

**PROCEEDINGS
OF THE
BOARD OF SUPERVISORS**

**WYOMING COUNTY
NEW YORK**

2001

PROCEEDINGS

OF THE

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SUPERVISORS

WYOMING COUNTY
NEW YORK

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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 **2001**.

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: Suzanne Aldinger (Board Clerk), Angela Brunner, Paul Agen, Suzanne West, C. Arnold Cox, Anne Humphrey, Joseph Kushner. Second row: John Knab, Howard Miller, Jean Totslin, Ronald Herman, Joseph Gozelski, Third row: Chris Hickey, A. Douglas Berwanger (Chairman), Harold Bush, Jerry Davis, Larry Rogers, Kevin Defebo (County Administrator).

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2001 Supervisors for Wyoming County

<u>TOWN</u>	<u>SUPERVISOR</u>	<u>PHONE</u>
Arcade	A. DOUGLAS BERWANGER 6608 E. Arcade Road, Arcade, NY 14009	492-3798 Off. 492-4685
Attica	PAUL AGAN 285 Main St., Attica, NY 14011	591-0252
Bennington	CHRIS HICKEY 1308 Folsomdale Rd., Cowlesville, NY 14037	591-1893
Castile	E. JOSEPH GOZELSKI 6175 E. Lake Road, P.O. Box 331 Silver Springs, NY 14550	493-2218
Covington	JERRY DAVIS 7414 Court Rd., P.O. Box 445 Pavilion, NY 14525	584-3162
Eagle	JOSEPH KUSHNER 3468 E. Main St., Bliss NY 14024	322-7730
Gainesville	HAROLD BUSH 4579 Miller Road, Silver Springs, NY 14550	786-2403
Genesee Falls	JEAN TOTSLINE 6940 River Rd., Portageville, NY 14536	468-2748
Java	ANGELA BRUNNER 1947 Chaffee Rd., Arcade, NY 14009	457-3152
Middlebury	C. ARNOLD COX 481 Alwardt Rd., Wyoming NY 14591	496-6516
Orangeville	SUZANNE WEST 3215 Buffalo Rd., Varysburg, NY 14167	535-7712
Perry	ANNE HUMPHREY 50 St. Helena St., Perry, NY 14530	237-3015 Off. 237-2241
Pike	LARRY ROGERS P.O. Box 82, Pike, NY 14130	493-5737 Off. 493-5140

Sheldon	JOHN KNAB 2246 Thomas Road, Varysburg, NY 14167	535-7252 535-7644
Warsaw	HOWARD MILLER 5454 Keeney R., Warsaw, NY 14569	786-2188 Off. 786-2800
Wethersfield	RONANLD P. HERMAN, SR. 4344 Hermitage Rd., Warsaw, NY	786-2706

Wyoming County Board of Supervisors 2001 Standing Committees

Effective January 2, 2001

FINANCE COMMITTEE:

Humphrey, West, Bush, Miller, Rogers, Cox, Agan, Herman

AUDIT COMMITTEE:

Bush, Brunner, Agan, Miller, Totline, Kushner

HUMAN RESOURCE COMMITTEE:

Herman, Rogers, Totline, Gozelski, Kushner, Hickey, Humphrey

HEALTH & HUMAN SERVICES COMMITTEE:

Rogers, Bush, Totline, Davis, Brunner, Knab, Kushner

PLANNING COMMITTEE:

Miller, Humphrey, Totline, Hickey, West, Gozelski, Herman

AGRICULTURE COMMITTEE:

Cox, Herman, Davis, West, Gozelski, Brunner, Humphrey

PUBLIC WORKS COMMITTEE:

Agan, Davis, Gozelski, Knab, Bush, Cox, Brunner

PUBLIC SAFETY COMMITTEE:

West, Knab, Miller, Agan, Davis, Hickey, Rogers

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

Officers for Wyoming County - 2001

Congressmen, 27 th District	Thomas M. Reynolds	Williamsville
Senator, 59 th District	Dale M. Volker	Depew
Assemblyman, 147 th District	Daniel Burling	Warsaw
Republican Comm. Chairman	Carole Butler	Warsaw
Democratic Comm. Chairman	Robert Kersch	Gainesville
County Judge	Mark H. Dadd	Attica
County Judge	Michael F. Griffith	Warsaw
Board of Supervisors, Chairman	A. Douglas Berwanger	Arcade
Board of Supervisors, Clerk	Suzanne Aldinger	Warsaw
Civil Service Personnel Officer	Harold Hopkins	North Java
Commissioner of Jurors	Marianne E. Kelly	Perry
Coroners	Michael Smith	Wyoming
	George Deihl, II	Attica
	Douglas Cronk	Arcade
	Renee Hill	Attica
County Attorney	Eric T. Dadd	Attica
County Clerk	Janet Coveny	Warsaw
	Kathleen Snyder	Orangeville
District Attorney	Gerald L. Stout	Warsaw
Dog Control Officer	Justa D. Goodell	Castile
Planning & Development Dir.	Richard L. Tindell	Warsaw
Election Commissioners	James Schlick, Rep.	Bennington
	William Harloff, Dem.	Java
Fire & Building Codes Enforcement Officer	William P. Miller	Silver Springs
Building Inspector	Donald Roberts	Pike
	Kevin Munro	Warsaw

Public Health Director	Assunta R. Ventresca	Buffalo
Highway Superintendent	Gary R. Weidman	Castile
Historian	Doris A. Bannister	Middlebury
Hospital Chief Executive Officer	Lucille K. Sheedy	Warsaw
Director of Community Services	Dr. Kathleen C. Plum	Mumford
Office for the Aging Director	Susan Standish-Wallace	Warsaw
Planning & Development Director	Richard L. Tindell	Warsaw
Planning Board Chairman	W. Jerome Smith	Warsaw
Probation Director	Anne Herod	Varysburg
Public Defender	Norman P. Effman	Warsaw
Real Property Tax Serv. Director	Richard L. Dean, Jr. C.C.D.	Castile
Records Retention, Director	Suzanne Klein	Warsaw
	Gail Royce	Warsaw
Sheriff	Ronald B. Ely	Arcade
Social Services Commissioner	Jeannette Wallace	Wyoming
Traffic Safety Secretary	Joseph Heller, Jr.	Attica
Treasurer	John B. Edwards	Attica
Veterans' Services Director	Frank Hollister	Warsaw
Weights & Measures Director	Richard Harrison	Arcade
Worker's Comp./Health Ins. Adm.	Linda M. Williams	Attica
Youth Bureau Director	Patricia Hughes	Perry

**ANNUAL ORGANIZATIONAL MEETING
TUESDAY JANUARY 2, 2001 2:00 PM**

The Annual Organizational meeting of the Wyoming County Board of Supervisors was held in the Supervisor's Chamber, Government Center, 143 North Main Street, Warsaw, NY with all members present. Also in attendance was the County Administrator, Kevin DeFebbo and County Assistant Attorney, Gary Malek. Suzanne Aldinger, Clerk of the Board, called the meeting to order and led the Pledge of Allegiance to the Flag.

Ms. Aldinger requested Supervisor Davis and Supervisor Bush to escort Joseph Kushner, newly elected Supervisor for the Town of Eagle respectfully to his seat. The Oath of Office was administered to all the Supervisors by Judge Mark Dadd.

The sixteen (16) towns of the County of Wyoming will be represented in 2001 as follows: Arcade - A. Douglas Berwanger; Attica - Paul F. Agan; Bennington - Christopher Hickey; Castile - E. Joseph Gozelski. Bowles; Covington - Jerry L. Davis; Eagle - Joseph Kushner; Gainesville - Harold J. Bush; Genesee Falls - Jean M. Totstline; Java - Angela Brunnern; Middlebury - C. Arnold Cox; Orangeville - Suzanne West; Perry - Anne Humphrey; Pike - Larry Rogers; Sheldon - John H. Knab; Warsaw - Howard J. Miller; Wethersfield - Ronald P. Herman, Sr.

Ms. Aldinger called for nominations for Temporary Chairman. Supervisor Miller nominated Supervisor West. Seconded by Supervisor Cox. As there were no other nominations, Ms. Aldinger moved the nominations be closed. A roll call vote was taken with results as follows: Ayes - 1618; Noes - 0; Absent - 0. Supervisor West was declared Temporary Chairman.

Temporary Chairman West called for nominations for Permanent Chairman of the Board. Supervisor Rogers nominated Supervisor A. D. Berwanger; seconded by Supervisor Davis. Supervisor Hickey nominated Supervisor Bush. Seconded by Supervisor Brunner. There were no other nominations. Temporary Chairman West moved that nominations be closed. A ballot vote was conducted. Supervisor Humphrey and Supervisor Brunner were appointed Tellers. Supervisor Rogers and Supervisor Hickey were appointed Inspectors. The results of the ballot vote were as follows: Supervisor Berwanger - 1048; (162) Berwanger, (164) Agan, (127) Gozelski, (54) Davis, (20) Totstline, (48) West, (214) Humphrey, (46) Rogers, (213) Miller; Supervisor Bush - 507; (127) Hickey, (49) Kushner, (96) Bush, (93) Brunner, (64) Cox, (106) Knab, (35) Herman. Supervisor Berwanger was declared Chairman of the Board for the year 2001. The Oath of Office was administered by Judge Mark Dadd.

Chairman Berwanger called for nominations for Vice-Chairman of the Board. Supervisor Herman nominated Supervisor Anne Humphrey; seconded by Supervisor Totstline. There were no other nominations. Chairman Berwanger moved that nominations be closed. A roll call vote was taken with

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results as follows: Ayes - 1618; Noes - 0; Absent - 0; Supervisor Humphrey was declared Vice-Chairman of the Board for the year 2001. The Oath of Office was administered by Judge Mark Dadd.

Chairman Berwanger called for nominations for Clerk of the Board. Supervisor Agan nominated Suzanne Aldinger; seconded by Supervisor Gozelski. No other nominations were made. Chairman Berwanger moved that nominations be closed. A roll call vote was taken with results as follows: Ayes - 1618; Noes - 0; Absent - 0;. Ms. Suzanne Aldinger was declared Clerk of the Board of Supervisors for the year 2001. Judge Mark Dadd administered the Oath of Office.

Chairman Berwanger declared a short recess for the Finance Committee to meet at 2:25 PM. Business resumed at 2:29 PM.

**RESOLUTION NO. 01-01
(January 2, 2001)**

By Mrs. Humphrey, Chairman of the Finance Committee:

RULES OF PROCEDURE AMENDED

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

Carried: Ayes: 1618

Noes: 0

Absent: 0

#2

**RESOLUTION NO. 01-02
(January 2, 2001)**

By Mrs. Humphrey, Chairman of the Finance Committee:

OFFICIAL NEWSPAPERS DESIGNATED

BE IT RESOLVED, That, pursuant to Section 214 (2) of the county law of this state, the Arcade Herald, Arcade, NY, Country Courier, Warsaw, NY and the Daily News, Warsaw, NY, Perry Herald, Perry, NY are hereby designated for the publication of local laws and all other notices and matters required by

January 2, 2001

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law to be published, for which no other specific designation has heretofore been made.

