	1,500.00	4,691.60 25,589.96	45,506.56
PIKE		15,000.00			15,000.00
SHELDON	V 3,745.00	ST 14,212.91	L1 3,400.00	* 923.32	

Special Session

		NJ 4,082.53	L2 2,100.00		
		V 13,313.00	L3 650.00		
		SH 10,000.00	L9 1,200.00		
		HC 7,550.00			61,176.76
WARSAW		33,000.00			33,000.00
WETHERSFIELD		G 5,300.00			
		NJ 10,230.00			
		B 3,000.00			18,530.00
<b>TOTAL</b>	<b>6,737.55</b>	<b>545,139.01</b>	<b>30,640.00</b>	<b>226,251.25</b>	<b>808,767.81</b>

## \*UNPAID WATER BILLS

and be it

FURTHER RESOLVED, That the amounts to be raised by tax for all other purposes, as specified in the said several budgets are presented to this Board and which are on file in the office of the Clerk hereof, shall be and hereby are assessed and levied upon and collected from all the taxable property in the Towns as indicated below, except otherwise provided by Law, namely:

NAME OF TOWN	GENERAL FUND TOWN WIDE	HIGHWAY FUND TOWN WIDE	TOTAL
ARCADE	104,050.00	122,968.00	227,018.00
ATTICA	80,899.00	131,192.00	212,091.00
BENNINGTON	121,501.00	367,900.00	489,401.00
CASTILE	122,500.00	63,530.00	186,030.00
COVINGTON	53,340.00	142,790.00	196,130.00
EAGLE	108,561.50	181,374.00	289,935.50
GAINESVILLE	121,949.00	64,300.00	186,249.00
GENESEE FALLS	51,104.00	73,636.03	124,740.03
JAVA	141,200.00	217,879.00	359,079.00
MIDDLEBURY	105,873.00	91,500.00	197,373.00
ORANGEVILLE	66,912.00	250,002.07	316,914.07
PERRY	314,119.00	73,015.00	387,134.00
PIKE	70,364.00	75,280.00	145,644.00
SHELDON	133,708.00	337,671.00	471,379.00
WARSAW	234,210.00	88,402.00	322,612.00
WETHERSFIELD	65,645.00	121,300.00	186,945.00
<b>TOTAL</b>	<b>1,895,935.50</b>	<b>2,402,739.10</b>	<b>4,298,674.60</b>

Carried: Ayes - 1570 Noes - 0 Absent - 48, Haller

# 5

**RESOLUTION NO. 93-290**  
**(December 28, 1993)**

December 28, 1993

**Proceedings of the Board of Supervisors**

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

**PUBLIC DEFENDER REAPPOINTED**

BE IT RESOLVED, That Norman P. Effman, Town of Warsaw, Warsaw, N.Y., is hereby reappointed Public Defender for Wyoming County, for a term of two (2) years, said term to expire December 31, 1995.

Carried: Ayes - 1570 Noes - 0 Absent - 48, Haller

# 6

**RESOLUTION NO. 93-291**  
**(December 28, 1993)**

By Mr. Moran, Chairman of the Finance Committee:

**RETURN SCHOOL TAX LEVIES AUTHORIZED**

BE IT RESOLVED, That the Clerk of this Board is hereby authorized and directed to levy the return school taxes of the year 1993-1994 as presented by the County Treasurer in the total amount of \$1,565,689.38 including penalties.

**1993-1994 RETURNED UNPAID SCHOOL TAXES  
TO BE SPREAD ON 1994 TOWN TAX ROLLS**

TOWN & SCHOOL DISTRICT	TAX RETURNED	7%	TOTAL
Arcade (Pioneer Central)	138,853.01	9,719.74	148,572.75
Attica (Attica Central)	84,009.56	5,880.62	89,890.18
Attica (Wyoming Central)	1,527.55	106.93	1,634.48
Bennington (Alden Central)	8,588.22	601.18	9,189.40
Bennington (Alexander Central)	452.05	31.64	483.69
Bennington (Attica Central)	77,229.65	5,406.04	82,635.69
Bennington (Iroquois Central)	2,371.58	166.01	2,537.59
Castile (Letchworth Central)	53,307.64	3,731.49	57,039.13
Castile (Perry Central)	48,226.09	3,375.89	51,601.98
Covington (Pavilion Central)	67,831.22	4,748.18	72,579.40
Covington (Perry Central)	7,045.77	493.21	7,538.98
Covington (Wyoming Central)	11,441.38	800.88	12,242.26

Special Session

## Proceedings of the Board of Supervisors

255

Eagle (Letchworth Central)	55,276.68	3,869.34	59,146.02
Eagle (Pioneer Central)	14,673.93	1,027.17	15,701.10
Resolution No. 93-291			# 6
Page 2			
Gainesville (Letchworth Cntl.)	79,964.20	5,597.49	85,561.69
Gainesville (Warsaw Central)	22,545.82	1,578.22	24,124.04
Genesee Falls (Fillmore Central)	2,992.50	209.49	3,201.99
Genesee Falls (Keshequa Cntl.)	10,664.60	746.52	11,411.12
Genesee Falls (Letchworth Central)	8,846.40	619.25	9,465.65
Java (Attica Central)	12,301.08	861.07	13,162.15
Java (Holland Central)	2,392.83	167.49	2,560.32
Java (Pioneer Central)	70,113.71	4,907.86	75,021.57
Java (Warsaw Central)	1,287.21	90.11	1,377.32
Middlebury (Attica Central)	2,535.53	177.48	2,713.01
Middlebury (Pavilion Central)	1,521.20	106.48	1,627.68
Middlebury (Warsaw Central)	1,614.57	113.02	1,727.59
Middlebury (Wyoming Central)	54,787.89	3,835.15	58,623.04
Orangeville (Attica Central)	23,120.66	1,618.47	24,739.13
Orangeville (Warsaw Central)	49,500.42	3,465.10	52,965.52
Perry (Perry Central)	155,501.02	10,885.11	166,386.13
Perry (Wyoming Central)	1,511.67	105.81	1,617.48
Pike (Fillmore Central)	3,077.42	215.42	3,292.84
Pike (Letchworth Central)	55,856.46	3,909.97	59,766.43
Sheldon (Attica Central)	49,418.97	3,459.33	52,878.30
Sheldon (Holland Central)	6,210.39	434.72	6,645.11
Sheldon (Pioneer Central)	2,590.77	181.36	2,772.13
Warsaw (Letchworth Central)	4,847.55	339.33	5,186.88
Warsaw (Perry Central)	3,586.56	251.07	3,837.63
Warsaw (Warsaw Central)	211,149.71	14,780.41	225,930.12
Warsaw (Wyoming Central)	5,685.94	398.03	6,083.97
Resolution No. 93-291			# 6
Page 3			
Wethersfield (Letchworth Central)	11,694.94	818.64	12,513.58
Wethersfield (Pioneer Central)	6,990.47	489.25	7,479.72
Wethersfield (Warsaw Central)	30,116.43	2,108.16	32,224.59
<b>TOTALS</b>	<b>1,463,261.25</b>	<b>102,428.13</b>	<b>1,565,689.38</b>

Dated: December 28, 1993

s/John B. Edwards  
Wyoming County Treasurer

Carried: Ayes - 1570   Noes - 0   Absent - 48, Haller

December 28, 1993

**RESOLUTION NO. 93 - 292**  
**(December 28, 1993)**

By Mr. Faulkner, Chairman of the Planning Committee:

**CHAIRMAN AUTHORIZED TO SIGN WELLHEAD  
PROTECTION STUDY**

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 Genesee/Finger Lakes Regional Planning Council for consulting services for the Village of Castile Wellhead Protection Study, cost of said contract not to exceed \$20,850 for the period through September 30, 1995.

Carried: Ayes - 1570 Noes - 0 Absent - 48, Haller

# 8

**RESOLUTION NO. 93-293**  
**(December 28, 1993)**

By Mr. Bowles, Chairman of the Human Services Committee:

**MEMBERS APPOINTED/REAPPOINTED TO THE  
COMMUNITY ACTION AGENCY**

BE IT RESOLVED, That the following persons are hereby appointed or reappointed to the Community Action Agency each to three year terms to expire December 31, 1996:

Rev. Andrews Chalmers, Town of Middlebury, Wyoming, NY

Kathleen Murtha, Dept. of Social Services

Rev. Charles Williman, Town of Attica, Attica, NY

Carried: Ayes - 1570 Noes - 0 Absent - 48, Haller

Special Session

**RESOLUTION NO. 93-294  
(December 28, 1993)**

By Mr. Bowles, Chairman of the Human Services Committee:

**MEMBERS APPOINTED TO COMMUNITY SERVICES  
BOARD AND VARIOUS SUBCOMMITTEES**

BE IT RESOLVED, That the following persons are hereby appointed to the Community Services Board, for (4) four year terms, said terms to expire December 31, 1997;

Alicia Strathearn, Town of Middlebury, Wyoming, NY

August C. Petri, Town of Attica, Attica, NY

and be it

FURTHER RESOLVED, That the above named persons are hereby concurrently appointed to the Community Services Board Subcommittees as indicated:

<u>MENTAL HEALTH SUBCOMMITTEE</u>	
Alicia Strathearn	
<u>ALCOHOL/SUBSTANCE ABUSE SUBCOMMITTEE</u>	
August C. Petri	

Carried: Ayes - 1570 Noes - 0 Absent - 48, Haller

# 10

**RESOLUTION NO. 93-295  
(December 28, 1993)**

By Mr. Bowles, Chairman of the Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN NEW AND  
RENEWAL CONTRACTS FOR MENTAL HEALTH  
DEPARTMENT**

BE IT RESOLVED, That, with the approval of the County Attorney, the Chairman of this Board is hereby authorized and directed to sign new and renewal contracts and related documents to provide programs and services through the Wyoming County Mental Health Department, for the periods stated, as follows:

Livingston/Wyoming Association for Retarded Citizens, renewal contract for sheltered workshop programs, for the period January 1, 1994 through December 31, 1994; (\$49,422)

Suburban Adult Services, Inc., for renewal contract for Sheltered Workshop Program, for the Mentally Retarded/Developmentally Disabled (MR/DD) population for period January 1, 1994 through December 31, 1994; (\$38,320)

NYS Division for Substance Abuse Services, renewal contract for Wyoming County substance abuse programs for the period January 1, 1994 through December 31, 1994; (\$254,910)

Allegany Rehabilitation Associates, Inc. (Mental Health Clinic Treatment Program, inclusive of the Forensic and Crisis programs), renewal contract for the period January 1, 1994 through December 31, 1994; (\$79,463. Clinic/NIC, \$36,000. Forensic)

Special Session

Allegany Rehabilitation Associates, Inc. (COPS - Comprehensive Outpatient Provider Services), renewal contract for the period January 1, 1994 through December 31, 1994; (\$0.00)

WNY Office of Mental Health (Memorandum of Understanding ), renewal contract for period January 1, 1994 through December 31, 1994; (\$0.00)

Allegany Rehabilitation Associates, Inc. (Child & Adolescent ICM program), renewal contract for the period January 1, 1994 through December 31, 1994; (\$40,053)

Allegany Rehabilitation Associates, Inc. (Adult ICM Wrap Around Funds), renewal contract for the period January 1, 1994 through December 31, 1994; (\$20,000)

Allegany Rehabilitation Associates, Inc. (Chemical Abuse Treatment Programs--alcohol services and drug abuse services), renewal contracts for the period January 1, 1994 through December 31, 1994. (Alcohol- \$235,122; Sub. Abuse- \$76,728)

Allegany Rehabilitation Associated, Inc. to maintain a continuing treatment program, CSS case management and transportation programs, psychosocial club and core service agency with CSS funding, of new contracts for the period January 1, 1994 through December 31, 1994; (\$116,288)

Allegany Rehabilitation Associates, Inc. to provide staffing for the Core Service Agency CSS Funds for period January 1, 1994 through December 31, 1994; (\$19,000)

Hands and Hearts Together, Inc. to manage a consumer run thrift shop with CSS funds for the period January 1, 1994 through December 31, 1994. (\$9,500)

Wyoming County Community Hospital to provide the staffing to do the PAO screenings for psychiatric admissions for the period of January 1, 1994 through December 31, 1994. (\$20,000)

Carried: Ayes - 1570 Noes - 0 Absent - 48, Haller

# 11

**RESOLUTION NO. 93-296  
(December 28, 1993)**

By Mr. Bowles, Chairman of the Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN NEW AND  
RENEWAL CONTRACTS FOR PUBLIC HEALTH  
DEPARTMENT**

BE IT RESOLVED, That with the approval of the County Attorney, the Chairman of this Board is hereby authorized to sign new and renewal contracts and related documents to provide programs and services through the Wyoming County Health Department, for the periods stated, as follows:

Home Health Aide Service with Wyoming Area Homemakers, contract period January 1, 1994 - December 31, 1994;

Infant Health Assessment Program (NYSHD), contact period October 1, 1994 - September 30, 1995;