Carried: Ayes: 1618

Noes: 0

Absent: 0

REPUBLICAN DESIGNATION TO PUBLISH

We, the undersigned Republican members of the Board of Supervisors of the County of Wyoming, State of New York, do hereby designate as follows for the year 2001:

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

Signed this second day of January 2001.

s/ A.D. Berwanger

s/ Suzanne West

s/ Paul Agan

s/ Anne Humphrey

s/ Jerry Davis

s/ Larry Rogers

s/ E. Joseph Gozelski

s/ Howard J. Miller

s/ Jean Totslie

s/ Ronald P. Herman, Sr.

s/ C. Arnold Cox

Organizational Meeting

Proceedings of the Board of Supervisors
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 2001:

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

Signed this second day of January 2001.

s/ Chris Hickey

s/ Angela Brunner

s/ Joseph Kushner

s/ John Knab

s/ Harold Bush

Supervisor Herman thanked everyone who supported him for the position of Chairman of the Board of Supervisors, I believe it is important that we all join forces and work together to do the best we can for Wyoming County. Thank you.

Chairman Berwanger thanked Supervisor Herman and proceeded as follows:

Residents of Wyoming County, Fellow Supervisors, Elected and Appointed County Officials, Family and Friends:

January 2, 2001

I would like to THANK THE BOARD OF SUPERVISORS for your support in selecting me as Chairman of this Board for the year 2001. I hope that we can all work together this year as well as we did for our immediate Past Chairman Anne Humphrey.

And in mentioning Mrs. Humphrey, I want to recognize the outstanding job she has performed this past year, she has coped with such issues as; 6 new members of this Board, relocation of the County Office Building, renovation of the County Government Center, relocation twice of the Dept. of Motor Vehicles, the Tobacco Settlement Agreement, the Capital Improvement Plan and a Budget with no tax levy increase; to the various everyday duties that a Chairman has to perform, while continuing her Supervisor duties in the Town of Perry.

She has exhibited outstanding organizational skills, tremendous leadership, and total dedication to not only being a most capable Supervisor but an outstanding Chairman.

Please join me in a moment of appreciation for a DIFFICULT JOB WELL DONE.....Former Chairman of the Board, ANNE HUMPHREY, Supervisor from the Town of Perry.

As we enter into the New Year, let this Board of Supervisors focus on the good things that have not only been accomplished by the past Board decisions, but which can be accomplished by this Board and future Boards.

As Thomas Jefferson, 3rd President of the United States of America believed, "that the true strength of America was located in the rural areas of the US. I have to agree. Recent figures provided by the Buffalo branch of the Federal Reserve Bank reaffirm that Western New York is still experiencing chronic economic decline.

There is however, documented evidence that Wyoming County, in the very heart of Western New York, is a county that is experiencing some economic growth. Use any economic measuring stick you wish, the US Bureau of Labor statistics or your own grass roots knowledge of YOUR OWN Town, and we can proudly prove that Wyoming County is doing something right.

Something GOOD is happening in our TOWNS. We are holding existing jobs and adding new jobs. Ladies and Gentlemen there must be a reason for our trend reversing success.

I believe that we are not just in the right place at the right time, we are not just lucky; something is making our County attractive to economic investment. Our prosperity in Wyoming County is due in no small part to the action you and previous Boards before you have taken.

We have done our BEST to deliver GOVERNMENT SERVICES in the most efficient, cost effective way that we possibly can.

Our EFFICIENCY and our conservative fiscal policy is something we should point to with pride. Wyoming County is one of the lowest taxed counties in New York State.

This County and this Board of Supervisors is noted for the best possible service for the lowest cost. Low taxes and efficient service attract and keep

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businesses. Wyoming County is an example of Americanism at its best.

YOU my fellow Supervisors are the guiding hands steering our towns down the road of economic efficiency. I hope that we can continue the prudent policies that you and our predecessors have established. Wyoming County Government will continue to put its collective noses to the grindstone, we will prosper if we can continue to keep our taxes low and our services up to the expectations of our residents.

We can become a model for other counties to imitate. Early last year a front page article in the Buffalo News explored the anomaly of Wyoming County prosperity, however, it is no mystery to me. WE are doing BETTER than neighboring counties because of our business friendly efficiency. We should be very proud of that recognition. I hope that all of New York State read that article, if all levels of State government followed our example, the loss of jobs might be reversed. New York could hold jobs and attract new jobs just as Wyoming County has.

I look forward to working with each of you. I will need your advice, your help and your criticism.

A famous speech writer once said, "If you can't say it in five (5) minutes, say nothing. I believe that I have used my five (5) minutes and so I say to you in closing, "Let us begin this New Year with our focus on the good things about Wyoming County and let us, the 2001 Board of Supervisors do our jobs the very best way we can and continue the work and policies we have begun in the past year, and "MAY GOD BLESS WYOMING COUNTY!!!!!!!"

Supervisor Herman moved that the meeting be adjourned at 2:40 PM. Carried.

TUESDAY REGULAR SESSION 2:00 PM
(January 9, 2001)

The Regular Session of the Wyoming County Board of Supervisors was held at the Wyoming County Government Center, in the Board of Supervisors Chambers, 143 North Main Street, Warsaw, New York with all members present except Supervisor Knab, T/Sheldon who was excused. Also present was County Attorney, Eric T. Dadd and County Administrator, Kevin D. DeFebbo. Chairman Berwanger, T/Arcade called the meeting to order and led the Pledge of Allegiance to the Flag.

There were no communication.

#1

RESOLUTION NO. 01-03
(January 9, 2001)

By Mrs. Humphrey, Chairman of the Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2000 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2000 accounts as follows:

DISTRICT ATTORNEY			
To 01.32.1165.4.41107 Misc Expense From rev acct. 01.11.1165.308905 Section 606	\$18,764.00	\$18,764.00	\$18,764.00
MENTAL HEALTH			
To 01.38.4250.4.40926 ARA, Inc. 01.38.4250.4.42306 Misc. Expense w/State Aid Rev Acct 01.11.4250.3490 inc by same amt.	\$3,324.00 <u>218.00</u> \$3,542.00	\$3,542.00	\$3,542.00
To 01.38.4220.4.40926 ARA, Inc. 01.38.4220.4.42306 Misc. Expense w/State Aid Rev Acct 01.11.4220.3490 inc by same amt.	\$1,214.00 <u>947.00</u> \$2,161.00	\$2,161.00	\$2,161.00

and be it

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

Regular Session

therefore.

Carried: Ayes: 1512 Noes: 0 Absent: 106; Knab

#2

**RESOLUTION NO. 01-04
(January 9, 2001)**

By Mrs. Humphrey, Chairman of the Finance Committee:

FUNDS TRANSFERRED IN VARIOUS 2001 ACCOUNTS

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

YOUTH BUREAU			
From acct. 01.38.4059.4.41504 Transportation to acct. 01.38.4059.2.20201 Computer Equip.	\$1,800.00	\$1,800.00	\$1,800.00
BOARD OF SUPERVISORS			
From acct. 01.31.1010.1.10001 Salaries D/S/I 01.31.1010.8.89001 Health Insurance to acct. 01.31.1010.2.20001 Furniture	\$10,000.00 <u>16,221.00</u> \$26,221.00	\$26,221.00	\$26,221.00
REAL PROPERTY TAX			
From acct. 01.33.1355.8.89001 Health Insurance to acct 01.33.1355.2.20001 Furniture	\$3,068.00	\$3,068.00	\$3,068.00

Carried: Ayes: 1512 Noes: 0 Absent: 106; Knab

#3

**RESOLUTION NO. 01-05
(January 9, 2001)**

By Mrs. Humphrey, Chairman of the Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2001 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various
January 9, 2001

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2001 accounts as follows:

MENTAL HEALTH			
To acct. 01.38.4250.4.40926 ARA, Inc. 01.38.4250.4.42306 Misc. Expense w/State Aid rev. acct. 01.11.4250.3490 inc by same amt.	\$4,431.00 291.00 \$4,722.00	\$4,722.00	\$4,722.00
To acct 01.38.4220.4.40926 ARA, Inc. 01.38.4220.4.42306 Misc. Expense w/State Aid rev. acct. 01.11.4220.3490 inc by same amt.	\$1,619.00 1,262.00 \$2,881.00	\$2,881.00	\$2,881.00
To acct 01.38.4324.4.40301 Misc. Agency Contracts w/rev acct. 01.03.4324.1289 inc. by same amt.	\$19,250.00	\$19,250.00	\$19,250.00
To acct. 01.38.4310.4.42441 Misc. MH Program Contracts w/State Aid rev acct. 01.11.4310.3490 inc by same amt.	\$103,660.00	\$103,660.00	\$103,660.00
PUBLIC HEALTH			
To acct. 01.38.4010.2.20001 Furniture 01.38.4010.2.20701 Institutional Equipment 01.38.4010.2.20201 Computer Equipment 01.38.4010.4.42427 TB Control 01.38.4010.4.42440 Safety Grant 01.38.4010.4.42455 Health Heart Grant 01.38.4010.4.42433 ASSIST Grant w/rev accts 01.11.4010.340112 TB Grant 01.11.4010.3401 Other Misc. Grant 01.11.4010.240103 Safety Grant 01.11.4010.44803 Tobacco Awareness	\$ 800.00 1,000.00 9,050.00 4,545.00 4,000.00 1,500.00 11,629.00 \$32,524.00	\$15,395.00 1,500.00 4,000.00 11,629.00 \$32,524.00	\$32,524.00

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: 1512 Noes: 0 Absent: 106; Knab

Supervisor Humphrey, Chairman of the Finance Committee presented the bills in the amount of Nine Hundred Seventy Five Thousand, Two Hundred Ninety Three Dollars, Thirty Nine Cents (\$975,293.39).

Carried: Ayes: 1512 Noes: 0 Absent: 106; Knab

Chairman Berwanger, T/Arcade, made a motion to consolidate Resolutions Office #'s 4 through 15 for consent agenda. Supervisor Rogers, T/Pike seconded the motion. A voice vote was taken and the request was granted.

RESOLUTION NO. 01-06
(January 9, 2001)

By Mr. Rogers, Chairman of the Health and Human Services Committee:

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

BE IT RESOLVED, That the Chairman of this Board/Commissioner of the Wyoming County Department of Social Services, with the approval of the County Attorney and on behalf of the Department of Social Services is hereby authorized and directed to sign the following contracts:

1. Wyoming Area Homemakers Inc., for the Child Care Resource Room parent aide services; amount not to exceed \$22,500.00; effective July 1, 2000 through December 31, 2001.

2. Kristal Lemcke for Case Manager services to provide coordination for the Transitional Opportunities Program (TOP); amount not to exceed \$35,000.00; effective January 2, 2001 through December 31, 2001.

Carried: Ayes: 1512 Noes: 0 Absent: 106; Knab

#5

RESOLUTION NO. 01-07
(January 9, 2001)

**FY2000 ON BEHALF OF THE DEPARTMENT OF
MENTAL HEALTH RESOLUTION NO. 99-278 AMENDED,
RE: CHANGES/ADDITIONS IN REINVESTMENT FUNDS
FOR**

By Mr. Rogers, Chairman of the Health and Human Services Committee:

BE IT RESOLVED, That Resolution No.99-278, passed by this Board

January 9, 2001

Proceedings of the Board of Supervisors

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on December 16, 1999 is hereby amended to increase the maximum amount of reimbursement to ARA, Inc. by \$4,538.00 to \$335,872.00 for service year 2000.

Carried: Ayes: 1512 Noes: 0 Absent: 106; Knab

#6

**RESOLUTION NO. 01-08
(January 9, 2001)**

By Mr. Rogers, Chairman of the Health and Human Services Committee:

**RESOLUTION NO. 00-263 AND RESOLUTION NO. 00-293
AMENDED, RE: CHANGES/ADDITIONS IN
REINVESTMENT FUNDS FOR FY2001
ON BEHALF OF THE DEPARTMENT OF MENTAL
HEALTH**

BE IT RESOLVED, That Resolution No. 00-293 passed by this Board on December 12, 2000 is hereby amended to reflect changes and additions in amounts due to additional Reinvestment Funds as follows:

6) LIVING OPPORTUNITIES OF DEPAUL RENEWAL CONTRACTS
FOR THE PERIOD OF JANUARY 1, 2001 THROUGH DECEMBER 31,
2001:

B. Supported Housing (5 slots) (\$34,945.00) + **\$900.00 plus the
addition of 15 slots at \$103,660.00 = \$139,505.00**

and be it

FURTHER RESOLVED, That Resolution No.00-263, passed by this Board on November 13, 2000 is hereby amended to increase the maximum amount of reimbursement to ARA, Inc. by \$6,050.00 to \$343,605.00 for service year 2001.

Carried: Ayes: 1512 Noes: 0 Absent: 106; Knab

#7

**RESOLUTION NO. 01-09
(January 9, 2001)**

By Mr. Rogers, Chairman of the Health and Human Committee:
Regular Session

**AUTHORIZED CHAIRMAN TO SIGN A CONTRACT
WITH C. ECCLESTON ON BEHALF OF THE MENTAL
HEALTH DEPARTMENT**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Colleen Eccleston on behalf of the Mental Health Department, for the purpose of the oversight of Single Point of Entry/Accountability (SPOE/A), in an amount not to exceed \$9,450.00 effective January 1, 2001 through December 31, 2001.

Carried: Ayes: 1512 Noes: 0 Absent: 106; Knab

#8

**RESOLUTION NO. 01-10
(January 9, 2001)**

By Mr. Rogers, Chairman of the Health and Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN A NYSDOH
APPLICATION FOR STATE AID, RE: MASTER
AGREEMENT (TOBACCO SETTLEMENT) ON
BEHALF OF THE DEPARTMENT OF PUBLIC HEALTH**

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 revised Certification (9/00), Pursuant to the provisions of Law 1, in connection with the application and acceptance of state aid from the New York State Department of Health excluding any funds from the Master Agreement (Tobacco Settlement).

Carried: Ayes: 1512 Noes: 0 Absent: 106; Knab

#9

**RESOLUTION NO. 01-11
(January 9, 2001)**

By Mrs. West, Chairman of the Public Safety Committee:

CHAIRMAN AUTHORIZED TO SIGN A CONTRACT

January 9, 2001

Proceedings of the Board of Supervisors
WITH WCCA, INC. ON BEHALF OF THE DISTRICT
ATTORNEY

13

BE IT RESOLVED, That the Chairman of this Board of Supervisors, with the approval of the County Attorney and on behalf of the Wyoming County District Attorney's Office, is hereby authorized and directed to sign an agreement with Wyoming County Community Action, Inc., 6470 Route 20A, Perry, NY 14530, for the administration of the S.T.O.P. Violence Against Women Program; the amount of said contract shall not exceed the amount of \$24,940.00 for the period of August 1, 2000 through June 30, 2001, contingent on the availability of funding.

Carried: Ayes: 1512 Noes: 0 Absent: 106; Knab

#10

RESOLUTION NO. 01-12
(January 9, 2001)

By Mrs. West, Chairman of the Public Safety Committee:

CHAIRMAN AUTHORIZED TO SIGN CONTRACT FOR
JAIBG APPLICATION AND RELATED DOCUMENTS

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is authorized and directed to sign an application and all related documents for participation in the Juvenile Accountability Incentive Block Grant (JAIBG) program being administered by the NYS Division of Criminal Justice Services on behalf of the County of Wyoming for an award allocation of Sixteen Thousand, Seven Hundred, Sixty Three Dollars (\$16,763.00), and to provide the required local match of funds from the County of Wyoming (10 per cent of the total cost of the program) pursuant to Federal grant requirements for the period of October 1, 2001 through September 30, 2002.

Carried: Ayes: 1512 Noes: 0 Absent: 106; Knab

RESOLUTION NO. 01-13
(January 9, 2001)

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

Regular Session

**CHAIRMAN AUTHORIZED TO SIGN AN AGREEMENT
WITH M. J. HENDRY ON BEHALF OF THE
DEPARTMENT OF BUILDINGS AND GROUNDS**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, and on behalf of Department of Buildings and Grounds, is hereby authorized and directed to sign an agreement with Michael J. Hendry Cleaning Services, 12 East Court Street, Warsaw, New York 14569, effective December 12, 2000 through May 14, 2001, said contract not to exceed \$1,904.00 per month, for the provision of cleaning services for the Department of Social Service Buildings.

Carried: Ayes: 1512 Noes: 0 Absent: 106; Knab

#12

**RESOLUTION NO. 01-14
(January 9, 2001)**

By Mrs. Humphrey, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO EXECUTE NYS
ARCHIVES & RECORDS ADMINISTRATION GRANT
APPLICATION**

BE IT RESOLVED, The County of Wyoming is interested in developing a comprehensive, county-wide Geographic Information System (GIS) that will provide county departments, agencies and municipalities with a computer-based information that stores, manipulates, analyzes and maps various data; and be it

FURTHER RESOLVED, That the Chairman of this Board of Supervisors is hereby authorized as the official representative of the County of Wyoming, New York, to execute and submit a grant application to the NYS Archives and Records Administration for a GIS needs assessment, and is hereby authorized and directed, upon the approval of the County Attorney, to take the actions needed for the submission of the grant application and to provide such additional information as may be required.

Carried: Ayes: 1512 Noes: 0 Absent: 106; Knab

January 9, 2001

**RESOLUTION NO. 01-15
(January 9, 2001)**

By Mrs. Humphrey, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN TAX MAP
MAINTENANCE CONTRACT**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, and on behalf of Wyoming County Real Property Tax Service, is hereby authorized to execute a Tax Map Maintenance contract with Grover and Bates Associates, Perry, New York 14530, said contract shall be in effect January 1, 2001 through December 31, 2003 with an option of a fourth year, payment to be paid in accordance to the following schedule:

	3 Year term			1 Year Option
	2001	2002	2003	2004
Parcel Transfer /per	\$5.00	\$5.00	\$5.50	\$5.50
Additional Work /hr	\$12.25	\$12.25	\$12.50	\$12.50
Map Copies	\$2.00	\$2.00	\$2.00	\$2.00
Ortho Overlays	\$3.00	\$3.00	\$3.00	\$3.00

Carried: Ayes: 1512 Noes: 0 Absent: 106; Knab

**RESOLUTION NO. 01-16
(January 9, 2001)**

By Mr. Rogers, Chairman of the Health and Human Services Committee:

**MEMBERS APPOINTED TO THE COMMUNITY
SERVICES BOARD AND MENTAL HEALTH SUB-
COMMITTEE**

BE IT RESOLVED, That Celeste Diggins, Psychologist, Warsaw Elementary School, West Court Street, Town of Warsaw, Warsaw, New York 14569 is hereby appointed to the Community Services Board for a four (4) year term, said term effective January 12, 2001 through December 31, 2004; and be it

FURTHER RESOLVED, That the following are hereby appointed to the MR/DD Subcommittee for a four (4) year term, said terms effective January 1, 2001 through December 31, 2004;

Celeste Diggins, Psychologist, Warsaw Elementary School, West Court Street, T/Warsaw, Warsaw, New York 14569

Julia Hall, 14 East Avenue, T/Attica, Attica New York , 14011

Carried: Ayes: 1512 Noes: 0 Absent: 106; Knab

#15

**RESOLUTION NO 01-17
(January 9, 2001)**

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

M. KEHL APPOINTED TO TRAFFIC SAFETY BOARD

January 9, 2001

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BE IT RESOLVED, That Michael Kehl, 878 Route 20A, Town of Sheldon, Strykersville, New York 14145 is hereby appointed to fill the unexpired term of Francis Kehl on the Traffic Safety Board, said term to expire November 9, 2001.

Carried: Ayes: 1512 Noes: 0 Absent: 106; Knab

Supervisor Humphrey, Chairman of the Finance Committee requested that Chairman Berwanger, T/Arcade, call a short recess at 2:20 p.m. in order for the Finance Committee to meet for a short time. Seconded by Supervisor Hickey, T/Bennington. Request was granted. Business resumed at 2:32 p.m.

#16

**RESOLUTION NO. 01-18
(January 9, 2001)**

By Mr. Herman, Chairman of the Human Resource Committee:

VARIOUS POSITIONS IN CIVIL SERVICE, EXTENDED

BE IT RESOLVED, That the following temporary positions in the Wyoming County Civil Service Office are hereby extended. Such positions are intended to provide temporary assistance to all county departments except Wyoming County Community Hospital.

Title	Salary	Effective
1 - Typist, FT	\$9.92/hr	1/1/01 thru 12/31/01
2 - Clerk, FT	\$9.92/hr.	1/1/01 thru 12/31/01

and be it

FURTHER RESOLVED, That said positions will receive no other
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benefits except those mandated by law.

Carried: Ayes: 1512 Noes: 0 Absent: 106; Knab

#17

**RESOLUTION NO. 01-19
(January 9, 2001)**

By Mr. Rogers, Chairman of the Health and Human Services Committee:

**CREATE ONE POSITION OF SENIOR ACCOUNT CLERK
AND ABOLISH ONE POSITION OF ADMINISTRATIVE
ASSISTANT III IN THE PUBLIC HEALTH DEPARTMENT**

BE IT RESOLVED, That there is hereby created one (1) position of Senior Account Clerk, fte. in the Public Health Department, said position to be placed on Schedule A, Grade 6 of the CSEA Agreement, and be it

FURTHER RESOLVED, That one (1) position of Administrative Assistant III, fte. Schedule S of the Wyoming County Salary Plan shall be abolished in the Wyoming County Public Health Department effective January 10, 2001.

Carried: Ayes: 1512 Noes: 0 Absent: 106; Knab

#18

**RESOLUTION NO. 01-20
(January 9, 2001)**

By Mrs. Humphrey, Chairman of the Finance Committee:

**AMEND RESOLUTION NO. 00-275, RE: PROPERTY
AUCTION SALES**

BE IT RESOLVED, That Resolution No. 00-275, passed by this Board of Supervisors on November 14, 2000, is hereby amended to change the name of the purchaser to Raymond Salada, as the purchaser of parcel #234.

Carried: Ayes: 1512 Noes: 0 Absent: 106; Knab

January 9, 2001

**RESOLUTION NO. 01-21
(January 9, 2001)**

By Mrs. Humphrey, Chairman of the Finance Committee:

**RESOLUTION NO. 00-310 AMENDED TO CORRECT
RELEVY OF RETURNED SCHOOL TAXES FOR 2001**

BE IT RESOLVED, That Resolution No. 00-310 passed by this Board on December 12, 2000, is hereby amended to reflect the correct re-levy of returned school taxes for 2001, and that the Clerk of this Board is hereby authorized and directed to levy the corrected returned school taxes of the year 2000-2001 as presented by the County Treasurer in the total amount of \$1,436,377.43 including penalties.