Family Planning Nurse Practitioner/CNM with Donna Cady, contract period January 1, 1994 - December 31, 1994;

Special Session

Family Planning Clinic (NYSHD) contract period July 1, 1994 - June 30, 1995;

Physical Therapist with Dennis Wahr, RPT, contract period January 1, 1994 - December 31, 1994;

Family Planning Medical Consultant with T. Dolojan, MD, contract period January 1, 1994 - December 31, 1994;

Genesee Delivery (Water Courier), contract period January 1, 1994 - December 31, 1994;

Home Health Aide Service with Kimberly Quality Care, Inc., contract period January 1, 1994 - December 31, 1994;

Family Planning Nurse Practitioner - Expanded Service contract, period January 1, 1994 - December 31, 1994;

New York State Health Department - LEAD GRANT, contract period April 1, 1994 - March 31, 1995;

Health Research, Inc. (Lead Screening Tests), contract period July 1, 1994 - June 30, 1995;

Home Health Aide Service with Aurora Home Care, Inc., contract period June 1, 1994 - May 31, 1995;

Home Care Grant (NYSHD), contract period January 1, 1994 - December 31, 1994;

Family Planning Coordinator with Barbara Maher, contract period January 1, 1994 - December 31, 1994;

Family Planning Nurse Practitioner/CNM with Elizabeth Rice, contract period January 1, 1994 - December 31, 1994;

Home Health Aide Service with Norrell Home Care, contract period January 1, 1994 - December 31, 1994;

Immunization Grant (IAP) with NYSHD, contract period January 1, 1994 - December 31, 1994;

Immunization Grant with NYSHD, contract period January 1, 1994 - December 31, 1994;

Early Intervention Program (NYSHD), contract period January 1, 1994 - December 31, 1994;

Program Assistant (ASSIST Grant) with Ann Cornell, contract period January 1, 1994 - December 31, 1994;

Janitorial Service with Joanne Ballard, contract period January 1, 1994 - December 31, 1994;

Adolescent Tobacco Grant (Assist) (NYSHD), contract period January 1, 1994 - December 31, 1994;

Consultant Professional Engineer, contract period July 1, 1994 - June 30, 1995;

Chest Clinic services with R. Patel, MD, contract period January 1, 1994 - December 31, 1994.

Rabies services reimbursement through NYSHD, contract period January 1, 1994 - December 31, 1994 (\$20,000.).

Carried: Ayes - 1570 Noes - 0 Absent - 48, Haller

# 12

**RESOLUTION NO. 93 - 297  
(December 28, 1993)**

By Mr. Bowles, Chairman of the Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN CONTRACT FOR  
YOUTH CARE FACILITY WITH ONTARIO COUNTY**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney and on behalf of the Department of Social Services, is hereby authorized and directed to sign a contract with the Ontario County Youth Care Facility for 1994 in the amount of \$180 per day.

Carried: Ayes - 1570 Noes - 0 Absent - 48, Haller

**RESOLUTION NO. 93 - 298**  
**(December 28, 1993)**

By Mr. Moran, Chairman of the Finance Committee:

**CHANGES DATE OF JANUARY REGULAR SESSION**

BE IT RESOLVED, That this Board hereby approves changing the date of the January 1994 Regular Session to Thursday, January 13, 1994 at 2:00 PM.

Carried: Ayes - 1570 Noes - 0 Absent - 48, Haller

# 14

**RESOLUTION NO. 93 - 299**  
**(December 28, 1993)**

By Mr. Bowles, Chairman of the Human Services Committee:

**OFA DIRECTOR APPOINTED**

BE IT RESOLVED, That Suzanne O. Wheeler, Town of Bennington, Attica, NY, is hereby appointed Office for the Aging Director for a two year term for the period January 17, 1994 through December 31, 1995.

Carried: Ayes - 1474 Noes - 96, Erhart Absent - 48, Haller

# 15

**RESOLUTION NO. 93 - 300**  
**(December 28, 1993)**

By Mr. Moran, Chairman of the Finance Committee:

**RETURNED RECYCLING FEES AND RECYCLING FEES  
LEVIED**

December 28, 1993

**Proceedings of the Board of Supervisors**

BE IT RESOLVED, That the Clerk of this Board is hereby authorized and directed to levy the returned recycling fees for the year 1993 as presented in conjunction with the Office of Economic Development and Real Property Tax Service in the amount of \$60,007.50.

**1993 RETURNED UNPAID RECYCLING FEES  
TO BE SPREAD ON THE 1994 COUNTY TAX ROLLS**

TOWN	AMOUNT
Arcade	\$ 8,977.50
Castile	9,382.50
Gainesville	1,957.50
Orangeville	6,682.50
Perry	10,395.00
Sheldon	12,622.50
Warsaw	9,990.00
<b>TOTAL</b>	<b>60,007.50</b>

and be it

FURTHER RESOLVED, That the Clerk of this Board is hereby authorized and directed to levy the recycling fees for the year 1994 as indicated in the amount of \$308,134.08:

TOWN	UNITS	TOTAL
Arcade	503	\$ 46,839.36
Castile	520	48,422.40
Gainesville	113	10,522.56
Orangeville	398	37,061.76
Perry	481	44,790.72
Sheldon	757	70,491.84
Warsaw	537	50,005.44
<b>TOTAL</b>	<b>3,309.00</b>	<b>308,134.08</b>

Carried: Ayes - 1356   Noes - 214, Humphrey   Absent - 48, Haller

# 16

**RESOLUTION NO. 93-301  
(December 28, 1993)**

By Mr. Bowles, Chairman of the Human Services Committee:

Special Session

**EXTENDED CONTRACT FOR SECTION 8 HOUSING  
APPROVED**

WHEREAS, the New York State Housing Finance Agency has proposed an extension of the contract with the County of Wyoming by which certain housing assistance payments would be made to eligible families leasing existing housing pursuant to the provisions of Section 8 of the Housing and Community Development Act of 1974; and

WHEREAS, the proposed extended contract would be administered by the Wyoming County Office of Human Services at no cost to the County of Wyoming, now, therefore, be it

**RESOLVED**, That the Chairman of this Board is hereby authorized and directed, with the approval of the County Attorney, to enter into the aforesaid extended contract for the period January 1 through December 31, 1994.

Carried: Ayes - 1406 Noes - 164, Petri Absent - 48, Haller

# 17

**RESOLUTION NO. 93-302  
(December 28, 1993)**

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

**JACK FISHER REAPPOINTED WYOMING CO. FIRE  
COORDINATOR**

**BE IT RESOLVED**, That Jack A. Fisher, Town of Warsaw, Warsaw, NY, is hereby reappointed Wyoming County Fire Coordinator for a two year term, said term to expire December 31, 1995.

Carried: Ayes - 1570 Noes - 0 Absent - 48, Haller

# 18

**RESOLUTION NO. 93-303  
(December 28, 1993)**

December 28, 1993

By Mr. Moran, Chairman of the Finance Committee:

## **AUTHORIZED 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 Clerk of the Board, and

WHEREAS, The 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 and 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, 1994.

Carried: Ayes - 1570 Noes - 0 Absent - 48, Haller

Chairman Payne declared a recess; business resumed.

# 19

## **RESOLUTION NO. 93-304 (December 28, 1993)**

By Mr. Herman, Chairman of the County Operations Committee:

## **CLERK POSITION, FT, IN PUBLIC HEALTH CREATED**

BE IT RESOLVED, That there is hereby created one (1) position of clerk, full time, in Public Health Department, said position to be to be placed in Schedule A, Grade 2 of the CSEA Agreement, effective January 3, 1994.

Carried: Ayes - 1378 Noes - 192, (93) Moran, (64) Cox, (35) Herman  
Absent - 48, Haller

**RESOLUTION NO. 93-305**  
**(December 28, 1993)**

By Mr. Herman, Chairman of the County Operations Committee:

**TEMPORARY SENIOR ACCOUNT CLERK POSITION, FT,  
IN DSS CREATED**

BE IT RESOLVED, That there is hereby created one (1) temporary position of senior account clerk, full time, in Department of Social Services, said position to be to be placed in Schedule A, Grade 6 of the CSEA Agreement, effective January 17, 1994 for up to six months.

Carried: Ayes - 1313 Noes - 257, (164) Petri, (93) Moran Absent - 48, Haller  
# 21

**RESOLUTION NO. 93-306**  
**(December 28, 1993)**

By Mr. Herman, Chairman of the County Operations Committee:

**TEMPORARY CLERK POSITION, FT, RPTS, CREATED**

BE IT RESOLVED, That there is hereby created one (1) temporary position of clerk, full time, in Real Property Tax Service Office to cover a medical Leave of Absence, said position to be placed in Schedule A, Grade 2 of the CSEA Agreement for period January 24, 1994 through April 22, 1994.

Carried: Ayes - 962 Noes - 608, Payne (162), Bowles (127), Sheldon (106), Warsaw (213) Absent - 48, Haller

No questions were presented during the public hearing; Chairman Payne declared the public hearing closed.

**RESOLUTION NO. 93 - 307  
(December 28, 1993)**

By Mr. Herman, Chairman of the County Operations Committee:

**LOCAL LAWS INTRO. NOS. A - I**

WHEREAS, there were duly presented and introduced at a meeting of this Board, held on the 14th day of December 1993, nine proposed local laws of the County, designated as Local Laws Introductory Nos. A through K, both inclusive, for the year 1994, each entitled A Local Law of the County of Wyoming, establishing the salaries of the following County Officers:

- A. County Historian
- B. District Attorney
- C. Employment and Training Director
- D. Highway Superintendent
- E. Deputy Highway Superintendent
- F. Human Services Director
- G. Personnel Officer
- H. Commissioner of Social Services
- I. Youth Bureau Director

and,

WHEREAS, in accordance with the provision of Resolution No. 93-273, there was a public hearing held by the Board of Supervisors on the 28th day of December 1993 at 2:00 PM, after due notice of said hearing having been published according to law and said resolution, and

WHEREAS, after holding said public hearing and the said local laws having laid on the desks of the members of the Board of Supervisors at least seven calendar days, exclusive of Sunday, prior to the final adoption, it was

Special Session

unanimously agreed by all members of this committee to recommend the enactment and passage of the above-mentioned fifteen local laws, designated as Local Laws Introductory Nos. A through I, each inclusive, for the year 1994, in their original form, and which are designated as hereinabove set forth, therefore, be it

**RESOLVED**, That a Local Laws Introductory Nos. A through I, each inclusive, Year 1994, County of Wyoming, New York, as presented to this Board on the 14th day of December 1993, at 2:00 PM are hereby adopted, enacted and passed by this Board in their original form and as originally submitted.

Carried: Ayes - 1570 Noes - 0 Absent - 48, Haller

Mrs. Huber commented on a letter received from the Solid Waste Committee.

Chairman Payne recognized the departing Supervisors, Mr. Petri, Mrs. Huber, Mr. Erhart, Mrs. Glaus and Mr. Faulkner, thanking them for their contributions and years of service to the Board; each made a departing statement; except Mrs. Huber.

Mr. Erhart moved to adjourn. Carried. Adjourned.

\*\*\*\*\*

A small reception recognizing retiring Supervisors Petri and Erhart was held at the conclusion of the regular session. Mr. Petri served on the Board from April, 1973 and Mr. Erhart from January, 1964.

**A****Agriculture**

AFB Board Established, Res. #93-213..... 174

**Animal Control**

Accepted 1992 Annual Reports on Dog License Fees, Res. #93-064..... 55

**Accepted 1992 Worker's**

Compensation Annual Report, Res. #93-065..... 56

Confinement of Dogs in Wyoming County Authorized, Res. #93-277..... 239

**Contracts / Agreements**

Wilson & Margaret Parmerter, Res. #93-110..... 86

**Appointments****Business Education Council**

R. Bowles, Res. #93-023 ..... 25

**Community Action Agency**

Rev. A. Chalmers, K. Murtha, Rev. C. Williman, Res. #93-293..... 256

**Community Action Agency Board**

A. Humphrey, Res. #93-158 .. 122

I. Glaus, R. Bowles, E. Gillette, R. Haller Jr., W. Faulkner, Res. #93-013 .. 13

I. Glaus, R. Bowles, E. Gillette, R. Haller Jr., W. Faulkner, Res. #93-014 .. 14

M. Barber, C. Cox, Res. #93-076 .. 67

**CSB Empowered to Initiate**

Necessary Actions Re Mental Health Funding, Res. #93-264..... 223

**Economic Development****Director**

R. Tindell, Res. #93-259.... 220

**Emergency Services****Fire Advisory Board**

C. Witkop, J. Myers, B. Frounick, R. Maher, D.

Seymour, W. Caffery, M.

Wilcox, W. Totsline, M.

Keem, K. Vickers, M.

Laraby, B. Miles, J.

Reynolds, J. Ruddock, T.