**2000-2001 RETURNED UNPAID SCHOOL TAXES
TO BE SPREAD ON 2001 TOWN TAX ROLLS**

<u>TOWN & SCHOOL DISTRICT</u>	<u>TAX RETURNED</u>	<u>7%</u>	<u>TOTAL</u>
Arcade (Pioneer Central)	\$102,747.18	\$7,192.37	\$109,939.55
Attica (Attica Central)	\$65,678.34	\$4,597.51	\$70,275.85
Attica (Wyoming Central)	\$944.10	\$66.09	\$1,010.19
Bennington (Alden Central)	\$17,781.65	\$1,244.72	\$19,026.37
Bennington (Alexander Central)	\$3,949.87	\$276.49	\$4,226.36
Bennington (Attica Central)	\$82,228.36	\$5,756.00	\$87,984.36
Bennington (Iroquois Central)	\$2,746.88	\$192.28	\$2,939.16
Castile (Letchworth Central)	\$64,984.82	\$4,548.95	\$69,533.77
Castile (Perry Central)	\$79,127.14	\$5,538.90	\$84,666.04

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Covington (Pavilion Central)	\$43,626.86	\$3,053.92	\$46,680.78
Covington (Perry Central)	\$5,366.84	\$375.69	\$5,742.53
Covington (Wyoming Central)	\$6,551.85	\$458.61	\$7,010.46
Eagle (Letchworth Central)	\$44,801.27	\$3,136.13	\$47,937.40
Eagle (Pioneer Central)	\$5,859.57	\$410.17	\$6,269.74
Gainesville (Letchworth Central)	\$43,881.57	\$3,071.73	\$46,953.30
Gainesville (Warsaw Central)	\$15,528.70	\$1,087.02	\$16,615.72
Genesee Falls (Fillmore Central)	\$3,591.64	\$251.42	\$3,843.06
Genesee Falls (Keshequa Central)	\$12,560.00	\$879.19	\$13,439.19
Genesee Falls (Letchworth Central)	\$4,908.09	\$343.57	\$5,251.66
Java (Attica Central)	\$12,465.06	\$872.56	\$13,337.62
Java (Holland Central)	\$2,557.36	\$179.02	\$2,736.38
Java (Pioneer Central)	\$59,779.89	\$4,184.53	\$63,964.42
Java (Warsaw Central)	\$1,177.39	\$82.42	\$1,259.81
Middlebury (Attica Central)	\$3,645.66	\$255.19	\$3,900.85
Middlebury (Pavilion Central)	\$601.73	\$42.12	\$643.85
Middlebury (Warsaw Central)	\$1,212.78	\$84.88	\$1,297.66
Middlebury (Wyoming Central)	\$43,834.68	\$3,068.43	\$46,903.11
Orangeville (Attica Central)	\$15,256.60	\$1,067.97	\$16,324.57
Orangeville (Warsaw Central)	\$56,665.59	\$3,966.54	\$60,632.13

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Perry (Perry Central)	\$163,973.49	\$11,478.18	\$175,451.67
Perry (Wyoming Central)	\$1,940.49	\$135.83	\$2,076.32
Pike (Fillmore Central)	\$833.22	\$58.32	\$891.54
Pike (Letchworth Central)	\$36,905.23	\$2,583.36	\$39,488.59
Sheldon (Attica Central)	\$44,790.45	\$3,135.35	\$47,925.80
Sheldon (Holland Central)	\$8,851.85	\$619.64	\$9,471.49
Sheldon (Pioneer Central)	\$1,885.92	\$132.01	\$2,017.93
Warsaw (Letchworth Central)	\$1,457.28	\$102.00	\$1,559.28
Warsaw (Perry Central)	\$3,072.42	\$215.07	\$3,287.49
Warsaw (Warsaw Central)	\$211,232.40	\$14,786.29	\$226,018.69
Warsaw (Wyoming Central)	\$4,701.55	\$329.11	\$5,030.66
Wethersfield (Letchworth Central)	\$29,098.12	\$2,036.86	\$31,134.98
Wethersfield (Pioneer Central)	\$4,705.90	\$329.43	\$5,035.33
Wethersfield (Warsaw, Central)	\$24,898.87	\$1,742.90	\$26,641.77
TOTALS	\$1,342,408.66	\$93,968.77	\$1,436,377.43

Dated: January 3, 2001
s/John B. Edwards
Wyoming County Treasurer

Carried: Ayes: 1512 Noes: 0 Absent: 106; Knab

#20

RESOLUTION NO. 01-22

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(January 9, 2001)

By Mrs. Humphrey, Chairman of the Finance Committee:

**DATE OF FEBRUARY 2001 REGULAR SESSION
CHANGED**

BE IT RESOLVED, That the Regular Session of the Wyoming County Board of Supervisors will be held on Thursday, February 15, 2001 at 2:00 PM at the Wyoming County Government Center, Warsaw, NY instead of on Tuesday, February 13, 2001 at 2:00 PM.

Carried: Ayes: 1512 Noes: 0 Absent: 106; Knab

Unanimous Consent was requested by Supervisor Cox, T/Middlebury to present Unanimous Consent Resolutions #21, #22 and #23. Seconded by Supervisor Kushner, T/Eagle. A voice vote was taken and the request was granted. The following resolutions were presented.

There was a timely discussion on Resolution UC #21. The following resolution was voted on as presented and defeated.

UC #21

RESOLUTION NO. 01-23
(January 9, 2001)

By Mr. Rogers, Chairman of the Health and Human Services Committee:

**ONE (1) ACCOUNT CLERK POSITION CREATED IN THE
DEPARTMENT OF SOCIAL SERVICES**

BE IT RESOLVED, That there is hereby created one (1) position of Account Clerk, full time in the Department of Social Services; said position to be placed on Schedule A, Gr. 4 of the C.S.E.A Agreement; and be it

FURTHER RESOLVED, That one (1) position of Social Services Investigator, full time is hereby abolished.

DEFEATED:

Ayes: 718; (162) Berwanger, (164) Agan, (127) Hickey,
(54) Davis, (49) Kushner, (96) Bush, (20) Totstline, (46) Rogers

January 9, 2001

Noes:794; (127) Gozelski, (93) Brunner, (64) Cox, (48) West, (214) Humphrey, (213) Miller, (35) Herman

Absent:106; Knab

UC # 22

**RESOLUTION NO. 01-24
(January 9, 2001)**

By Mr. Herman, Chairman of the Human Resources Committee:

**CHAIRMAN AUTHORIZED TO EXECUTE NYS ARCHIVE
& RECORDS ADMINISTRATION GRANT APPLICATION**

WHEREAS, The County of Wyoming is interested in improving its record retention services to County departments and agencies, now therefore

BE IT RESOLVED, That the Chairman of this Board of Supervisors is hereby authorized as the official representative of the County of Wyoming, New York, to execute and submit a grant application to the New York State Archives and Records Administration for a record retention needs assessment, and is hereby directed and authorized, upon the approval of the County Attorney, to take the actions needed for the submission of the grant application and to provide such additional information as may be required.

Carried: Ayes: 1512 Noes: 0 Absent: 106; Knab

UC#23

**RESOLUTION NO. 01-25
(January 9, 2001)**

By Mrs. Humphrey, Chairman of the Finance Committee:

RESOLUTION NO. 00-311 AMENDED

BE IT RESOLVED, That Resolution No. 00-311, passed by this Board of Supervisors on December 12, 2000 is hereby amended as follows to reflect
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the correct amounts:

NAME OF TOWN	GENERAL FUND TOWN WIDE	HIGHWAY FUND TOWN WIDE	TOTAL
COVINGTON	\$86,061.00	\$211,997.00	\$298,058.00

Carried: Ayes: 1512 Noes: 0 Absent: 106; Knab

Supervisor Herman, T/Wethersfield announced that there are miniature models of the windmills available for sale to anyone interested in purchasing them.

Supervisor Herman, T/Wethersfield moved that the meeting be adjourned at 2:55 PM.

THURSDAY REGULAR SESSION 2:00 PM
(February 15, 2001)

The Regular Session of the Wyoming County Board of Supervisors was held at the Wyoming County Government Center, in the Board of Supervisors Chambers, 143 North Main Street, Warsaw, New York with all members present. Also present was County Attorney, Eric T. Dadd and County Administrator, Kevin D. DeFebbo. Chairman Berwanger, T/Arcade 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, Suzanne Aldinger.

C-1. Reminder: Inter-County of Western New York is being held in Allegany County at Moonwinks Restaurant on Route 305. The program will be the Public Defender discussing the sex offender treatment program.

#1

RESOLUTION NO. 01-26
(February 15, 2001)

By Mrs. Humphrey, Chairman of the Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2000 & 2001
ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2000 accounts as follows:

2000 APPROPRIATIONS			
PROBATION			
To acct. 01.37.3140.4.43004 Pathways Juvenile Officer w/rev. acct. 01.12.3140.431001 inc by same amount	\$8,874.00	\$8,874.00	
PATHWAYS			
To acct. 23.92.3140.4.40301 Juvenile Officer Services w/rev. acct. 23.10.3140.282392 inc by same amount	\$8,874.00	\$8,874.00	
COUNTY ATTORNEY			
To acct. 01.34.1420.4.41204 Advertising 01.34.1420.4.42301 Book, Publication 01.34.1420.4.42305 Assigned Counsel	\$1,973.09 4,329.87 <u>18,493.22</u>		

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From any funds available	\$24,796.18	\$24,796.18	
2001 APPROPRIATION			
SHERIFF			
To acct. 01.37.3110.4.40301 prof. Svc. ctrct 01.37.3110.4.40013 radio comm 01.37.3110.2.20001 furniture 01.37.3110.2.20201 computer equip. 01.37.3110.2.20501 law enforc.equip. w/rev. acct.# 01.12.3110.4389 increased by same amt.	\$13,918.00 1,210.00 1,102.20 2,800.00 <u>35,038.00</u> \$54,068.20		
To acct. 001.37.3150.2.20001 furniture w/rev. acct # 01.12.3110.4389 increased by same amt	\$1,202.77	\$1,202.77	

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. 01-27
(February 15, 2001)

By Mrs. Humphrey, Chairman of the Finance Committee:

FUNDS TRANSFERRED TO VARIOUS 2001 ACCOUNTS

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

HIGHWAY			
From acct. 04.53.5110.4.41904 Bituminous Prod. to acct. 04.53.5142.1.10101 Fte. CSEA Contract 04.53.5142.4.40602 Equipment Rental 04.53.5142.4.41804 Payment to T & V 04.53.5142.4.42603 County Snow Removal	\$181,732.70.	\$4,244.85 6,082.01 170,977.01 <u>428.83</u> \$181,732.70	\$181,732.70
From acct. 04.53.5110.4.40602 Equipment Rental to acct 04.53.5110.8.83001 FICA 04.53.5110.8.85001 Medicare	\$3,546.00	\$2,874.00 <u>672.00</u> \$3,546.00	\$3,546.00

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Reduce 03.10.5130.2801 Interfund Revenue (reduce)	\$3,546.00		
Reduce 03.54.5130.8.83001 FICA		\$2,874.00	
03.54.5130.8.85001 Medicare		<u>672.00</u>	
		\$3,546.00	\$3,546.00

Carried: Ayes: 1618 Noes: 0 Absent: 0

#3

**RESOLUTION NO. 01-28
(February 15, 2001)**

By Mrs. Humphrey, Chairman of the Finance Committee:

**RESOLUTION NO. 01-05 AMENDED RE:
APPROPRIATION OF FUNDS**

BE IT RESOLVED, That Resolution No. 01-05, passed by this Board of Supervisors on January 9, 2001, is hereby amended to correct the amount indicated in the following line items, total amount of appropriation to remain the same:

PUBLIC HEALTH

To acct. 01.38.4070.2.20201 Computer Equip	\$9,050.00	
01.38.4070.4.40401 Training	2,730.00	
01.38.4070.4.41010 Misc. Office Supplies	800.00	
01.38.4070.4.41410 Software (purchase)	200.00	
01.38.4070.4.41510 Educational Supplies	1,440.00	
01.38.4070.4.41706 Medical/Safety Supplies	<u>1,175.00</u>	
	\$15,395.00	
w/rev. Acct. 01.12.4070.448914 TB Grant increased by same amount.		\$15,395.00

Carried: Ayes: 1618 Noes: 0 Absent: 0

Supervisor Bush, Chairman of the Audit Committee presented the bills in the amount of One Million, Five Hundred Ninety Nine Thousand, Three Hundred Fifty Five Dollars, Seventy Eight Cents (\$1,599,355.78).