Dixon, D. Simons, J. Block, D. Parmerter, L. Powers, Res. #93-183 ..... 154

**Fire Coordinator**

J. Fisher, Res. #93-302 ..... 265

**Mercy Flight Citizens Advisory Committee**

T. Moran, Res. #93-026..... 27

**Employment & Training Director**

F. Fraser, Res. #93-022..... 24

**Executive Secretary****(Administrator) Insurance Program**

R. Luce, Res. #93-070 ..... 62

**Genesee Finger Lakes Regional****Planning Council**

W. Faulkner, A. Humphrey, Res. #93-202 ..... 169

**GLOW****Advisory Committee**

J. Schlick, L. Rogers, K. Lowe, L. Nungent, , Res. #93-028 ..... 28

**Executive Committee**

H. Payne, Res. #93-028 ..... 28

**Planning Committee**

M. Richards, R. Bowles, Res. #93-028 ..... 28

**Private Industry Council**

C. Parker, K. Zeches, Res. #93-106 ..... 84

D. Sprague, F. Towner, Res. #93-159 ..... 122

**Solid Waste Management****Subcommittee**

H. Payne, R. Bowles, K. Lowe, W. Faulkner Jr., Res. #93-028 ..... 28

**Human Services****Director**

M. Mucher, Res. #93-206.. 170

**Inter-County Association of****Western New York**

## Proceedings of the Board of Supervisors

271

A. Petri, K. Lowe, R. Bowles,  
Res. #93-011..... 12

### **Mental Health**

#### **Alcohol/Substance Abuse**

##### **Subcommittee**

A. Petri, Res. #93-294 ..... 257  
H. Page Res. #93-024 ..... 25

#### **Community Services Board**

A. Strathearn, A. Petri, Res.  
#93-294 ..... 257

S. Zubek, Res. #93-057 ..... 50

#### **MR/DD Subcommittee**

Rev. C. Nonnenberg, Res. #93-  
024 ..... 25

#### **Subcommittee**

A. Strathearn, Res. #93-294257  
Dr. T. Mazzone, Rev. C.

Nonnenberg, H. Page, Res.  
#93-024 ..... 25

### **Office for the Aging**

#### **Advisory Board Members**

A. Parmele, K. Murtha, L.  
Deahn, M. Lemley, Res.  
#93-261 ..... 221

#### **Advisory Council**

K. Lowe, Res. #93-077..... 67

#### **Director**

S. Wheeler, Res. #93-299.. 263

### **Planning & Development**

#### **Planning Board**

Paul Bijnhower, Res. #93-222  
..... 186

#### **Public Defender**

N. Effman, Res. #93-290 ..... 253

### **Public Health**

#### **Board of Health**

R. Bowles, Res. #93-009 .... 11

#### **Community Services Board**

Dr. T. Mazzone, Rev. C.  
Nonnenberg, H. Page, Res.  
#93-024 ..... 25

Dr. T. Mazzone, Rev. C.  
Nonnenberg, H. Page, Res.  
#93-025 ..... 26

### **Region 9**

#### **Fish & Wildlife Council**

R. Haller, Jr., Res. #93-012 . 13

### **Resource Conservation & Development Council**

R. Herman, Res. #93-008..... 11

### **Rochester-Genesee Regional**

#### **Transportation Authority**

##### **Board of Commissioners**

R. Roberts, D. Bliss, Res. #93-  
171 ..... 133

### **Social Services**

#### **Commissioner**

P. Murray, Res. #93-103..... 83

### **Traffic Safety Board**

A. Pettit, R. Marvin, J. Heller, D.  
Richardson, Res. #93-258.. 220

### **Veterans Services**

#### **Director**

G. Comstock, Res. #93-245206

### **Wyoming County Community**

#### **Hospital**

##### **Board of Directors**

C. Cox, Res. #93-010 ..... 12

##### **Board of Managers**

A. Parmele, Res. #93-208.. 171

J. Hurst, N. Smith, S. Hempel,  
R. George, Res. #93-260220

J. Miller, Dr. T. Naprawa, Res.  
#93-058 ..... 50

S. Wing, Res. #93-027..... 27

##### **Health Systems Agency**

S. Hemple, Res. #93-029 .... 29

## **B**

### **Board of Elections**

#### **Position Creation**

One (1) Position of Student Aide,  
Temporary, Res. #93-120 .... 91

### **Board of Supervisors**

#### **1993 Town Balances Approved,**

Res. #93-275 ..... 237

#### **1994 Equalization Table Adopted,**

Res. #93-254 ..... 215

#### **1994 Equalization Table Presented,**

Res. #93-252 ..... 212

#### **20 Copies of Annual Reports**

Requested, Res. #93-272..... 231

### **Allegany State Park Master Plan**

Opposed, Res. #93-066 ..... 58

### **Authorize Chairman and Clerk to**

Sign Tax Warrants, Res. #93-303

..... 266

## Proceedings of the Board of Supervisors

### **Borrowing**

Bond Resolution of the County of Wyoming, New York, dated October 12, 1993 for the Issuance and Sale of Bonds of the County of Wyoming, New York, in the Amount of \$1,000,000.00 for the Renovation of Property Located at 3791 South Warsaw Road, Warsaw, New York, and Renovation of Property Located at 466 North Main Street, Warsaw, New York, for County Purposes, Res. #93-272 ..... 190

Bond Resolution of the County of Wyoming, New York, dated September 14, 1993, for the Issuance and Sale of Bonds of the County of Wyoming, New York, in the amount of \$500,000.00 for the Acquisition of Hospital Equipment for County Purposes, Res. #93-216 ..... 177

Changes Date of January Regular Session, Res. #93-299 ..... 263

**Clerk** of the Board and/or Director to Advertise for Bids for Copier Equipment, Res. #93-111 ..... 87

**Columbia** County Resolutions Supported, Res. #93-214 ..... 175

**Conference** of Mental Hygiene Directors Supported, Res. #93-091 ..... 75

**Continued** Study of Committee Restructure Supported., Res. #93-045 ..... 40

### **Contracts / Agreements**

Arts Council for Wyoming County, Res. #93-005 ..... 9

BKBMA Management Consultants, Res. #93-038 ..... 36

Business Education Council, Res. #93-042 ..... 38

Cafeteria Plan, Res. #93-220 . 184

### Civil Service Employees

Association, Inc., Res. #93-195 ..... 165

Cornell Cooperative Extension, Res. #93-271 ..... 230

Erie Wyoming County Soil and Water Conservation District Board, Res. #93-005 ..... 9

Frontier Food Services, Inc., Res. #93-136 ..... 107

Mercy Flight, Res. #93-061 ..... 52

Retco Inc., Res. #93-043 ..... 39

RG&E, Res. #93-135 ..... 107

Tasmithassociates, Inc., Res. #93-196 ..... 166

Wyoming County Fair Association, Res. #93-005 ..... 9

Wyoming County Library System, Res. #93-005 ..... 9

Wyoming County Soil and Water Conservation District Board, Res. #93-005 ..... 9

Wyoming County Tourist Promotion Agency, Res. #93-005 ..... 9

### **Contracts / Agreements Amended**

Intermunicipal Solid Waste Agreement, Res. #93-207 .. 171

Research Foundation, Res. #93-197 ..... 166

Research Foundation, Res. #93-198 ..... 167

### **Contribution** to RDC 1993

Approved, Res. #93-093 ..... 76

**Creation** of 51<sup>st</sup> State Supported, Res. #93-125 ..... 95

**Date** for Annual Organizational Meeting Set, Res. #93-280..... 241

**Date** for Year End Meeting Set, Res. #93-280 ..... 241

**Date** of March 1993 Meeting Changed, Res. #93-048 ..... 43

**Date** of Public Hearing for 1994 Budget Set, Res. #93-253..... 212

**Denial** Under Freedom of Information Amended (Res. #78-108), Res. #93-094 ..... 76

**Elimination** of Administrative Adjudication for Alleged Parole

# Proceedings of the Board of Supervisors

273

Violators Opposed, Retention of	05/11/93.....	81
Revocation Process with Full	06/08/93.....	104
State Reimbursement to	07/13/93.....	116
Localities Supported, Res. #93-071 .....	08/10/93.....	150
..... 62	09/14/93.....	163
<b>Essex</b> County Position Supported,	10/12/93.....	183
Res. #93-162 .....	11/09/93.....	199
<b>Further Planning Re</b>	11/30/93.....	214
County Administrator Supported.,	12/14/93.....	217
Res. #93-046..... 41		
<b>GTC</b> Approved as Services		
Coordinator for Public		
Transportation, Res. #93-266. 224		
<b>Home Rule Request</b>		
Maintain Sales Tax Increase		
Approved, Res. #93-078..... 68		
Maintain Sales Tax Increase		
Approved, Res. #93-147.... 113		
Maintain Sales Tax Increase, Res.		
#93-117 .....	90	
<b>Increasing</b> the Rate of Taxes on		
Sales and Uses of Tangible		
Personal Property and on Certain		
Services, and on Occupancy of		
Hotel Rooms and Amusement		
Charge, Pursuant to Article 29 of		
the Tax Law of the State of New		
York, Res. #93-178..... 146		
<b>Increasing</b> the Rate of Taxes on		
Sales and Uses of Tangible		
Personal Property and on Certain		
Services, and on Occupancy of		
Hotel Rooms and Amusement		
Charge, Pursuant to Article 29 or		
the Tax Law of the State of New		
York, Res. #93-162..... 125		
<b>January</b> 1994 Regular Session		
Changed, Res. #93-282..... 242		
<b>Litigation</b> Against NYS, Re		
Unconstitutional Mandates,		
Supported, Res. #93-270 ... 230		
<b>Meetings</b>		
<b>Annual Organization Meeting</b>		
01/05/93..... 1		
<b>Regular Session</b>		
01/12/93..... 5		
02/09/93..... 20		
03/10/93..... 46		
04/13/93..... 66		
<b>Special Session</b>		
05/25/93..... 99		
07/26/93..... 145		
12/28/93..... 246		
<b>Membership</b> to the RGRTA		
Approved, Res. #93-161 .....	123	
<b>National</b> Unfunded Mandates Day		
Supported, Res. #93-223..... 187		
<b>Negative</b> Declaration on Hospital		
Construction Issued, Res. #93-072 .....	63	
<b>Notice</b> of Intent to Act as Lead		
Agency., Res. #93-044..... 39		
<b>NYS</b> Legislative Support Required		
for Increase in Sales Tax, Res.		
#93-049..... 43		
<b>Official</b> Newspapers Designated,		
Res. #93-002 .....	2	
<b>Position Creation</b>		
One (1) Position of Dispatcher,		
Part Time Extended, Res. #93-119..... 91		
<b>Proposed</b> Tariff Increase by NY		
Telephone Opposed, Res. #93-230 .....	194	
<b>R/GRTA</b> Designated as CSO for		
Countywide Public		
Transportation System, Res. #93-170 .....	132	
<b>Requesting</b> a State Program for		
Rabies Vaccination of Livestock		
in the State of New York, Res.		
#93-124..... 94		
<b>Resolution</b> Accepting the Draft		
Environmental Impact Statement		
for the Proposed New Wyoming		
County Courthouse, Directing the		
Completion of Tasks That are		
Required by the State		
Environmental Quality Review		