Carried: Ayes: 1618 Noes: 0 Absent: 0

Chairman Berwanger, T/Arcade, proposed to consolidate Resolutions Office #'s four (4) through thirty three (33) for consent agenda. A voice vote was taken and the request was granted.

#4

Regular Session

RESOLUTION NO. 01-29
(February 15, 2001)

By Mr. Rogers, Chairman of the Health and Human Services Committee:

**H. BUSH APPOINTED TO THE
OFFICE OF THE AGING ADVISORY BOARD**

BE IT RESOLVED, That Hank Bush, 4579 Miller Road, Town of Gainesville, Silver Springs, NY 14550, is hereby appointed as Supervisor member to the Office of the Aging Advisory Board for a one (1) year term; said term to expire December 31, 2001.

Carried: Ayes: 1618 Noes: 0 Absent: 0

#5

RESOLUTION NO. 01-30
(February 15, 2001)

By Mr. Bush, Acting Chairman of the Health and Human Services Committee:

**L. ROGERS REAPPOINTED TO THE
WYOMING COUNTY BOARD OF HEALTH**

BE IT RESOLVED, That Larry Rogers, P.O. Box 82, Town of Pike, Pike, NY 14130, is hereby reappointed as the Supervisor Member to the Wyoming County Board of Health for a one (1) year term, said term to expire 12/31//01.

Carried: Ayes: 1618 Noes: 0 Absent: 0

#6

RESOLUTION NO. 01-31

February 15, 2001

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By Mr. Bush, Acting Chairman of the Health and Human Services Committee:

**L. ROGERS REAPPOINTED TO THE COMMUNITY
SERVICES BOARD AND MENTAL HEALTH SUB-
COMMITTEE**

BE IT RESOLVED, That Larry Rogers, P.O. Box 82, Town of Pike, Pike, NY 14130, is hereby reappointed to serve on the Community Services Board for a one (1) year term, said term to expire 12/31/01; and be it

FURTHER RESOLVED, That Larry Rogers, P.O. Box 82, Town of Pike, Pike, NY 14130, is hereby reappointed to the Mental Health Sub-Committee for a one (1) year term, said term to expire 12/31/01.

Carried: Ayes: 1618 Noes: 0 Absent: 0

#7

RESOLUTION NO. 01-32
(February 15, 2001)

By Mrs. Humphrey, Chairman of the Finance Committee:

**SUPERVISOR MEMBER APPOINTED TO THE WCCH
BOARD OF MANAGERS**

BE IT RESOLVED, That Howard J. Miller, 5454 Keeney Road, Town of Warsaw, Warsaw, NY 14569, is hereby appointed as Supervisor member to the Wyoming County Community Hospital Board of Managers for a one (1) year term; said term to expire December 31, 2001

Carried: Ayes: 1618 Noes: 0 Absent: 0

#8

RESOLUTION NO. 01-33
(February 15, 2001)

By Mr. Davis, Acting Chairman of the Agriculture Committee:

Regular Session

**MEMBERS APPOINTED/REAPPOINTED TO
SOIL AND WATER CONSERVATION DISTRICT BOARD**

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

Ronald P. Herman, Sr., 4344 Hermitage Rd., Town of Wethersfield, Warsaw, NY 14569, for a one (1) year term, said term to expire 12/31/01;

C. Arnold Cox, 481 Alwardt Road, Town of Middlebury, Wyoming, NY, 14591 for a one (1) year term, said term to expire 12/31/01;

Ronald Franklin. Sr., 3115 Route 78, Town of Eagle, Bliss, New York 14024, for a three (3) year term, said term to expire 12/31/03.

Carried: Ayes: 1618 Noes: 0 Absent: 0

#9

**RESOLUTION NO. 01-34
(February 15, 2001)**

By Mr. Cox, Chairman of the Agriculture Committee:

**SUZANNE WEST REAPPOINTED TO THE WYOMING
COUNTY COOPERATIVE EXTENSION BOARD OF
DIRECTORS**

BE IT RESOLVED, That Suzanne West, 3215 Buffalo Road, Town of Orangeville, Varysburg, NY, 14167, 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, 2001.

Carried: Ayes: 1618 Noes: 0 Absent: 0

February 15, 2001

**RESOLUTION NO. 01-35
(February 15, 2001)**

By Mr. Cox, Chairman of the Agriculture Committee:

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

BE IT RESOLVED, That Ronald P. Herman, Sr., 4344 Hermitage Rd., Town of Wethersfield, Warsaw, NY 14569, 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, 2001.

Carried: Ayes: 1618 Noes: 0 Absent: 0

#11

**RESOLUTION NO. 01-36
(February 15, 2001)**

By Mrs. Humphrey, Chairman of the Finance Committee:

**MEMBERS REAPPOINTED TO WESTERN NEW YORK
INTERCOUNTY ASSOCIATION**

BE IT RESOLVED, That the following persons are hereby designated and shall represent the County of Wyoming as voting delegates and alternates to the Inter-County Association of Western New York for a one (1) year term, said term to expire 12/31/01.

A.D. Berwanger
6608 E. Arcade Road
Arcade, NY 14009

Paul Agan
285 Main Street
Attica, New York 14011

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Ronald P. Herman, Sr.
4344 Hermitage Road
Warsaw, New York 14569

Jerry Davis - Alternate
7414 Court Road
Pavilion, New York 14525

Suzanne Aldinger - Alternate
76 Genesee St.
Warsaw, NY 14569

Carried: Ayes: 1618 Noes: 0 Absent: 0

#12

**RESOLUTION NO. 01-37
(February 15, 2001)**

By Mrs. West, Chairman of the Public Safety Committee:

**MEMBER APPOINTED TO THE MERCY FLIGHT
CITIZENS ADVISORY COMMITTEE**

BE IT RESOLVED, That John Knab, Town of Sheldon, 2246 Thomas Road, Varysburg, NY 14167 is hereby appointed to serve on the Mercy Flight Citizens Advisory Committee for a term of one (1) year, said term to expire December 31, 2001.

Carried: Ayes: 1618 Noes: 0 Absent: 0

#13

**RESOLUTION NO. 01-38
(February 15, 2001)**

By Mr. Cox, Chairman of the Agriculture Committee:

**A. BRUNNER APPOINTED TO THE
REGION 9 FISH AND WILDLIFE COUNCIL**

February 15, 2001

BE IT RESOLVED, That Angela Brunner, 1947 Chaffee Road, Town of Java, Arcade, NY 14009 is hereby appointed to the Region 9 Fish & Wildlife Council as a Supervisor Representative for a term on one (1) year, said term to expire December 31, 2001.

Carried: Ayes: 1618 Noes: 0 Absent: 0

#14

**RESOLUTION NO. 01-39
(February 15, 2001)**

By Mr. Miller, Chairman of the Planning Committee:

**WYOMING COUNTY TOURIST PROMOTION AGENCY
REPRESENTATIVES APPOINTED**

BE IT RESOLVED, That Chris Hickey, 1308 Folsomdale Road, Town of Bennington, Cowlesville, NY, 14037, is hereby appointed as Supervisor Representative to the Wyoming County Tourist Promotion Agency for a one (1) year term, said term to expire December 31, 2001; and be it

FURTHER RESOLVED, That Suzanne West, 3215 Buffalo Road, Town of Orangeville, Varysburg, NY 14167, is hereby appointed as an Alternate Supervisor Representative to the Wyoming County Tourist Promotion Agency for a one (1) year term, said term to expire December 31, 2001.

Carried: Ayes: 1618 Noes: 0 Absent: 0

#15

**RESOLUTION NO. 01-40
(February 15, 2001)**

By Mr. Miller, Chairman of the Planning Committee:

**P. AGAN REAPPOINTED TO THE BUSINESS
EDUCATION COUNCIL**

Regular Session

Proceedings of the Board of Supervisors

BE IT RESOLVED, That Paul Agan, 285 Main Street, Town of Attica, Attica, NY 14011 is hereby reappointed to the Wyoming County Business Education Council as Supervisor Member Representative for a one (1) year term, said term to expire December 31, 2001.

Carried: Ayes: 1618 Noes: 0 Absent: 0

#16

**RESOLUTION NO. 01-41
(February 15, 2001)**

By Mr. Miller, Chairman of the Planning Committee:

**R. KELLY REAPPOINTED TO THE
WYOMING COUNTY PLANNING BOARD**

BE IT RESOLVED, That Robert Kelly, 608 Starr Road, Wyoming, New York is hereby reappointed to the Wyoming County Planning Board for a three (3) year term, said term to expire December 31, 2003.

Carried: Ayes: 1618 Noes: 0 Absent: 0

#17

**RESOLUTION NO. 01-42
(February 15, 2001)**

By Mrs. Totstline, Acting Chairman of the Planning Committee:

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

BE IT RESOLVED, That the following persons are hereby appointed to the Genesee/Finger Lakes Regional Planning Council for a one (1) year term to expire December 31, 2001.

A. D. Berwanger, 6608 East Arcade, Town of Arcade, Arcade, NY 14009
Howard Miller, 5454 Keeney Road, Town of Warsaw, Warsaw, NY 14569
and be it

February 15, 2001

FURTHER RESOLVED, That Anne C. Humphrey, 50 St. Helena Street, Town of Perry, Perry, New York 14530 is hereby appointed as a Alternate Supervisor Member Representative to the Genesee/Finger Lakes Regional Planning Board Council for a one (1) year term, said term to expire December 31, 2001.

Carried: Ayes: 1618 Noes: 0 Absent: 0

#18

**RESOLUTION NO. 01-43
(February 15, 2001)**

By Mrs. Humphrey, Chairman of the Finance Committee:

C. BUTLER APPOINTED OTB DIRECTOR

BE IT RESOLVED, That Carole L. Butler, Town of Warsaw, 44 State Street, Warsaw, NY 14569 is hereby appointed as Director to represent Wyoming County on the Board of Directors of the Western Region Off-Track Betting Corporation for a two (2) year term, said term to effective March 1, 2001 through February 28, 2003, upon the approval of the New York State Racing and Wagering Board.

Carried: Ayes: 1618 Noes: 0 Absent: 0

#19

**RESOLUTION NO. 01-44
(February 15, 2001)**

By Mr. Miller, Chairman of the Planning Committee:

**VARIOUS MEMBERS APPOINTED/REAPPOINTED TO
GLOW COMMITTEES**

Proceedings of the Board of Supervisors

BE IT RESOLVED, That the following persons are hereby reappointed/appointed to the GLOW Regional Solid Waste Management Committee, each to serve a one (1) year term, said term to expire 12/31/01:

<u>MEMBER</u>	<u>TOWN</u>	<u>ADDRESS</u>
Larry Rogers	Pike	East Koy Road Pike, NY 14130
Anne Humphrey	Perry	50 St. Helena Street Perry, NY 14530
Joseph Gozelski	Castile	6175 East Lake Rd. Silver Springs, NY 14550
Richard Tindell (Alternate)	Warsaw	56 Mt. View Avenue Warsaw, NY 14569

and be it

FURTHER RESOLVED, That the following persons are hereby appointed/reappointed to the GLOW Advisory Committee, each for a one year term, said term to expire 12/31/01:

<u>MEMBER</u>	<u>TOWN</u>	<u>ADDRESS</u>
Larry Rogers	Pike	East Koy Road Pike, NY 14130
Richard Tindell	Warsaw	56 Mt. View Avenue Warsaw, NY 14569

Representative from Cornell Cooperative Extension of Wyoming County –
and be it

FURTHER RESOLVED, That the following persons are hereby reappointed to the GLOW Planning Committee to serve a one (1) year term to expire 12/31/01:

Richard Tindell	Warsaw	56 Mt. View Avenue Warsaw, NY 14569
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Carried: Ayes: 1618 Noes: 0 Absent: 0

#20

RESOLUTION NO. 01-45

February 15, 2001

Proceedings of the Board of Supervisors
(February 15, 2001)

37

By Mrs. West, Chairman of the Public Safety Committee:

**CONTRACT APPROVED WITH ONEIDA COUNTY FOR
GUARDING INMATES**

BE IT RESOLVED, That the County of Wyoming shall enter into a renewal agreement with Oneida County for the guarding of Wyoming County inmates at the Central New York Psychiatric Center at the rate of One Hundred Ten Dollars (\$110.00) per day, per inmate for the period of January 1, 2001 through December 31, 2001; and be it

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

Carried: Ayes: 1618 Noes: 0 Absent: 0

#21

RESOLUTION NO. 01-46
(February 15, 2001)

By Mrs. Humphrey, Chairman of the Finance Committee:

APPROVES CANCELLATION OF USER FEES

WHEREAS, the County has determined that a user fee was placed on certain parcels owned by Elohim Bible Mission , Castile New York was in error and it is the desire of all parties to correct this,

WHEREAS, This effected both the 1999 and 2000 Town of Castile Tax Roll; now, therefore, be it

RESOLVED, That the above error is approved for correction and the County Treasurer is hereby authorized and directed to cancel the above user fees and any penalty or Interest earned for the above years.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 01-47
(February 15, 2001)

By Mrs. Humphrey, Chairman of the Finance Committee:

APPROVES PROPERTY SALES

WHEREAS, the County will acquired the right to transfer the following properties pursuant to a Judgement of Foreclosure under Article 11 of the Real Property Tax Law, and

WHEREAS, the Finance Committee of the Board has obtained an offer to purchase said properties and recommends the acceptance thereof, namely:

- PARCEL # 1 BLISS WATER DISTRICT, has offered to purchase property located in the Town of Eagle, Parcel Number, 600.-20-1
- PARCEL # 2 BLISS WATER DISTRICT, has offered to purchase property located in the Town of Eagle, Parcel Number, 500.-20-1./1
- PARCEL # 3 BLISS WATER DISTRICT, has offered to purchase property located in the Town of Eagle, Parcel Number, 500.-20-1./2

Now, therefore,

BE IT RESOLVED, That the above are hereby approved and accepted and the County Treasurer, in the name of the County, is hereby authorized to execute and deliver a referee deed to the purchaser; and be it

FURTHER RESOLVED, That all back taxes owed including the 2001 Town and County Taxes are hereby canceled.

Carried: Ayes: 1618 Noes: 0 Absent: 0

#23

RESOLUTION NO. 01-48
(February 15, 2001)

By Mrs. Humphrey, Chairman of the Finance Committee:

February 15, 2001

Proceedings of the Board of Supervisors
APPROVES PROPERTY SALES

39

WHEREAS, the County will acquired the right to transfer the following properties pursuant to a Judgement of Foreclosure under Article 11 of the Real Property Tax Law, and

WHEREAS, the Finance Committee of the Board has obtained an offer to purchase said properties and recommends the acceptance thereof, namely:

PARCEL # 1 JANELLE HILTS, has offered to purchase property located in the Town of Arcade, Bray Road, Parcel Number, 193.-2-13.3 for \$ 200.00

Now, therefore, be it

RESOLVED, That the above are hereby approved and accepted and the County Treasurer, in the name of the County, is hereby authorized to execute and deliver a referee deed to the purchaser.

Carried: Ayes: 1618 Noes: 0 Absent: 0

#24

RESOLUTION NO. 01-49
(February 15, 2001)

By Mr. Miller, Chairman of the Planning Committee:

**CHAIRMAN AUTHORIZED TO SIGN CONTRACT
WITH WYOMING COUNTY CHAMBER OF COMMERCE
TO PROVIDE ECONOMIC DEVELOPMENT
MARKETING SERVICES**

BE IT RESOLVED, That the Chairman of the Board, with the approval of the County Attorney, is hereby authorized and directed to sign an agreement with the Wyoming County Chamber of Commerce, 6470 Route 20A, Suite 2, Perry, NY 14530-9798 for the purpose of providing economic development marketing services for Wyoming County; cost of said agreement not to exceed Twenty Five Thousand Dollars (\$25,000.00); effective January 1, 2001 through December 31, 2001.

Carried: Ayes: 1618 Noes: 0 Absent: 0

Regular Session

RESOLUTION NO. 01-50
(February 15, 2001)

By Mrs. West, Chairman of the Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN CONTRACT WITH
WCCH**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney and on behalf of the Wyoming County Jail, is hereby authorized and directed to sign a contract with, Wyoming County Community Hospital, 400 N. Main Street, Warsaw, NY, for the purpose of workplace health related services for the Wyoming County Jail, said contract period January 01, 2001 through December 31, 2001, in an amount not to exceed Twenty Seven Thousand Dollars (\$27,000.00).

Carried: Ayes: 1618 Noes: 0 Absent: 0

#26

RESOLUTION NO. 01-51
(February 15, 2001)

By Mrs. West, Chairman of the Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN CONTRACT
WITH FRONTIER FOOD SERVICE, INC.**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney and on behalf of the Wyoming County Jail, is hereby authorized and directed to sign a contract with Frontier Food Services Corp., P.O. Box 903, West Seneca, NY 14224, for the purpose of meal preparation services for the Wyoming County Jail, said contract period January 01, 2001 through December 31, 2001.

Carried: Ayes: 1618 Noes: 0 Absent: 0

#27

RESOLUTION NO. 01-52
February 15, 2001

Proceedings of the Board of Supervisors
(February 15, 2001)

41

By Mrs. West, Chairman of the Public Safety 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 the County of Wyoming, is hereby authorized and directed to sign a contract with Mercy Flight to provide emergency flight service to the residents of Wyoming County for 2001, said contract to be in the amount of Twenty Thousand Dollars (\$20,000.00).

Carried: Ayes: 1618 Noes: 0 Absent: 0

#28

RESOLUTION NO. 01-53
(February 15, 2001)

By Mr. Miller, Chairman of the Planning Committee:

**CHAIRMAN AUTHORIZED TO SIGN CONTRACT
WITH GENESEE/FINGER LAKES REGIONAL PLANNING
COUNCIL FOR GIS CONSULTING SERVICES**

BE IT RESOLVED, That the Chairman of the Board, with the approval of the County Attorney, is hereby authorized and directed to sign a contract with Genesee/Finger Lakes Regional Planning Council (GFLRPC), City Place, 50 West Main Street, Suite 1807, Rochester, NY 14614 for the purpose of providing the Wyoming County Department of Planning and Development with consulting services to assist in the digitizing of information layers that will be used to produce Geographic Information System (GIS) maps for the county; cost of said contract not to exceed Five Thousand Dollars (\$5,000.00); effective January 1, 2001 through December 31, 2001.

Carried: Ayes: 1618 Noes: 0 Absent: 0

#29

RESOLUTION NO. 01-54
(February 15, 2001)

Regular Session

By Mr. Miller, Chairman of the Planning Committee:

**CHAIRMAN AUTHORIZED TO SIGN AMENDED
FINANCIAL ASSISTANCE AWARD**

BE IT RESOLVED, That the Chairman of the Board of Supervisors is hereby authorized and directed, with the approval of the County Attorney, to sign the amended Economic Development Administration (EDA) Financial Assistance Award entitled Economic Adjustment Assistance (Project No. 01-69-03853) said amendment will extend the completion date from December 31, 2000 to April 30, 2001.

Carried: Ayes: 1618 Noes: 0 Absent: 0

#30

**RESOLUTION NO. 01-55
(February 15, 2001)**

By Mrs. West, Chairman of the Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN PARTICIPATION
AGREEMENT FOR 2001 EMA PROGRAM**

BE IT RESOLVED, That the Chairman of this Board of Supervisors, on behalf of the County of Wyoming, is hereby authorized and directed, to sign the Local Emergency Management Assistance Participation Agreement for Federal Fiscal Year (FFY) 2001 which covers the period from October 1, 2000 through September 30, 2001; the tentative EMA allocation for use by the Bureau of Fire/Civil Defense of Wyoming County for budgeting purposes is estimated at Thirteen Thousand, Eight Hundred Ninety Six Dollars (\$13,896.00).

Carried: Ayes: 1618 Noes: 0 Absent: 0

#31

**RESOLUTION NO. 01-56
(February 15, 2001)**

By Mr. Rogers, Chairman of the Health and Human Services Committee:

February 15, 2001

**CHAIRMAN/COMMISSIONER AUTHORIZED TO SIGN
CONTRACT WITH YMCA OF GENESEE COUNTY ON
BEHALF OF THE SOCIAL SERVICES DEPARTMENT**

BE IT RESOLVED, That the Chairman of the Board/Commissioner of Social Services, with the approval of the County Attorney, is hereby authorized and directed to sign a contract with the YMCA of Genesee County, for the purpose of providing Family Child Care and School Age Registration Services; cost of said contract not to exceed Twenty Seven Thousand Dollars (\$27,000.00); effective August 1, 2000 through July 31, 2001.

Carried: Ayes: 1618 Noes: 0 Absent: 0

#32

**RESOLUTION NO. 01-57
(February 15, 2001)**

By Mr. Cox, Chairman of the Agriculture 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 18, 2000 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 2001 budget, in the amount of Four Hundred Ninety One Thousand, Four Hundred Eighty Three Dollars (\$491,483.00) for the support and maintenance of the work of the Cornell Cooperative Extension of this County.