## Proceedings of the Board of Supervisors

<p><b>Regulations and the Distribution of Copies of the Report for Public Review, Setting the Date for a Public Hearing, and Establishing the Length of the Public Comment Period, Res. #93-283</b> ..... 242</p> <p><b>Resolution Accepting the Full Environmental Assessment Form for the Proposed New Wyoming County Courthouse, Making a Determination of Significance (Positive Declaration) that the Proposed Actions May have a Significant Impact on the Environment, and Directing that the First Stage in the Preparation of an Environmental Impact Statement and Other Appropriate Steps to Comply with the State Environmental Quality Review law and Regulations be Undertaken, Res. #93-129</b> ..... 99</p> <p><b>Resolution No. 93-163 Rescinded, Res. #93-177</b> ..... 145</p> <p><b>Resolution of the Board of Supervisors Levying Taxes and Assessments Required for Purpose of Annual Budget of Towns of Wyoming County, Res. #93-289</b> ..... 248, 251</p> <p><b>Restoration of Probation Funds in NYS Budget Supported, Res. #93-100</b> ..... 79</p> <p><b>Restructuring of Horse Racing in NYS Opposed, Res. #93-068</b> ..... 60</p> <p><b>Return School Tax Levies Authorized, Res. #93-291</b> ..... 254</p> <p><b>Returned Recycling Fees and Recycling Fees Levied, Res. #93-300</b> ..... 263</p> <p><b>Rules of Procedure Amended Re Solid Waste, Res. #93-279</b> ..... 240</p> <p><b>Rules of Procedure for 1993 Adopted, Res. #93-074</b> ..... 65</p> <p><b>Semi-Annual Mortgage Tax Distribution Approved, Res. #93-121</b> ..... 91</p>	<p><b>Semi-Annual Mortgage Tax Report, Res. #93-243</b> ..... 204</p> <p><b>State Charge Status for Medical Assistance Costs Supported, Res. #93-089</b> ..... 74</p> <p><b>Supports Mandate and Tax Relief Efforts, Res. #93-034</b> ..... 35</p> <p><b>Temporary Rules of Procedure Adopted, Res. #93-001</b> ..... 2</p> <p><b>Tentative 1994 Budget for Wyoming County Approved, Res. #93-255</b> ..... 216</p> <p><b>Budget Office</b></p> <p><b>Appropriations</b></p> <p>01/12/93, Res. #93-004 ..... 8</p> <p><b>1993</b></p> <p>01/09/93, Res. #93-021 ..... 20</p> <p>02/09/93, Res. #93-033 ..... 34</p> <p>03/10/93, Res. #93-053 ..... 47</p> <p>04/13/93, Res. #93-075 ..... 66</p> <p>05/11/93, Res. #93-101 ..... 81</p> <p>06/08/93, Res. #93-132 ..... 104</p> <p>06/08/93, Res. #93-150 ..... 115</p> <p>07/13/93, Res. #93-151 ..... 116</p> <p>08/10/93, Res. #93-179 ..... 150</p> <p>09/14/93, Res. #93-193 ..... 163</p> <p>10/12/93, Res. #93-236 ..... 197</p> <p>11/09/93, Res. #93-238 ..... 201</p> <p>12/14/93, Res. #93-257 ..... 219</p> <p>12/14/93, Res. #93-276 ..... 238</p> <p>12/28/93, Res. #93-287 ..... 247</p> <p><b>Rescinded</b></p> <p><b>1993</b></p> <p>09/14/93, Res. #93-212 ..... 174</p> <p><b>Funds Adjusted in Various 1992 Hospital Accounts, Res. #93-047</b> ..... 41</p> <p><b>Transfers</b></p> <p>01/12/93, Res. #09-003 ..... 5</p> <p>12/14/93, Res. #93-256 ..... 217</p> <p><b>1992</b></p> <p>04/13/93, Res. #93-096 ..... 78</p> <p><b>1993</b></p> <p>01/09/93, Res. #93-021 ..... 20</p> <p>03/10/93, Res. #93-052 ..... 46</p> <p>05/11/93, Res. #93-102 ..... 82</p> <p>06/08/93, Res. #93-133 ..... 105</p> <p>07/13/93, Res. #93-152 ..... 118</p> <p>08/10/93, Res. #93-180 ..... 151</p>
---	---

## **Proceedings of the Board of Supervisors**

275

09/14/93, Res. #93-194..... 164
10/12/93, Res. #93-219..... 183
11/09/93, Res. #93-237..... 199
12/28/93, Res. #93-286..... 246

### **Buildings & Grounds**

#### **Bids Advertised**

MRB Group (New Roof on South Warsaw Facility), Res. #93-137..... 108
--

#### **Contracts / Agreements**

Francis A. Simons & Assoc. Inc., Res. #93-241..... 203
Frank C. Kellner Co., Inc., Res. #93-241 ..... 203
MRB Group, Res. #93-090..... 75
Oatka Valley Construction Co. Inc., Res. #93-241..... 203
Whitney East, Inc., Res. #93-241 ..... 203

#### **Grants Amended**

Homeless Grant, (Res. #92-47), Res. #93-140..... 109
--

#### **Position Creation Amended**

One (1) Temporary Position of Account Clerk Extended (Res. #93-97 and Res #93-156), Res. #93-186 ..... 156
One (1) Temporary Position of Clerk Extended, (Res #92-311), Res. #93-229 ..... 193
Title of Nurse be Corrected to Registered Professional Nurse (RPN) ( Res. #92-99 and Res #92-160), Res. #93-155 ..... 120

#### **Preliminary Office Design**

Planning, Rt 19 Building Approved, Res. #93-039 ..... 37
--

### **Business Education Council**

#### **Appointments**

R. Bowles, Res. #93-023 ..... 25
----------------------------------

## **C**

### **Civil Service**

#### **Position Creation**

One (1) .5 Temporary Position of Building Maintenance Helper, Res. #93-016..... 16
--

One (1) Position of Typist, Res. #93-262 ..... 222
--

#### **Position Creation Amended**

One (1) Position of Building Maintenance Helper ,(Res. #93-016), Res. #93-123 ..... 93
--

### **Community Action Agency Board**

#### **Appointments**

A. Humphrey, Res. #93-158 .. 122
I. Glaus, R. Bowles, E. Gillette, R. Haller Jr., W. Faulkner., Res. #93-013..... 13
I. Glaus, R. Bowles, E. Gillette, R. Haller Jr., W. Faulkner., Res. #93-014..... 14
M. Barber, C. Cox, Res. #93-076 ..... 67

### **Community Action Agency**

#### **Appointments**

Rev. A. Chalmers, K. Murtha, Rev. C. Williman, Res. #93-293 ..... 256
---

#### **Coroner**

Cost per Case, (Res. #87-28), Res. #93-116 ..... 89
---

#### **County Clerk**

#### **Contracts / Agreements**

Wyoming Abstract Co., Inc., Res. #93-037 ..... 36
---

#### **Position Creation**

One (1) Position of Clerk for Records Management, Res. #93-017 ..... 16
One (1) Position of Index Clerk, Res. #93-019..... 18
One (1) Temporary Position of Index Clerk, Res. #93-067 ... 59
One (1) Temporary Position of Index Clerk, Res. #93-139. 109

#### **Position Creation Amended**

One (1) Position of Clerk for Records Management Salary Schedule Adjusted, Res. #93-244..... 206
--

One (1) Position of Clerk for Records Management Transferred from an Hourly Wage to Schedule G, Res. #93-244..... 206
---

## Proceedings of the Board of Supervisors

### **Court System**

#### **Contracts / Agreements**

Court Security, Res. #93-242. 204

## **D**

### **District Attorney**

#### **Contracts / Agreements**

CGR, Res. #93-149 ..... 114  
Keith Kibler, Res. #93-113 ..... 88

## **E**

### **Economic Development**

#### **Appointments**

##### **Director**

R. Tindell, Res. #93-259.... 220

#### **Contracts / Agreements**

Genesee/Finger lakes Regional  
Planning Council, Res. #93-  
292..... 256  
Stuart I. Brown Associates, Inc.,  
Res. #93-166..... 130

#### **Grants**

New York State Department of  
Transportation, Res. #93-160  
..... 123

**Petty Cash Fund for Economic  
Development Established, Res.  
#93-188..... 157**

#### **Position Creation**

One (1) Position of Typist (no  
more than 20 hours per week)  
Created, Res. #93-114 ..... 88

### **Emergency Services**

#### **Appointments**

##### **Fire Advisory Board**

C. Witkop, J. Myers, B.  
Frounick, R. Maher, D.  
Seymour, W. Caffery, M.  
Wilcox, W. Totsline, M.  
Keem, K. Vickers, M.  
Laraby, B. Miles, J.  
Reynolds, J. Ruddock, T.  
Dixon, D. Simons, J. Block,  
D. Parmerter, L. Powers,  
Res. #93-183 ..... 154

### **Emergency Services**

#### **Appointments**

##### **Fire Coordinator**

J. Fisher, Res. #93-302 ..... 265

##### **Mercy Flight Citizens Advisory Committee**

T. Moran, Res. #93-026..... 27

#### **Proclamations**

##### **Emergency Medical Services**

Week May 23-29, 1993

Proclaimed, Res. #93-126.... 95

### **Employment & Training Director**

#### **Appointments**

F. Fraser, Res. #93-022..... 24

### **Executive Secretary (Administrator)**

#### **Insurance Program**

#### **Appointments**

R. Luce, Res. #93-070 ..... 62

## **F**

### **Fire & Building Codes**

#### **Contracts / Agreements**

Genesee County, Res. #93-099 79  
Town of Perry, Res. #93-235. 197

## **G**

### **Genesee Finger Lakes Regional**

#### **Planning Council**

#### **Appointments**

W. Faulkner, A. Humphrey, Res.  
#93-202 ..... 169

#### **Approving Public Employees**

Fidelity (Blanket) Bond for  
Genesee/Finger Lakes Regional  
Planning Council, Res. #93-018  
..... 17

### **GLOW**

**1994 G.L.O.W. Solid Waste Budget**  
Approved , Res. #93-210 ..... 173

#### **Appointments**

##### **Advisory Committee**

J. Schlick, L. Rogers, K. Lowe,  
L. Nungent, Res. #93-02828

##### **Executive Committee**

H. Payne, Res. #93-028 ..... 28

##### **Planning Committee**

## Proceedings of the Board of Supervisors

277

M. Richards, R. Bowles, Res.  
#93-028 ..... 28

### **Private Industry Council**

C. Parker, K. Zeches, Res. #93-  
106 ..... 85  
D. Sprague, F. Towner, Res.  
#93-159 ..... 122

### **Solid Waste Management**

#### **Subcommittee**

H. Payne, R. Bowles, K. Lowe,  
W. Faulkner Jr., Res. #93-  
028 ..... 28

### **Contracts / Agreements**

GLOW Inter-Municipal  
Agreement, Res. #93-086.... 72

## **H**

### **Highway**

#### **Contracts / Agreements**

Federal Aid (Centerline Road  
Bridge over Tonawanda  
Creek), Res. #93-062.... 52, 54  
Federal Aid (Replacement of 3  
Bridges), Res. #93-182..... 153  
New York State Department of  
Transportation Detour, Res.  
#93-015 ..... 14  
Snow Removal and Ice Control  
Contracts, Res. #93-226 .... 189

County Highway Superintendent  
Authorized to Order Vehicles,  
Res. #93-069 ..... 61

#### **Increase in Petty Cash Fund**

Approved, Res. #93-172 ..... 134

### **New York State Detours**

New York State Department of  
Transportation, Res. #93-250  
..... 210

## **Hospital**

**Resolution** 91-304 Amended, Re  
Establishing the Operating Line  
of Credit for the Hospital ( Res.  
#91-304), Res. #93-156  
..... 121

## **Human Services**

#### **Appointments**

##### **Director**

M. Mucher, Res. #93-206.. 170

### **Contracts / Agreements**

New York State Housing Finance  
Agency, Res. #93-301 ..... 264

### **Position Transferred**

One (1) Position of Clerk  
(Information and Referral  
Program),, Res. #93-263.... 222  
One (1) Position of EISEP Case  
Manager (EISEP Program),  
Res. #93-263..... 222

## **I**

## **Inter-County Association of Western New York**

### **Appointments**

A. Petri, K. Lowe, R. Bowles,  
Res. #93-011..... 12

## **J**

### **Jail**

#### **Contracts / Agreements**

Oneida County, Res. #93-112.. 87

## **L**

## **Local Emergency Planning**

#### **Committee**

#### **Grants**

U.S. Department of  
Transportation, Res. #93-169  
..... 131

### **Local Laws**

#### **Adopted**

Local Law (R-A) (Creating the  
Assessment and Establishing  
its Rules and Regulations,  
Transferring Thereto the  
Assessment Functions and  
duties of and From the Towns  
Pursuant to Municipal Home  
Rule Law Section), Res. #93-  
131..... 102

Local Law (T) (Allowing for  
Exemption Under Section 3 of  
Public Officers Law of the

## **Proceedings of the Board of Supervisors**

<p>State of New York), Res. #93-146..... 112</p> <p>Local Law No. (S) (Establishing the Position of Administrator of the County of Wyoming), Res. #93-176..... 136</p> <p><b>Introduced – Public Hearing Set</b></p> <p>Local Law A (Establishes the Salary of the County Historian), Res. #93-273.... 235</p> <p>Local Law A (Establishing Salary for the County Historian), Res. #93-307 ..... 268</p> <p>Local Law B (Establishes the Salary of the District Attorney), Res. #93-273 ... 235</p> <p>Local Law B (Establishing Salary for the District Attorney), Res. #93-307 ..... 268</p> <p>Local Law C (Establishes the Salary of the Employment and Training Director), Res. #93-273..... 235</p> <p>Local Law C (Establishing Salary for the Employment and Training Director), Res. #93-307..... 268</p> <p>Local Law D (Establishes the Salary of the Highway Superintendent), Res. #93-273 ..... 235</p> <p>Local Law D (Establishing Salary for the Highway Superintendent), Res. #93-307 ..... 268</p> <p>Local Law E (Establishes the Salary of the Deputy Highway Superintendent), Res. #93-273 ..... 235</p> <p>Local Law E (Establishing Salary for the Highway Deputy Superintendent), Res. #93-307 ..... 268</p> <p>Local Law F (Establishes the Salary of the Human Services Director), Res. #93-273 .... 235</p> <p>Local Law F (Establishing Salary for the Human Services Director), Res. #93-307 .... 268</p>	<p>Local Law F (Salaries for Certain County Officers for the Year 2008), Res. #93-145 ..... 112</p> <p>Local Law G (Establishes the Salary of the Personnel Officer), Res. #93-273 ..... 235</p> <p>Local Law G (Establishing Salary for the Personnel Officer), Res. #93-307 ..... 268</p> <p>Local Law H (Establishes the Salary of the Commissioner of Social Services), Res. #93-273 ..... 235</p> <p>Local Law H (Establishing Salary for the Commissioner of Social Services), Res. #93-307 .... 268</p> <p>Local Law I (Establishes the Salary of the Youth Bureau Director), Res. #93-273 .... 236</p> <p>Local Law I (Establishing Salary for the Youth Bureau Director), Res. #93-307 .... 268</p> <p>Local Law R (County and Local Advisory Boards of Assessment Review), Res. #93-095 ..... 77</p> <p>Local Law T (Local law Introductory Number T, Year 1993 County of Wyoming, New York Local Law Allowing for Exemption Under Section 3 of Public Officers Law of the State of New York), Res. #93-130 ..... 101</p> <p>Local Law R-A (Creating the Wyoming County Department of Assessment, and Establishing its Rules and Regulations; Transferring Thereto the Assessment Functions and Duties of and from the Towns Pursuant to Municipal Home Rule Law Section 33-a..... 97</p>
--	---

## M

### **Mental Health Appointments**

## **Proceedings of the Board of Supervisors**

279

<b>Alcohol/Substance Abuse</b>	
<b>Subcommittee</b>	
A. Petri, Res. #93-294 .....	257
H. Page, Res. #93-024 .....	25
<b>Community Services Board</b>	
A. Strathearn, A. Petri, Res. #93-294 .....	257
S. Zubek, Res. #93-057 .....	50
<b>MR/DD Subcommittee</b>	
Rev. C. Nonnenberg, Res. #93-024 .....	25
<b>Subcommittee</b>	
A. Strathearn, Res. #93-294257	
Dr. T. Mazzone, Rev. C. Nonnenberg, H. Page, Res. #93-024 .....	25
<b>Contracts / Agreements</b>	
Allegany Rehabilitation Associated, Inc (To Maintain a Continuing Treatment Program), Res. #93-295....	258
Allegany Rehabilitation Associated, Inc. (To Provide Staffing for the Core Service Agency CSS Funds), Res. #93-295.....	258
Allegany Rehabilitation Associates, Inc. (Adult ICM Wrap Around Funds), Res. #93-295 .....	258
Allegany Rehabilitation Associates, Inc. (Chemical Abuse Treatment Programs--Alcohol Services and Drug Abuse Services) Res. #93-295 .....	258
Allegany Rehabilitation Associates, Inc. (Child & Adolescent ICM program), Res. #93-295.....	258
Allegany Rehabilitation Associates, Inc. (COPS - Comprehensive Outpatient Provider Services), Res. #93-295.....	258
Allegany Rehabilitation Associates, Inc. (Mental Health Clinic Treatment Program, Inclusive of the Forensic and	
Crisis programs), Res. #93-295 .....	258
Allegany Rehabilitation Associates, Inc. (To Provide Staffing for the Core Service Agency CSS Funds), Res. #93-295.....	258
Hands and Hearts Together, Inc., Res. #93-295.....	258
Livingston/Wyoming Association, Res. #93-295 ..	258
NYS Division for Substance Abuse Services, Res. #93-295 .....	258
Suburban Adult Services Inc., Res. #93-224 .....	188
Suburban Adult Services, Inc., Res. #93-295.....	258
WNY Office of Mental Health (Memorandum of Understanding ), Res. #93-295 .....	258
Wyoming County Community Hospital, Res. #93-284 .....	244
Wyoming County Community Hospital, Res. #93-295 .....	258

## **O**

### **Office for the Aging Appointments**

#### **Advisory Board Members**

A. Parmele, K. Murtha, L. Deahn, M. Lemley, Res. #93-261 .....	221
--	-----

#### **Advisory Council**

K. Lowe, Res. #93-077 .....	67
-----------------------------	----

#### **Director**

S. Wheeler, Res. #93-299 ..	263
-----------------------------	-----

#### **Authorized OFA Director to**

Advertise for Bids, Res. #93-032 .....	34
--	----

#### **Bids Authorized**

Bids for Dietician Services, Res. #93-246 .....	207
---	-----

#### **Contracts / Agreements**

Annual Implementation Plan, Res. #93-240.....	202
---	-----

## **Proceedings of the Board of Supervisors**

	<b>County General</b>
	Revised Purchasing Policy
	Adopted, Res. #93-144 ..... 111
	<b>Policies Amended</b>
	<b>County General</b>
	Purchasing Policy (Res# 88-175),
	Res. #93-031 ..... 31
	<b>Position Abolished</b>
	<b>Civil Service</b>
	One (1) Position of Senior Data
	Entry Maching Operator, Res.
	#93-262 ..... 222
	<b>Highway</b>
	One (1) Position of
	Superintendent of Buildings
	and Grounds Abolished, Res.
	#93-268 ..... 225
	<b>Mental Health</b>
	One (1) Position of Staff
	Psychiatrist, Res. #93-268 . 225
	One (1) Position of Supervising
	Clinical Psychologist
	Abolished, Res. #93-268 ... 225
	One (1) Position of Supervising
	Social Worker Abolished, Res.
	#93-268 ..... 225
	<b>Office for the Aging</b>
	One (1) Position of Deputy
	Director, Abolished, Res. #93-
	268 ..... 225
	<b>Position Created</b>
	<b>Civil Service</b>
	One (1) Position of Typist, Res.
	#93-262 ..... 222
	<b>Position Creation</b>
	<b>Board of Elections</b>
	One (1) Position of Student Aide,
	Temporary, Res. #93-120 .... 91
	<b>Board of Supervisors</b>
	One (1) Position of Dispatcher,
	Part Time Extended, Res. #93-
	119 ..... 91
	<b>Civil Service</b>
	One (1) .5 Temporary Position of
	Building Maintenance Helper,
	Res. #93-016 ..... 16
	<b>County Clerk</b>
<b>Decrease</b>	
	Rent on OFA Building,
	Res. #93-118 ..... 90
<b>Decrease</b>	
	Community Services Block
	Grant, Res. #93-040..... 38
	Community Services Block
	Grant, Res. #93-167..... 130
<b>Decrease</b>	
	One (1) Part-Time Position of
	Weatherization Program
	Inspector Part-Time, Res. #93-
	189..... 158
	One (1) Position of Account
	Clerk .5 FTE, Res. #93-229193
	One (1) Position of Account
	Clerk, Res. #93-097..... 78
<b>Decrease</b>	
	Temporary Position of Account
	Clerk Extended ( Res. #93-97)
	Res. #93-156..... 121
<b>Decrease</b>	
	<b>Office for the Aging Amended</b>
	<b>Position Creation</b>
	One (1) Position of Part Time
	Clerk to Correct the Hourly
	Wage (Res #93-229), Res. #93-
	244..... 206
<b>Decrease</b>	
	<b>Office of Employment &amp; Training</b>
	<b>Position Creation</b>
	One (1) Position of Motor
	Vehicle Operator Seasonal,
	Res. #93-122..... 93
<b>Decrease</b>	
	<b>Planning &amp; Development</b>
	<b>Appointments</b>
	<b>Planning Board</b>
	Paul Bijnhower, Res. #93-222
	..... 186
<b>Decrease</b>	
	<b>Policies</b>
	<b>Index</b>

## **Proceedings of the Board of Supervisors**

281

One (1) Position of Clerk for Records Management, Res. #93-017 .....	16
One (1) Position of Index Clerk, Res. #93-019.....	18
One (1) Temporary Position of Index Clerk, Res. #93-067... ..	59
One (1) Temporary Position of Index Clerk, Res. #93-139. ..	109
<b>Economic Development</b>	
One (1) Position of Typist (no more than 20 hours per week) Created, Res. #93-114 .....	88
<b>Office for the Aging</b>	
One (1) Position of Account Clerk .5 FTE, Res. #93-229193 .....	
One (1) Position of Account Clerk, Res. #93-097.....	78
One (1) Position of Weatherization Program Inspector Part-Time, Res. #93-189.....	158
<b>Office of Employment &amp; Training</b>	
One (1) Position of Motor Vehicle Operator Seasonal, Res. #93-122.....	93
<b>Public Health</b>	
One (1) Position of Clerk, Full Time Created, Res. #93-304 .....	266
One (1) Position of Public Health Nurse, Res. #93-211 .....	173
One (1) Temporary .6 FTE Position of Registered Professional Nurse and One (1) Temporary .4 FTE Position of Registered Professional Nurse, Res. #93-184.....	155
One Temporary Position of Director of Patient Services in Public Health Created, Res. #93-181 .....	152
<b>Records Management</b>	
One Position of Clerk Extended, Res. #93-168.....	131
<b>Sheriff</b>	
One (1) Position of Dispatcher, Part Time Extended, Res. #93-115.....	89
<b>Social Services</b>	
One (1) Position of Administrative Secretary, Res. #93-209 .....	172
One (1) Position of Administrator Services, PT, Res. #93-209 .....	172
One (1) Position of Clerk Temporary, Full Time, Created, Res. #93-306 .....	267
One (1) Position of Deputy Commissioner of Department of Social Services, Res. #93-209 .....	172
One (1) Position of Senior Account Clerk, Full Time Created, Res. #93-305 .....	267
One (1) Position of Social Services Information Systems Administrator, Res. #93-209 .....	172
One Position of Caseworker, Res. #93-278 .....	240
One Position of Data Entry Operator (DEO), Res. #93-278 .....	240
One Position of Support Investigator, Res. #93-278. ..	240
<b>Treasure</b>	
One (1) Position of Account Clerk/Typist, Res. #93-229 193 .....	
<b>Veterans Services</b>	
One (1) Position of Clerk, PT (temporary), Res. #93-138. ..	108
<b>Position Creation Amended</b>	
<b>Buildings &amp; Grounds</b>	
One (1) Temporary Position of Account Clerk Extended (Res. #93-97 and Res #93-156), Res. #93-186 .....	156
<b>Civil Service</b>	
One (1) Position of Building Maintenance Helper ( Res. #93-016), Res. #93-123 .....	93
<b>County Clerk</b>	
One (1) Position of Clerk for Records Management Salary Schedule Adjusted, Res. #93-244.....	206

## Proceedings of the Board of Supervisors

<b>One (1) Position of Clerk for</b>	
Records Management	Emergency Services
Transferred from an Hourly	Emergency Medical Services
Wage to Schedule G, Res. #93-	Week May 23-29, 1993
244.....206	Proclaimed, Res. #93-126.... 95
<b>Office for the Aging</b>	<b>Public Health</b>
One (1) Position of Part Time	Aids' Awareness Month
Clerk to Correct the Hourly	Proclaimed, Res. #93-092.... 75
Wage (Res #93-229), Res. #93-	National Home Care Weekend
244.....206	Proclaimed, Res. #93-251.. 211
One (1) Temporary Position of	Public Health Nursing Month
Clerk Extended, (Res #92-	Declared, Res. #93-174 .... 135
311), Res. #93-229 .....	World Aids Day Proclaimed, Res.
Temporary Position of Account	#93-249 .....
Clerk Extended ( Res. #93-97),	209
Res. #93-156.....121	
<b>Public Health</b>	<b>Social Services</b>
Title of Nurse be Corrected to	Proclaims Down Syndrome
Registered Professional Nurse	Awareness Month Proclaimed,
(RPN) ( Res. #92-99 and Res	Res. #93-215..... 176
#92-160), Res. #93-155 .... 120	
<b>Social Services</b>	<b>Veterans Services</b>
One (1) Position of Deputy	Domestic Violence Awareness
Commissioner of Social	Month Proclaimed, Res. #93-
Services Extended, (Res. #92-	221..... 185
245), Res. #93-105 .....	
<b>Position Transferred</b>	<b>Public Defender</b>
<b>Human Services</b>	<b>Appointments</b>
One (1) Position of Clerk	N. Effman, Res. #93-290 .....
(Information and Referral	253
Program), Res. #93-263..... 222	
One (1) Position of EISEP Case	<b>Public Health</b>
Manager (EISEP Program),	<b>Appointments</b>
Res. #93-263..... 222	<b>Board of Health</b>
<b>Probation</b>	R. Bowles, Res. #93-009 .... 11
<b>Contracts / Agreements</b>	
Attica Legal Aid, Res. #93-233	<b>Community Services Board</b>
.....195	Dr. T. Mazzone, Rev. C.
New York State Division of	Nonnenberg, H. Page, Res.
Probation and Correctional	#93-024 .....
Alternatives, Res. #93-164 129	25
NYS DCJS, Res. #93-233..... 195	Dr. T. Mazzone, Rev. C.
PINS Adjusted Service Plan, Res.	Nonnenberg, H. Page, Res.
#93-128 .....	#93-025 .....
<b>Contracts / Agreements Amended</b>	26
NYS Division of Probation and	<b>Bids Advertised</b>
Correctional Alternatives, Res.	For New Telephone System Res.
#93-200 .....	#93-143 .....
<b>Proclamations</b>	110
<b>Contracts / Agreements</b>	<b>Contracts / Agreements</b>
Aurora Home Care, Inc., Res.	
#93-296 .....	#93-296 .....
Barbara Maher, Res. #93-296	260
Cattargus/Allegany/Erie/Wyomin	
g BOCES, Res. #93-185.... 156	
Community Nursing, P.C., Res.	
#93-050 .....	44
Consultant Professional Engineer,	
Res. #93-296..... 260	