Carried: Ayes: 1618 Noes: 0 Absent: 0

33

**RESOLUTION NO. 01-58
(February 15, 2001)**

By Mrs. Humphrey, Chairman of the Finance Committee:

Proceedings of the Board of Supervisors
CHAIRMAN AUTHORIZED TO AWARD BID
FOR THE PURCHASE OF LAW ENFORCEMENT
VEHICLES FOR 2001

WHEREAS, Wyoming County desires to avail itself in the procedure for a Cooperative Purchasing Program for the purpose of procuring law enforcement vehicles; and Genesee County is the "Lead Agency" in the competitive bidding process for the purchase of law enforcement vehicles under a "Cooperative Purchasing Agreement;" and

WHEREAS, The Finance Committee recommends approval of participation in the 2001 program at this time; now therefore

BE IT RESOLVED, That the Chairman of this Board of Supervisors is hereby authorized and directed to execute an Agreement by and between the County of Genesee as "Lead Agency" and the County of Wyoming for the purpose of procuring law enforcement vehicles for 2001 under a "Cooperative Purchasing Agreement;" and be it

FURTHER RESOLVED, That the Agreement shall commence for the period running commensurate with the contract period for services awarded to the successful vendor.

Carried: Ayes: 1618 Noes: 0 Absent: 0

#34

RESOLUTION NO. 01-59
(February 15, 2001)

By Mrs. Humphrey, Chairman of the Finance Committee:

CHAIRMAN AUTHORIZED TO SIGN LETTERS OF
UNDERSTANDING

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

February 15, 2001

Proceedings of the Board of Supervisors

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Understanding in regard to grants for 2001 activities between Wyoming County and the following:

Pioneer Library System	\$34,680.00
Wyoming County Fair Association	\$22,888.00
Wyo. Co. Soil & Water Conservation District Board	\$165,969.00
Wyoming County Tourist Promotion Agency	\$162,743.00
Arts Council for Wyoming County	\$18,571.00
Erie-Wyoming County Soil & Water District Board	\$3,000.00
Perry/Warsaw Airport	\$15,000.00

Carried: Ayes: 1618 Noes: 0 Absent: 0

#35

**RESOLUTION NO. 01-60
(February 15, 2001)**

By Mr. Miller, Chairman of the Planning Committee:

**CHAIRMAN AUTHORIZED TO SIGN AN AGREEMENT
WITH WYOMING COUNTY BUSINESS EDUCATION
COUNCIL FOR SCHOOL TO WORK PROGRAMS AND
COUNCIL**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign an agreement with the Wyoming County Business Education Council, 6470 Route 20A, Suite 3, Perry, NY 14530-9797 for the purpose of providing school to work programs and services in Wyoming County; cost of said agreement not to exceed \$7,500.00; effective January 1, 2001 through December 31, 2001.

Carried: Ayes: 1618 Noes: 0 Absent: 0

#36

**RESOLUTION NO. 01-61
(February 15, 2001)**

Regular Session

Proceedings of the Board of Supervisors

By Mr. Miller, Chairman of the Planning Committee:

**OFFICIAL UNDERTAKING OF PUBLIC EMPLOYEES
FIDELITY BLANKET BOND FOR COUNTY SHARE OF
GENESEE/FINGER LAKES RPC OPERATING FUNDS**

WHEREAS, The County of Wyoming has appropriated the sum of \$6,647.00 as its share of the 2001 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 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 Employees Fidelity (Blanket) Bond, issued by National Grange Mutual Insurance Company, providing faithful performance blanket bond coverage for officers and employees of the Council in the amount of Two Hundred Twenty Thousand Dollars (\$220,000.00); now 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; and be it

FURTHER RESOLVED, That the Chairman of the Board, with the approval of the County Attorney, is hereby authorized and directed to sign an agreement with the Genesee/Finger Lakes Regional Planning Council (GFLRPC), City Place, 50 West Main Street, Suite 8107, Rochester, NY 14614 for Wyoming County's share of GFLRPC's 2001 operating funds, said amount not to exceed Six Thousand, Six Hundred Forty Seven Dollars (\$6,647.00), effective January 1, 2001 through December 31, 2001.

Carried: Ayes: 1618 Noes: 0 Absent: 0

#37

RESOLUTION NO. 01-62

February 15, 2001

Proceedings of the Board of Supervisors
(February 15, 2001)

47

By Mr. Rogers, Chairman of the Health and Human Services Committee:

**RESOLUTION NO. 00-259 AMENDED RE: HEAP
ASSISTANCE**

BE IT RESOLVED, That Resolution No. 00-259, passed by this Board of Supervisors on November 14, 2000, is hereby amended to change the total amount not to exceed from Two Thousand Dollars (\$2,000.00) to Two Thousand, Five Hundred Dollars (\$2,500.00) for the HEAP Assistance for the Elderly, independent contract.

Carried: Ayes: 1618 Noes: 0 Absent: 0

#38

RESOLUTION NO. 01-63
(February 15, 2001)

By Mr. Rogers, Chairman of the Health and Human Services Committee:

POSITION CREATED IN THE YOUTH BUREAU

BE IT RESOLVED, That there is hereby created one (1) fte. position of Youth Program Coordinator, in the Wyoming County Youth Bureau, said position shall be placed on Schedule A, Grade 6, \$12.19/hr (\$22,182/year) of the CSEA Agreement.

Carried: Ayes: 1618 Noes: 0 Absent: 0

#39

RESOLUTION NO. 01-64
(February 15, 2001)

By Mr. Rogers, Chairman of the Health and Human Services Committee:

**POSITION IN THE DEPARTMENT OF SOCIAL SERVICES
RECLASSIFIED**

Regular Session

Proceedings of the Board of Supervisors

WHEREAS, The Wyoming County Civil Service office has completed a reclassification study in the Wyoming County Department of Social Services, and said survey has been reviewed by the NYS Civil Service Commission; Municipal Service Division; now therefore

BE IT RESOLVED, That the following position shall be reclassified:

One (1) fte. position of Social Services Investigator, be reclassified to one (1) fte. Account Clerk position, placed on Schedule A, Grade 4, \$11.62/hr (\$21,149.00/yr) of the CSEA Agreement..

Carried: Ayes: 1554 Noes: 64 Absent: 0

#40

**RESOLUTION NO. 01-65
(February 15, 2001)**

By Mr. Rogers, Chairman of the Health and Human Services Committee:

**ONE TEMPORARY POSITION OF FISCAL MANAGER
CREATED IN THE OFFICE FOR THE AGING**

BE IT RESOLVED, That there is hereby created one (1) temporary full time position of Fiscal Manager in the Office for the Aging to cover a medical leave of absence, said position to be placed on Schedule S, Step 1 of the Wyoming County Salary Plan, effective immediately through the end of the leave of absence.

Carried: Ayes: 1618 Noes: 0 Absent: 0

#41

**RESOLUTION NO. 01-66
(February 15, 2001)**

By Mr. Rogers, Chairman of the Health and Human Services Committee:

**COUNTY ADMINISTRATOR AUTHORIZED TO
CANVASS FOR CONSULTANT SERVICES OF BEHALF**

February 15, 2001

Proceedings of the Board of Supervisors
OF PATHWAYS

49

BE IT RESOLVED, That the County Administrator is hereby authorized and directed to canvass for a Pathways Program Coordinator on behalf of Wyoming County Youth Bureau and Pathways (ICP), upon the availability of funding provided through the Office of Children and Family Services, Integrated County Planning Grant in an amount not to exceed Thirty Five Thousand Dollars (\$35,000.00) annually; and be it

FURTHER RESOLVED, That upon the final approval of the Health and Human Services Committee and the County Attorney, that the Chairman of this Board is hereby authorized and directed to sign said contract for Pathways Consultant Services.

Carried: Ayes: 1618 Noes: 0 Absent: 0

#42

RESOLUTION NO. 01-67
(February 15, 2001)

By Mr. Cox, Chairman of the Agriculture Committee:

ORDER OF PROTECTION FOR DEER APPROVED

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

BE IT RESOLVED, That this Board hereby orders and requires that all dogs in the County of Wyoming shall be securely confined for the period through March 31, 2001, under Article 7, Section 122 of the New York State Agriculture and Markets law; and be it

FURTHER RESOLVED, That notice of this Order has been given publication in the following newspapers of general circulation within the County of Wyoming:

Perry Herald, Perry, NY

Arcade Herald, Arcade, NY

Daily News, Warsaw, NY;

Regular Session

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: 1618 Noes: 0 Absent: 0

#43

**RESOLUTION NO. 01-68
(February 15, 2001)**

By Mrs. Humphrey, Chairman of the Finance Committee:

**APPROVE CORRECTION OF ERRORS IN THE TOWNS
OF ARCADE, EAGLE, GAINESVILLE AND
WETHERSFIELD**

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 Arcade

Tax Map #193.6-1-58

ASSESSED TO: Michael D. Sonner

ERROR: Clerical

AUTHORITY: RPTL 550.2(a)

CORRECTION: Add omitted Village Tax relevy
New tax bill amount- \$3,387.38

PARCEL TWO: Town of Arcade

Tax Map #193.6-1-36.123

ASSESSED TO: Michael D. Sonner

ERROR: Clerical

February 15, 2001

AUTHORITY: RPTL 550.2(a)
CORRECTION: Remove erroneous Village tax relevy
New tax bill amount - \$25.42

PARCEL THREE: Town of Wethersfield

Tax Map #142.-1-23.11

ASSESSED TO: Sheri and Leonard Gertis

ERROR: Clerical

AUTHORITY: RPTL 550.2(i)

CORRECTION: Correct 2001 Town/Co. tax bill for incorrect school
relevy, cancel 7% relevy fee. (No school penalty
and no 7% county relevy fee.)

New tax bill amount - \$2,257.38

PARCEL FOUR: Town of Eagle

Tax Map #167.-1-11

ASSESSED TO: Charles Shisler

ERROR: Clerical

AUTHORITY: RPTL 550.2(i)

CORRECTION: Correct 2001 Town/Co. tax bill for incorrect school
relevy, cancel 7% relevy fee. (No school penalty and no 7% county relevy fee.)

New tax bill amount - \$314.99

PARCEL FIVE: Town of Gainesville

Tax Map #120.-2-1.3

ASSESSED TO: Raymond Conrad

ERROR: Clerical

AUTHORITY: RPTL 550.2(i)

CORRECTION: Correct 2001 Town/Co. tax bill for incorrect school
relevy, cancel 7% relevy fee. (No school penalty and no 7% county relevy fee.)

New tax bill amount - \$1,228.42

PARCEL SIX : Town of Gainesville

Tax Map #122.11-1-2

ASSESSED TO: Steven Rease

ERROR: Clerical

AUTHORITY: RPTL 550.2(i)

CORRECTION: Correct 2001 Town/Co. tax bill for incorrect school
relevy, cancel 7% relevy fee. (No school penalty and no 7% county relevy fee.)

New tax bill amount - \$465.35

PARCEL SEVEN: Town of Gainesville

Tax Map #122.20-1-27

ASSESSED TO: Paul Coffey, Jr.