## Proceedings of the Board of Supervisors

283

Dennis Wahr, RPT, Res. #93-2956.....	260
Donna Cady, Res. #93-2956 ..	260
Elizabeth Rice., Res. #93-296	260
Family Nurse Practitioner Services, Res. #93-190.....	158
Family Nurse Practitioner Services, Res. #93-191.....	158
Family Planning Clinic (NYSHD), Res. #93-296 ...	260
Family Planning Nurse Practitioner, Res. #93-296 .	260
Genesee Delivery (Water Courier), Res. #93-2956 ....	260
Health Research Inc., Res. #93-296.....	260
Infant Health Assessment Program, Res. #93-296.....	260
Joanne Ballard (Janitorial Service), Res. #93-296 .....	260
Kimberly Quality Care, Inc., Res. #93-296 .....	260
New York State Health Department (Rabies Services Reimbursement), Res. #93-296 .....	260
New York State Health Department., Res. #93-296	260
Norrell Health Care Services, Res. #93-036.....	36
Norrell Home Care, Res. #93-296 .....	260
Nurse Practitioner Contract, Res. #93-087 .....	73
R. Patel, MD, Res. #93-296 ...	260
T. Dolojan, MD, Res. #93-296	260
Wyoming Area Homemakers Services Inc. (Community Services for the Elderly), Res. #93-081 .....	69
Wyoming Area Homemakers Services Inc. (Expanded in Home Service for the Elderly Program), Res. #93-081.....	69
Wyoming Area Homemakers, Res. #93-2956.....	260
Wyoming County Public Health Department, Res. #93-081 ...	69
<b>Grants</b>	
Adolescent Tobacco Grant, Res. #93-296 .....	260
Ann Cornell, (Program Assistant ) , Res. #93-296.....	260
Community Awareness Activities Grant., Res. #93-051.....	44
New York State Department of Health, Res. #93-079 .....	68
New York State Department of Health, Res. #93-080 .....	69
New York State Health Department (Early Intervention Program) , Res. #93-296....	260
New York State Health Department (Home Care Grant) , Res. #93-296 .....	260
New York State Health Department (Immunization Grant (IAP)) , Res. #93-296 .....	260
New York State Health Department (Immunization Grant ) , Res. #93-296 .....	260
Wyoming County Office of Training and Employment Opportunities, Res. #93-148 .....	114
<b>Position Creation</b>	
One (1) Position of Clerk, Full Time Created, Res. #93-304 .....	266
One (1) Position of Public Health Nurse, Res. #93-211 .....	173
One (1) Temporary .6 FTE Position of Registered Professional Nurse and One (1) Temporary .4 FTE Position of Registered Professional Nurse, Res. #93-184.....	155
One Temporary Position of Director of Patient Services in Public Health Created, Res. #93-181 .....	152
<b>Proclamations</b>	
Aids' Awareness Month Proclaimed, Res. #93-092....	75
National Home Care Weekend Proclaimed, Res. #93-251..	211

## Proceedings of the Board of Supervisors

Public Health Nursing Month Declared, Res. #93-174 .....	135	93-005, Chairman Authorized to Sign Letters of Understanding ... 9
World AIDS Day Proclaimed, Res. #93-249 .....	209	93-006, Chairman Authorized to Sign Contract with Genesee County for Printing Tax Rills and Bills.....10
<b>R</b>		93-007, Chairman Authorized to Sign Contract with Cattaraugus County for Non-Secure Detention Facility.....10
Real Property Tax Services Contracts / Agreements		93-008, Supervisor Member Reappointed to RC&D Council 11
Genesee County, Res. #93-006 10		93-009, Supervisor Member Reappointed to RC&D Council 11
Zientek Realty, Res. #93-109... 86		93-010, Supervisor Member Reappointed to Cooperative Extension Board of Directors... 12
Corrections of Errors Approved		93-011, Members Appointed to Inter-County Association of Western New York .....12
Arcade, Bennington, and Warsaw, Res. #93-056.....49		93-012, Members Reappointed to Region 9 Fish and Wildlife Council .....13
Bennington, Res. #93-020 ..... 18		93-013, Supervisor Members Reappointed to Community Action Agency Board .....13
Bennington, Res. #93-030 ..... 30		93-014, Supervisor Members Reappointed to Soil and Water Conservation District Board .... 14
Bennington, Res. #93-088 ..... 73		93-015, Authorized Agreement by the County of Wyoming to Maintain a Portion of the Highway from Sta .3+75 to Sta. .9+50 Designated as New York Project P.I.N. 4751.44, Centerling Road, B.I.N. 3320000 .....14
Gainesville, Res. #93-030 ..... 30		
Middlebury, Res. #93-030 ..... 30		
Orangeville, Res. #93-030 ..... 30		
Perry, Res. #93-020 ..... 18		
Town of Covington, Res. #93-154 .....119		
Town of Gainesville, Res. #93- 201.....168		
Town of Sheldon, Res. #93-154 .....119		
Town of Warsaw, Res. #93-225 .....188		
Records Management Grant		
Application for Funding, Res. #93-041 .....38		
Position Creation		
One Position of Clerk Extended, Res. #93-168.....131		
Region 9		
Appointments		
Fish & Wildlife Council		
R. Haller, Jr., Res. #93-012 . 13		
Resolutions		
93-001, Temporary Rules of Procedure Adopted .....	2	93-016, Temporary Position of Building Maintenance Helper in Civil Service Created .....16
93-002, Official Newspapers Designated .....	2	93-017, One Position of Clerk for Records Management in County Clerk's Office Created .....16
93-003, Funds Transferred to Various Accounts.....5		
93-004, Funds Appropriated to Various Accounts.....8		

## **Proceedings of the Board of Supervisors**

285

93-020, Errors Corrected in Towns of Perry and Bennington .....	18
93-021, Funds Transferred/ Appropriated in Various 1992 Accounts .....	20
93-022, F. Fraser Reappointed as Employment and Training Director .....	24
93-023, Member Appointed to Business Education Council ....	25
93-024, Members Appointed to Community Services Board and Various Subcommittees.....	25
93-025, R. Herman Reappointed to Region 9 – Forest Practice Board .....	26
93-026, Member Reappointed to Citizens Advisory Committee..	27
93-027, Member Appointed to Hospital Board of Managers ....	27
93-028, Member Appointed to Hospital Board of Managers ....	28
93-029, Member Reappointed to Health Systems Agency .....	29
93-030, Errors Corrected in Towns of Bennington, Gainesville, Middlebury and Orangeville....	30
93-031, Purchasing Policy Amended .....	31
93-032, Authorized OFA Director to Advertise for Bids.....	34
93-033, Funds Appropriated to Various 1993 DSS Accounts ...	34
93-034, Supports Mandate and Tax Relief Efforts .....	35
93-035, Chairman Authorized to Sign Emergency Community Services Homeless Grant .....	35
93-036, Chairman Authorized to Sign Contract for Home Health Aide Services .....	36
93-037, Use of Office Space in County Clerk's Office.....	36
93-038, Indirect Cost Recovery Contract Approved.....	36
93-039, Preliminary Office Design Planning, Rt 19 Building Approved .....	37
93-040, Chairman Authorized to Sign 1992-1993 CSBG Amendment .....	38
93-041, Chairman Authorized to Sign Application for Funding for Records Management .....	38
93-042, Letter of Understanding with Business Education Council Approved .....	38
93-043, Chairman Authorized to Sign Maintenance Agreement..	39
93-044, Notice of Intent to Act as Lead Agency.....	39
93-045, Continued Study of Committee Restructure Supported .....	40
93-046, Further Planning Re County Administrator Supported .....	41
93-047, Funds Adjusted in Various 1992 Hospital Accounts.....	41
93-048, Date of March 1993 Meeting Changed.....	43
93-049, NYS Legislative Support Required for Increase in Sales Tax.....	43
93-050, Contract for Inmate Health Assessment Approved.....	44
93-051, Chairman Authorized to Sign Grant Application for Community Awareness Activities Through Public Health.....	44
93-052, Funds Transferred in Various Mental Health Accounts .....	46
93-053, Funds Appropriated to Sheriff's Accounts .....	47
93-054, Rescinded Resolution No. 92-249, Re Increase Health Insurance Rates .....	48
93-055, Amended Resolution No. 92-268, Re Correct Placement of PHC Coordinator in Youth Bureau .....	48
93-056, Errors Corrected in Towns of Arcade, Bennington, and Warsaw .....	49

## Proceedings of the Board of Supervisors

93-057, Member Appointed to Community Services Board and Mental Health Subcommittees .....	50
93-058, Member Appointed to Community Services Board and Mental Health Subcommittees .....	50
93-059, Chairman Authorized to Sign Various Renewal Contracts for PHC.....	51
93-060, Chairman Authorized to Sign Grant Application for Anti-Drug Abuse Act Program .....	51
93-061, Chairman Authorized to Sign Contract with Mercy Flight .....	52
93-062, Authorizing the County of Wyoming to Participate to the Extent of up to 100% of the Non-Federal Share in the Cost of a Federal-Aid Project not on the State Highway System Administered by New York State Department of Transportation .....	52, 54
93-064, Accepted 1992 Annual Reports on Dog License Fees ..	55
93-065, Accepted 1992 Worker's Compensation Annual Report..	56
93-066, Allegany State Park Master Plan Opposed.....	58
93-067, Temporary Index Clerk Position in County Clerk's Office Created.....	59
93-068, Restructuring of Horse Racing in NYS Opposed.....	60
93-069, County Highway Superintendent Authorized to Order Vehicles.....	61
93-070, R. Luce Reappointed Executive Secretary (Administrator) Insurance Programs.....	62
93-071, Elimination of Administrative Adjudication for Alleged Parole Violators Opposed, Retention of Revocation Process with Full State Reimbursement to Localities Supported .....	62
93-072, Negative Declaration on Hospital Construction Issued .....	63
93-073, Chairman Authorized to Sign Contract for Weatherization Supplies and Furnace Repairs for OFA .....	64
93-074, Rules of Procedure for 1993 Adopted .....	65
93-075, Funds Appropriated to Various Accounts.....	66
93-076, Supervisor Members Appointed to CAA Board .....	67
93-077, K. Lowe Appointed to the OFA Advisory Council.....	67
93-078, Home Rule Request to Maintain Sales Tax Increased Approved .....	67
93-079, Chairman Authorized to Sign Agreements to Form a Consortium of Counties to Expand Immunization Clinics..	68
93-080, Chairman Authorized to Sign Agreement for Grant to Provide Inventory Sites for Economic Development.....	69
93-081, Chairman Authorized to Sign Various Renewal Contracts .....	69
93-082, Chairman Authorized to Sign Various Renewal Contracts .....	70
93-083, Chairman Authorized to Sign Contract with Stuart Brown Associates, Inc .....	71
93-084, Chairman Authorized to Sign GLOW PIC Biennial Plan	71
93-085, Chairman Authorized to Sign Contract with NYS Ag & Markets .....	71
93-086, Chairman Authorized to Sign Amendment to GLOW Inter-Municipal Agreement .....	72
93-087, Nurse Practitioner Contract for Public Health Dept. Approved .....	73
93-088, Errors Corrected in Town of Bennington.....	73

## Proceedings of the Board of Supervisors

287

93-089, State Charge Status for Medical Assistance Costs Supported.....	74
93-090, Chairman Authorized to Sign a Contract with MRB Group Re Architectural Work on So. Warsaw Building.....	75
93-091, Conference of Mental Hygiene Directors Supported...	75
93-092, April 1993 Proclaimed as Aids' Awareness Month .....	75
93-093, Contribution to RDC 1993 Approved .....	76
93-094, Amended Resolution No. 78-108, Re Denial Under Freedom of Information.....	76
93-095, Local Law Introductory No. R, Year 1993.....	77
93-096, Funds Transferred to Within 1992 Accounts .....	78
93-097, Account Clerk Position Created in OFA.....	78
93-098, Chairman Authorized to Sign a Contract to Extend a Drug Enforcement Program Contract	78
93-099, Chairman Authorized to Sign a Contract Re Building & Fire Code Enforcement in Village of Attica, Genesee County .....	79
93-100, Restoration of Probation Funds in NYS Budget Supported .....	79
93-101, Funds Appropriated to Various Accounts.....	81
93-102, Funds Transferred to Various Accounts.....	82
93-103, P. Murray Appointed Commissioner of Social Services .....	83
93-104, Schedul "D" Amended to Set Salary of Commissioner....	84
93-105, Set Public Hearing – Introductory Local Law No. F Year 2008 .....	84
93-106, Members Appointed to GLOW Private Industry Council .....	84
93-107, Southern Tier Drug Task Force Enforcement Contract Authorized .....	85
93-108, Southern Tier Drug Task Force Enforcement Contract Authorized .....	85
93-109, Chairman Authorized to Sign Contract for Property Tax Auction Services .....	86
93-110, Chairman Authorized to Sign Lease for County Dog Pound.....	86
93-111, Clerk of the Board and/or Director to Advertise for Bids for Copier Equipment .....	87
93-112, Approved Contract with Oneida Co. for Guarding of Inmates.....	87
93-113, Chairman Authorized to Sign a Contract Re Student Intern in District Attorney's Office.....	88
93-114, Typist Position in Economic Development Created .....	88
93-115, Position of Dispatcher, Part Time, In Sheriff's Department/Jail Extended.....	89
93-116, Amended Resolution 87-82, Re Coroner Cost per Case .....	89
93-117, Home Rule Request to Maintain Sales Tax Increase Approved .....	90
93-118, Decrease Rent on OFA Building .....	90
93-119, Clerk Position Created in Board of Supervisors Office ....	91
93-120, Position of Student Aide in Board of Elections Created .....	91
93-121, Semi-Annual Mortgage Tax Distribution Approved .....	91
93-122, Position of Motor Vehicle Operator Seasonal, in OTEO Created.....	93

## **Proceedings of the Board of Supervisors**

<p>93-123, Set Public Hearing – Introductory Local Law No. F Year 2008 ..... 93</p> <p>93-124, Requesting a State Program for Rabies Vaccination of Livestock in the State of New York ..... 94</p> <p>93-125, Creation of 51<sup>st</sup> State Supported ..... 95</p> <p>93-126, Emergency Medical Services Week May 23-29, 1993 Proclaimed ..... 95</p> <p>93-127, Local Law Introductory No. R-A, Year 1993 ..... 97</p> <p>93-128, Authorized Chairman to Sign PINS Adjusted Service Plan for 1993-94 ..... 97</p> <p>93-129, Resolution Accepting the Full Environmental Assessment Form for the Proposed New Wyoming County Courthouse, Making a Determination of Significance (Positive Declaration) that the Proposed Actions May have a Significant Impact on the Environment, and Directing that the First Stage in the Preparation of an Environmental Impact Statement and Other Appropriate Steps to Comply with the State Environmental Quality Review law and Regulations be Undertaken ..... 99</p> <p>93-130, Local Law Introductory No. T, Year 1993 Presented ..... 101</p> <p>93-131, Local Law Introductory No. R-A, Year 1993 Adopted ..... 102</p> <p>93-132, Funds Appropriated to Justice and Constables Account ..... 104</p> <p>93-133, Funds Transferred Within Various Accounts ..... 104</p> <p>93-134, Chairman Authorized to Sign Early Intervention and PHC Programs for 193-94 ..... 105</p> <p>93-135, Agreement with RG&amp;E for Construction of Gas Pipeline Authorized ..... 107</p>	<p>93-136, Contract for Food Service Approved ..... 107</p> <p>93-137, Advertising by MRB Group for Bids for New Roof on South Warsaw Facility Authorized ..... 108</p> <p>93-138, Temporary Clerk Position, PT, Veteran's Services Created ..... 108</p> <p>93-139, Temporary Position of Index Clerk in County Clerk's Office Extended ..... 109</p> <p>93-140, Resolution Amended, Re Homeless Grant Contract ..... 109</p> <p>93-141, Matching Funds TPA Approved ..... 109</p> <p>93-142, Commitment to 1994 Matching Funds for TPA Approved ..... 110</p> <p>93-143, Public Health Director and/or Purchasing Director to Advertise for Bids for New Telephone System ..... 110</p> <p>93-144, Revised Purchasing Policy Adopted ..... 111</p> <p>93-145, Local Law Introductory No. S, Year 1993, Presented ..... 112</p> <p>93-146, Local Law Introductory No. T, Year 1993, Adopted ..... 112</p> <p>93-147, Home Rule Request to Maintain Sales Tax Increase Approved ..... 113</p> <p>93-148, Chairman Authorized to Sign Title V Application and Contracts ..... 114</p> <p>93-149, Chairman Authorized to Sign Contract with CGR, Re Study for a Full Time Position of DA ..... 114</p> <p>93-150, Funds Appropriated to Sheriff's Account ..... 115</p> <p>93-151, Funds Appropriated to Various Accounts ..... 116</p> <p>93-152, Funds Transferred Within Various Accounts ..... 118</p> <p>93-153, Approved CSEA Local #1000, General Unit Contract 118</p> <p>93-154, Error Corrected in Towns of Covington and Sheldon ..... 119</p>
--	---

## **Proceedings of the Board of Supervisors**

289

93-155, Resolution Nos 92-99 and 92-160 Amended Re Correct Title of Nurse in Public Health Department .....	120
93-156, Resolution 91-304 Amended, Re Establishing the Operating Line of Credit for the Hospital... 93-156, Resolution Nos 93-97 Amended Re Temporary Position of Account Clerk in OFA Extended.....	121
93-158, A. Humphrey Appointed to CAA Board .....	122
93-159, Members Appointed to GLOW PIC .....	122
93-160, Authorized Chairman to Sign Documents to Approve Agreement for RPTCAP Grant .....	123
93-161, Membership to the RGRTA Approved .....	123
93-162, Essex County Position Supported.....	124
93-162, Increasing the Rate of Taxes on Sales and Uses of Tangible Personal Property and on Certain Services, and on Occupancy of Hotel Rooms and Amusement Charge, Pursuant to Article 29 or the Tax Law of the State of New York.....	125
93-164, Chairman Authorized to Sign 1993/94 Contracts for Alternatives to Incarceration Programs .....	129
93-165, Clerk of the Board and/or DSS Commissioner to Advertise for Bids for Optical File Storage Equipment.....	129
93-166, Chairman Authorized to Sign Contract for Industrial Site/Building Director Prepartation.....	130
93-167, Chairman Authorized to Sign '93-94 CSBG Application .....	130
93-168, One Position of Clerk, Records Management Extended .....	131
93-169, Chairman Authorized to Sign U.S. DOT Grant Application .....	131
93-170, R/GRTA Designated as CSO for Countywide Public Transportation System .....	132
93-171, Appointments for Representation on the Board of Commissioners for R/GRTA . 93-172, Increase in Petty Cash Fund Approved .....	133
93-173, Authorized R/GRTA to File Grant Applications Under Section 18 of Urban Mass Transportation Act .....	134
93-174, Public Health Nursing Month Declared .....	135
93-175, Investment Policy for Wyoming County Approved, Chairman Authorized to Sign Custodial Agreements to Maintain Pledged Securities ..	137
93-176, Local Law Introductory No. S, Year 1993, Adopted.....	136
93-177, Resolution No. 93-163 Rescinded.....	145
93-178, Increasing the Rate of Taxes on Sales and Uses of Tangible Personal Property and on Certain Services, and on Occupancy of Hotel Rooms and Amusement Charge, Pursuant to Article 29 of the Tax Law of the State of New York .....	146
93-179, Funds Appropriated to Various Accounts.....	150
93-180, Funds Transferred Within Various Accounts.....	151
93-181, One Temporary Position of Director of Patient Services in Public Health Created .....	152
93-182, Resolution Authorizing the County of Wyoming to Participate to the Extent of Up to 100% of the Non-Federal Share in the Cost of a Federal-Aid Project	

## **Proceedings of the Board of Supervisors**

Not on the State Highway System Administered by the New York State Department of Transportation..... 153	93-201, Errors Corrected in Town of Gainesville ..... 168
93-183, Fire Advisory Board Members Appointed ..... 154	93-202, W. Faulkner and A. Humphrey Appointed to G/FLRPC ..... 169
93-184, Two Temporary Positions of RPN in Public Health Created 155	93-203, Schedule "D" Amended to Set Salary for Human Services Director ..... 169
93-185, Chairman Authorized to Sign PHC Contracts for 1992-93 1993-94..... 156	93-204, Authorized Sheriff to Advertise for Bids for New Patrol Boat in Sheriff's Department . 170
93-186, Resolution Nos. 93-97 and 93-156..... 156	93-205, Approved Increase in Petty Cash Fund for DSS ..... 170
93-187, Chairman/Youth Bureau Director Authorized to Sign Grant Application ..... 157	93-206, M. Mucher Appointed Director of Human Services... 170
93-188, Petty Cash Fund for Economic Development Established..... 157	93-207, Chairman Authorized to Sign 1994-5 Intermunicipal Solid Waste Agreement..... 171
93-189, Position of Weatherization Program Inspector, PT, Created in OFA ..... 158	93-208, A. Parmele Appointed to the WCCH Board of Managers.... 171
93-190, Chairman Authorized to Sign Contract for Family Planning Nurse Practitioner .... 158	93-209, Various Positions Created in DSS ..... 172
93-191, Chairman Authorized to Sign Contract for Family Planning Nurse Practitioner .... 158	93-210, 1994 G.L.O.W. Solid Waste Budget Approved..... 173
93-192, Salary Schedule "G", "H", "D" & "C" Extended..... 159	93-211, Various Positions Created in Public Health Department..... 173
93-193, Funds Appropriated to Various Accounts..... 163	93-212, Resolution No. 93-53 Rescinded Appropriation of Funds ..... 174
93-194, Funds Transferred to Various Accounts..... 164	93-213, AFP Board Established . 174
93-195, 1993 – 1995 Hospital Supervisory Contract Approved ..... 165	93-214, Columbia County Resolutions Supported ..... 175
93-196, Chairman Authorized to Sign Agreement for Consultant Services for Solid Waste..... 166	93-215, Proclaims Down Syndrome Awareness Month ..... 176
93-197, Amended Contract with Research Foundation/Re To Extend Date ..... 166	93-216, Bond Resolution of the County of Wyoming, New York, dated September 14, 1993, for the Issuance and Sale of Bonds of the County of Wyoming, New York, in the amount of \$500,000.00 for the Acquisition of Hospital Equipment for County Purposes ..... 177
93-198, Authorized Chairman to Sign Maintenance Agreement 167	93-217, 1993-1994 Schedule "F" Approved ..... 179
93-199, SDPP Application and other Documents Authorized ..... 167	93-218, Approves Property Auction Sales..... 180
93-200, 1992-93 Contract Apporved ..... 167	93-219, Funds Transferred Within Youth Bur./PHC Accounts.... 183

93-220, Chairman Authorized to Sign Cafeteria Plan ..... 184

93-221, Proclamation – Domestic Violence Awareness Month... 185

93-222, Various Members Appointed/Reappointed to Planning Board ..... 186

93-223, National Unfunded Mandates Day Supported..... 187

93-225, Error Corrected in Town of Warsaw ..... 188

93-226, Contracts for Snow Removal and Ice Control on County Roads Approved..... 189

93-227, Bond Resolution of the County of Wyoming, New York, dated October 12, 1993 for the Issuance and Sale of Bonds of the County of Wyoming, New York, in the Amount of \$1,000,000.00 for the Renovation of Property Located at 3791 South Warsaw Road, Warsaw, New York, and Renovation of Property Located at 466 North Main Street, Warsaw, New York, for County Purposes..... 190

93-228, Contract for Cellulose Insulation Approved ..... 192

93-229, Various Positions Created or Extended in OFA and County Treasurer's Office..... 193

93-230, Proposed Tariff Increase by NY Telephone Opposed..... 194

93-231, Resolution No. 93-199 Rescinded, Re SDPP Application and other Documents Authorized..... 194

93-232, Resolution No. 93-205 Amended, Re Correct Increase in Petty Cash Fund at DSS ..... 195

93-233, Chairman Authorized to Sign Agreement with Wyoming Attica Legal Aid and NYS DCJS for 1994-95 ..... 195

93-234, Chairman Authorized to Sign a Contract for Computer Consultant at Youth Bureau... 196

93-235, Chairman Authorized to Sign a Contract with Town of Perry to Provide Building Code Enforcement Services ..... 197

93-236, Funds Appropriated to Highway Accounts..... 197

93-237, Funds Transferred to Various Accounts..... 199

93-238, Funds Appropriated to Various Accounts..... 201

93-239, Contract for Forensic Lab Services with Monroe County Approved ..... 202

93-24, Chairman Authorized to Sign Amended 1993 Suburban Adult Services Contract ..... 188

93-240, Annual Implementation Plan for OFA Approved..... 202

93-241, Chairman Authorized to Sign Various Contracts Re Improvements to South Warsaw Human Services Facility ..... 203

93-242, Contract for Court Security Approved ..... 204

93-243, Semi-Annual Mortgage Tax Report ..... 204

93-244, Positions in County Clerk's Office and OFA Adjusted ..... 206

93-245, Veteran's Service Director Reappointed ..... 206

93-246, Bids for Dietician Services Authorized ..... 207

93-247, Schedule "D" Amended, Re DA Position ..... 207

93-248, 1994 Estimated Workers Compensation Cost Approved 208

93-249, World Aids Day Proclaimed ..... 209

93-250, NYS Use of County Streets and Roads as Detours Authorized ..... 210

93-251, National Home Care Weekend Declared ..... 211

93-252, 1994 Equalization Table Presented..... 212

93-253, Date of Public Hearing for 1994 Budget Set..... 212

## **Proceedings of the Board of Supervisors**

<p>93-254, 1994 Equalization Table     Adopted ..... 215</p> <p>93-255, Tentative 1994 Budget for     Wyoming County Approved.. 216</p> <p>93-256, Funds Transferred to     Various Accounts..... 217</p> <p>93-257, Funds Appropriated to     Various Accounts..... 219</p> <p>93-258, Members Reappointed to     Traffic Safety Board ..... 220</p> <p>93-259, R. Tindell Reappointed     Director of Economic     Development..... 220</p> <p>93-260, Members Reappointed to     Hospital Board of Mangers.... 220</p> <p>93-261, Members Reappointed to     Hospital Board of Mangers.... 221</p> <p>93-262, Sr. Demo Position in Civil     Service Abolished, Typist     Position Created..... 222</p> <p>93-263, Various Positions     Transferred From Public Health     Dept. to Human Services Office ..... 222</p> <p>93-264, CSB Empowered to Initiate     Necessary Actions Re     Mental Health Funding ..... 223</p> <p>93-265, Chairman Authorized to     Sign Amended Contracts with     NYS for Petroleum Testing     Through Weights and Measures ..... 224</p> <p>93-266, GTC Approved as Services     Coordinator for Public     Transportation..... 224</p> <p>93-267, Contract for Medicaid     Managed Care Plan Services     Approved ..... 224</p> <p>93-268, Various Positions Removed     From Schedule D ..... 225</p> <p>93-269, 1994 Salary Schedule "D"     Adopted ..... 226</p> <p>93-270, Litigation Against NYS, Re     Unconstitutional Mandates,     Supported ..... 230</p> <p>93-271, Funds Appropriated to     Various 2008 Accounts..... 230</p> <p>93-272, 20 Copies of Annual     Reports Requested ..... 231</p>	<p>93-273, Local Laws Introductory     Nos. A Through I..... 235</p> <p>93-274, Res. No. 91-96 Amended,     Re     RPN Salary at Hospital ..... 236</p> <p>93-275, 1993 Town Balances     Approved ..... 237</p> <p>93-276, 1993 Election Expenses     Apportioned ..... 238</p> <p>93-277, Confinement of Dogs in     Wyoming County Authorized 239</p> <p>93-278, Various Positions in DSS     Created..... 240</p> <p>93-279, Rules of Procedure     Amended, Re     Solid Waste..... 240</p> <p>93-280, Date for Year End Meeting     Set..... 241</p> <p>93-280, Date of Annual     Organizational Meeting Set ... 241</p> <p>93-282, January 1994 Regular     Session Changed..... 242</p> <p>93-283, Resolution Accepting the     Draft Environmental Impact     Statement for the Proposed New     Wyoming County Courthouse,     Directing the Completion of     Tasks That are Required by the     State Environmental Quality     Review Regulations and the     Distribution of Copies of the     Report for Public Review, Setting     the Date for a Public Hearing,     and Establishing the Length of the     Public Comment Period ..... 242</p> <p>93-284, Chairman Authorized to     Sign a Contract Between Mental     Health and WCCH for     Emergency Psychiatric     Assessment Services for 1993 and     1994 ..... 244</p> <p>93-285, Chairman Authorized to     Sign 1994 STOP D.W.I. Plan 244</p> <p>93-286, Funds Transferred to     Various Accounts..... 246</p> <p>93-287, Funds Appropriated to     Various Accounts..... 247</p> <p>93-288, Corrects Schedule D, Re     Public Defender Staff Salaries 248</p>
--	--

93-289, Resolution of the Board of Supervisors Levying Taxes and Assessments Required for Purpose of Annual Budget of Towns of Wyoming County..	248, 251	<b>Resource Conservation &amp; Development Council Appointments</b> R. Herman, Res. #93-008..... 11
93-290, Public Defender Reappointed.....	253	<b>Rochester-Genesee Regional Transportation Authority Appointments</b> R. Roberts, D. Bliss, Res. #93-171 ..... 133
93-291, Return School Tax Levies Authorized .....	254	<b>Board of Commissioners</b> R. Herman, Res. #93-173 ..... 134
93-292, Chairman Authorized to Sign Wellhead Protection Study .....	256	<b>Authorized to File Grant Applications Under Section 18 of Urban Mass Transportation Act, Res. #93-173 .....</b>
93-293, Members Appointed/Reappointed to the Community Action Agency ..	256	
93-294, Members Appointed to Community Services Board and Various Subcommittees .....	257	
93-295, Chairman Authorized to Sign New and Renewal Contracts for Mental Health Department	258	<b>Salary Schedules Adopted</b> "D" Res. #93-269 .....
93-296, Chairman Authorized to Sign New and Renewal Contracts for Public Health Department	260	<b>Salary Schedules Amended</b> "C" Benefits Extended Res. #93-192 .....
93-297, Chairman Authorized to Sign Contract for Youth Care Facility with Ontario County .	262	"D" Res. #08-276 .....
93-299, Changes Date of January Regular Session .....	263	Res. #93-104 .....
93-299, OFA Director Appointed	263	Res. #93-203 .....
93-300, Returned Recycling Fees and Recycling Fees Levied ....	263	Res. #93-247 .....
93-301, Extended Contract for Section 8 Housing Approved.	264	Res. #93-288 .....
93-302, Jack Fisher Reappointed Wyoming Co. Fire Coordinator .....	265	"D" Benefits Extended Res. #93-192 .....
93-303, 3 Authorize Chairman and Clerk to Sign Tax Warrants ...	266	"G" Benefits Extended Res. #93-192 .....
93-304, Clerk Position, FT, in Public Health Created .....	266	"H" Benefits Extended Res. #93-192 .....
93-305, Temporary Senior Account Clerk Position, FT, in DSS Created.....	267	<b>Salary Schedules Approved</b> "F" Res. #93-217 .....
93-306, Temporary Clerk Position, FT, RPTS, Created.....	267	179
93-307, Local Laws Intro. Nos. A - I .....	268	<b>Sheriff</b> <b>Bids Advertised</b> New Patrol Boat, Res. #93-204 .....
		170
		<b>Contracts / Agreements</b> Chautauqua County, Res. #93-098..... 78
		GLOW Private Industry Council Biennial Plan., Res. #93-08471
		Monroe County, Res. #93-239202

## Proceedings of the Board of Supervisors

Southern Tier Drug Task Force	One (1) Position of Senior
Enforcement Program, Res.	Account Clerk, Full Time
#93-107 .....	Created, Res. #93-305 ..... 267
Southern Tier Drug Task Force	One (1) Position of Social
Enforcement Program, Res.	Services Information Systems
#93-108 .....	Administrator, Res. #93-209
..... 172	
Stuart Brown Associates, Inc.,	One Position of Caseworker, Res.
Res. #93-083..... 71	#93-278 ..... 240
<b>Grants</b>	One Position of Data Entry
Anit-Drug Abuse Act Program,	Operator (DEO), Res. #93-278
Res. #93-060..... 51	..... 240
<b>Position Creation</b>	One Position of Support
One (1) Position of Dispatcher,	Investigator, Res. #93-278. 240
Part Time Extended Res. #93-	
115..... 89	
<b>Social Services</b>	<b>Position Creation Amended</b>
<b>Appointments</b>	One (1) Position of Deputy
<b>Commissioner</b>	Commissioner of Social
P. Murray, Res. #93-103..... 83	Services Extended, (Res. #92-
<b>Approved Increase in Petty Cash</b>	245), Res. #93-105 ..... 84
Fund, Res. #93-205..... 170	
<b>Bids Advertised</b>	<b>Proclamations</b>
Optical File Storage Equipment,	Proclaims Down Syndrome
Res. #93-165..... 129	Awareness Month Proclaimed,
<b>Contracts / Agreements</b>	Res. #93-215..... 176
Cattaraugus County, Res. #93-	
007..... 10	
H.M.S. Associates, Res. #93-267	<b>Stop DWI</b>
..... 224	<b>Contracts / Agreements</b>
PINS Adjusted Service Plan, Res.	Governors Traffic Safety
#93-128 ..... 97	Committee, Res. #93-285 .. 244
<b>Correct Increase in Petty Cash</b>	
Fund, (Res. #93-205), Res. #93-	
232 ..... 195	
<b>Position Creation</b>	
One (1) Position of	
Administrative Secretary, Res.	
#93-209 ..... 172	
One (1) Position of Administrator	
Services, PT, Res. #93-209 172	
One (1) Position of Clerk	
Temporary, Full Time,	
Created, Res. #93-306 ..... 267	
One (1) Position of Deputy	
Commissioner of Department	
of Social Services, Res. #93-	
209..... 172	
	<b>T</b>
<b>Tourism</b>	
Commitment to 1994 Matching	
Funds for TPA Approved, Res.	
#93-142 ..... 110	
Matching Fund Program Approved,	
Res. #93-141 ..... 109	
<b>Traffic Safety Board</b>	
<b>Appointments</b>	
A. Pettit, R. Marvin, J. Heller, D.	
Richardson, Res. #93-258.. 220	
<b>Treasurer</b>	
<b>Approves</b> Property Auction Sales.	
#93-218 ..... 180	
<b>Contracts / Agreements</b>	
Custodial Agreements to	
Maintain Pledged Securities,	
Res. #93-175..... 137	
<b>Position Creation</b>	

## **Proceedings of the Board of Supervisors**

295

One (1) Position of Account  
Clerk/Typist, Res. #93-229 193

## **U**

### **Union Agreements (CSEA)**

Local #1000, General Unit Contract,  
Res. #93-153 ..... 118

## **V**

### **Veterans Services**

#### **Appointments**

##### **Director**

G. Comstock, Res. #93-245206

#### **Position Creation**

One (1) Position of Clerk, PT  
(temporary), Res. #93-138. 108

#### **Proclamations**

Domestic Violence Awareness  
Month Proclaimed, Res. #93-  
221 ..... 185

## **W**

### **Weights & Measures**

#### **Contracts / Agreements**

New York State Department of  
Agriculture and Markets., Res.  
#93-085 ..... 71  
NYS Department of Agriculture  
and Markets, Res. #93-265 224

### **Workers Compensation**

#### **1994 Estimated Workers**

Compensation Cost Approved,  
Res. #93-248 ..... 208

#### **Rescinded Increase Health**

Insurance Rates (Res.# 92-249),  
Res. #93-054 ..... 48

### **Wyoming County Community**

#### **Hospital**

#### **Appointments**

##### **Board of Directors**

C. Cox, Res. #93-010 ..... 12

##### **Board of Managers**

J. Hurst, N. Smith, S. Hempel,  
R. George, Res. #93-260220

J. Miller, Dr. T. Naprawa, Res.  
#93-058 ..... 50  
S. Wing, Res. #93-027 ..... 27

### **Board of Managers**

A. Parmele, Res. #93-208.. 171

### **Health Systems Agency**

S. Hemple, Res. #93-029 .... 29  
RPN Salary at Hospital Amended  
(Res. #91-96), Res. #93-274 .. 236

## **Y**

### **Youth Bureau**

#### **Contracts / Agreements**

Computer Consultant, Res. #93-  
234 ..... 196  
E. Wascak, Res. #93-082 ..... 70  
Genesee/Wyoming BOCES  
(EIS), Res. #93-134 ..... 105  
Genesee/Wyoming BOCES  
(PHC), Res. #93-134 ..... 105  
Genesee/Wyoming BOCES, Res.  
#93-059 ..... 51  
League for the Handicapped, Inc.,  
(EIS), Res. #93-134 ..... 105  
League for the Handicapped, Inc.,  
(PHC), Res. #93-134 ..... 105  
Livingston/Wyoming ARC  
Children' Services (EIS), Res.  
#93-134 ..... 105  
Livingston/Wyoming ARC  
Children' Services (PHC), Res.  
#93-134 ..... 105  
Livingston/Wyoming Association  
of Retarded Citizens, Res. #93-  
059 ..... 51  
Mary Cariola Center, Res. #93-  
134 ..... 105  
Ontario County, Res. #93-297262  
PINS Adjusted Service Plan, Res.  
#93-128 ..... 97  
United Cerebral Palsy, (EIS), Res.  
#93-134 ..... 105  
Wyoming County Community  
Hospital, Res. #93-059 ..... 51  
Correct Placement of PHC  
Coordinator Amended. (Res. #92-  
268), Res. #93-055 ..... 48  
Grants

**Proceedings of the Board of Supervisors**

Community Venture Youth Incentive Program, Res. #93- 187.....	157	Program Rescinded (Res #93- 199), Res #93-231 ..... 194
Resource Allocation and Special Delinquency Prevention		Wyoming County Youth Resource Allocation Package, Res. #93-199..... 167