Proceedings of the Board of Supervisors

ERROR: Clerical

AUTHORITY: RPTL 550.2(i)

CORRECTION: Correct 2001 Town/Co. tax bill for incorrect school
 relevy, cancel 7% relevy fee. (No school penalty and no 7% county relevy fee.)
 New tax bill amount - \$410.59

Carried: Ayes: 1618 Noes: 0 Absent: 0

#44

RESOLUTION NO. 01-69
(February 15, 2001)

By Mrs. Humphrey, Chairman of the Finance Committee:

**RPTS DIRECTOR AUTHORIZED TO APPROVE
 CORRECTION OF ERRORS**

BE IT RESOLVED, That in accordance with Chapter 515 of Laws of 1997, the Wyoming County Board of Supervisors amends the Correction of Errors procedure (RPTL 550-559) by authorizing the Director of Real Property Tax Services to approve the correction of the tax roll and tax bill, not to exceed One Thousand Dollars (\$1,000.00) (RPTL 554 (9); and

BE IT RESOLVED, That the Director of Real Property Tax Service is also authorized to issue a tax refund and direct the Wyoming County Treasurer to issue refund , not to exceed One Thousand Dollars (\$1,000.00) (RPTL 556 (8) (a).

Carried: Ayes: 1618 Noes: 0 Absent: 0

#45

RESOLUTION NO. 01-70
(February 15, 2001)

By Mrs. Humphrey, Chairman of the Finance Committee:

CORRECTION OF ERROR IN THE TOWN OF PERRY

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

February 15, 2001

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 #89.-1-42./2

ASSESSED TO: Bennett Petroleum
ERROR: Clerical
AUTHORITY: RPTL 558(1)
CORRECTION: Cancellation of void unpaid Town/County Taxes
Cancellation of void unpaid School Relieves
Tax Years 1997, 1998, 1999, 2000
Total Amount \$ 532.36

Carried: Ayes: 1618 Noes: 0 Absent: 0

#46

**RESOLUTION NO. 01-71
(February 15, 2001)**

By Mr. Rogers, Chairman of the Health and Human Services Committee:

**REQUEST TO THE STATE OF NEW YORK TO EXAMINE
THE FUNDING OF EVOLVING HEALTHCARE SYSTEM
AND TO ASSUME THE COUNTY SHARE OF MEDICAID
COSTS**

WHEREAS, The State of New York participates with and administers the Federally mandated Medicaid Program, a healthcare initiative covering medically related expenses suffered by the economically disadvantaged of the state; and

WHEREAS, The Counties of the State of New York fund with the State of New York the operations of the Medicaid Program; and

WHEREAS, The Medicaid Program is apparently the default payer for many developing programs of Health Insurance coverage, i.e.: Child-Health Plus, Family Health Plus, Early Intervention, Pre-K Special Education Program, the Children With Special Needs Program, and the ever expanding number of

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facilities and services provided by Article 28 facilities which licensed and approved by the New York State Department of Health to provide health care and dental services in New York State; and

WHEREAS, It has become evident that the number of these services, insurance programs, and facilities is increasing, and will continue to increase under pressures to cover a wider scope of the population of the State of New York and its needs; and

WHEREAS, For the health and well-being of the people of New York State, this growth of services and coverage is a welcome addition to the existing insurance mechanisms, adding to the overall quality of life enjoyed by the under insured residents of the State of New York if administered fairly and without prejudice, and

WHEREAS, The Counties of the State of New York will, under the existing statutes, be required to provide increasing amounts of funding to cover the expenses of this growing and evolving healthcare system; and

WHEREAS, A large number of Counties of the State of New York have not enjoyed the benefits of the last eight years of unabated economic growth that some of our State and much of our Country has displayed; and

WHEREAS, The current level of taxation of properties made necessary by County operating budgets under numerous State mandates is currently the single most identified deterrent to economic growth and development of these Counties, has caused the egress of educated youth, the future of this County, from this area, the sale of family homesteads, the sale and or closure of fifteen percent of small family farms; and

WHEREAS, It has become self evident to the duly elected Supervisors of the County of Wyoming that this County is in fact being mandated to participate at a high level in the funding of a needed and desirable Healthcare System to the detriment of the well being of the property owners of the County and the further economic development of the County, now; therefore be it

RESOLVED, That the County of Wyoming insists that the State of New York examine the global considerations of funding this evolving Healthcare System with consideration given to the constraints and consequences of County taxation; and be it

RESOLVED, That the State of New York, with no undue delay, assume the County share of all medicaid expenses; and be it

February 15, 2001

FURTHER RESOLVED, That the Clerk of this Board forward a certified copy of this resolution to the Governor of the State of New York, the Comptroller of the State of New York, the Speaker of the Assembly, the Majority Leader of the Senate, the Honorable Dale Volker, Member of the Senate, and the Honorable Daniel Burling, Member of the Assembly.

Carried: Ayes: 1618 Noes: 0 Absent: 0

Supervisor Bush, T/Gainesville made a motion for Resolution Unanimous Consent #47 be presented to the Board of Supervisors. A voice vote was taken and the request was granted.

A lengthy discussion had taken place regarding the following resolution and voted upon.

UC#47

**RESOLUTION NO. 01-72
(February 15, 2001)**

By Mr. Rogers, Chairman of the Health and Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN LEASE
AGREEMENT ON BEHALF OF WYOMING COUNTY
DEPARTMENT OF PUBLIC HEALTH**

BE IT RESOLVED, That the Chairman of the Board, with the approval of the County Attorney, and on behalf of the Wyoming County Department of Public Health, is hereby authorized and directed to sign a three (3) year Lease Agreement with J. Rutkowski, 75 North Main Street, Warsaw, NY 14569, for the purpose of providing space for the Women Infant and Children (WIC) Program, said amount of lease agreement not to exceed \$800.00 a month (\$9,600.00 per year) for the period of April 1, 2001 through March 31, 2004.

Carried: Ayes: 1618 Noes: 0 Absent: 0

Supervisor Herman, T/Wethersfield moved that the meeting be adjourned at
3:02 PM

REGULAR SESSION

TUESDAY

(March 13, 2001)

2:00 PM

The Regular Session of the Wyoming County Board of Supervisors was held at the Wyoming County Government Center, in the Board of Supervisors Chambers, 143 North Main Street, Warsaw, New York with all members present. Also present was County Attorney, Eric T. Dadd and County Administrator, Kevin D. DeFebbo. Chairman Berwanger. T/Arcade called the meeting to order and led the Pledge of Allegiance to the Flag.

There were no communications.

#1

RESOLUTION NO. 01-73

(March 13, 2001)

By Mrs. Humphrey, Chairman of the Finance Committee:

FUNDS APPROPRIATED TO WCCH 2000 ACCOUNT

BE IT RESOLVED, That funds are hereby appropriated to Wyoming County Community Hospital 2000 accounts as follows:

WCCH			
To acct. 02.56.4510.1.10101 CSEA contract wages \$1,570,582.48 W/rev acct 02.04.4510.1635 (hospital income) inc. by same amt.	\$1,570,582.48	\$1,570,582.48	\$1,570,582.48

and be it

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

REGULAR SESSION

TUESDAY

(March 13, 2001)

2:00 PM

The Regular Session of the Wyoming County Board of Supervisors was held at the Wyoming County Government Center, in the Board of Supervisors Chambers, 143 North Main Street, Warsaw, New York with all

March 13, 2001

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members present. Also present was County Attorney, Eric T. Dadd and County Administrator, Kevin D. DeFebbo. Chairman Berwanger. T/Arcade called the meeting to order and led the Pledge of Allegiance to the Flag.

There were no communications.

#1

**RESOLUTION NO. 01-73
(March 13, 2001)**

By Mrs. Humphrey, Chairman of the Finance Committee:

FUNDS APPROPRIATED TO WCCH 2000 ACCOUNT

BE IT RESOLVED, That funds are hereby appropriated to Wyoming County Community Hospital 2000 accounts as follows:

WCCH			
To acct. 02.56.4510.1.10101 CSEA contract wages \$1,570,582.48 W/rev acct 02.04.4510.1635 (hospital income) inc. by same amt.	\$1,570,582.48	\$1,570,582.48	\$1,570,582.48

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. 01-74
(March 13, 2001)**

By Mrs. Humphrey, Chairman of the Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2001 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2001 accounts as follows:

--	--	--	--

Regular Session

Proceedings of the Board of Supervisors

MENTAL HEALTH			
To acct. 01.38.4323.4.42410 monitoring and eval. \$7,599.00 W/the following rev. accounts increased as indicated: 01.11.4323.349001 Mental Health state aid 23.00 01.12.4323.4490 Mental Health Federal 7,576.00 \$7,599.00	\$7,599.00	\$7,599.00	\$7,599.00
To acct. 01.38.4320.4.40926 ARA, Inc. \$10,161.00 W/state aid rev. acct. 01.11.4320.3490 inc. by same amt.	\$10,161.00	\$10,161.00	\$10,161.00
DISTRICT ATTORNEY			
To acct. 01.32.1168.1.10604 Bonus Award (salary) \$10,000.00 01.32.1168.2.20001 Office Furniture/Equip. 18,810.00 01.32.1168.2.20201 Computer Equipment 20,395.00 01.32.1168.8.81001 Retirement 30.00 01.32.1168.8.83001 FICA 620.00 01.32.1168.8.85001 Medicare 145.00 \$50,000.00 W/rev. acct. 01.11.1168.3089 (other state rev.) Inc by same amt.	\$50,000.00	\$50,000.00	\$50,000.00
SOCIAL SERVICES			
To acct. 01.39.6010.4.40508 private auto repair \$4,423.96 W/rev. acct. 01.08.6010.2680 inc by same amount	\$4,423.96	\$4,423.96	\$4,423.96
BUILDINGS AND GROUNDS			
To acct. 01.34.1620.4.40810 Emergency Maint. Repair From any funds available	\$31,677.00	\$31,677.00	\$31,677.00

and be it

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

Carried: Ayes: 1618

Noes: 0

Absent: 0

#3

**RESOLUTION NO. 01-75
(March 13, 2001)**

By Mrs. Humphrey, Chairman of the Finance Committee:

FUNDS TRANSFERRED TO WCCH 2000 ACCOUNTS

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

WCCH - 2000			

March 13, 2001

From acct. 02.56.4510.1.10001 Fixed Salary	\$664,667.00		
02.56.4510.1.10701 Accrued Vac.	99,908.00		
02.56.4510.2.20801 Equipment	100,874.65		
02.56.4510.8.80001 Workers Comp	644.00		
02.56.4510.8.81001 Retirement	3,189.43		
02.56.4510.8.84001 Unemploy Ins.	31,761.07		
02.56.9733.7.70001 Serial Bond Int.	.50		
02.56.9740.7.70002 BAN Int.	166.67		
02.56.9785.6.60003 Install Purchase	80,478.00		
02.56.9785.7.70003 Install Purc Int.	<u>48,537.00</u>		
	\$1,030,226.32	\$1,030,226.32	
To accts. 02.56.4510.1.10101 Salaries	43,344.98		
02.56.4510.4.42501 Contr	717,766.20		
02.56.4510.8.83001 FICA	36,747.48		
02.56.4510.8.85001 Medicare	9,572.72		
02.56.4510.8.89001 Hosp Ins.	221,230.19		
02.56.9735.7.70002 BAN Int.	<u>1,564.75</u>		
	\$1,030,226.32	\$1,030,226.32	\$1,030,226.32

Carried: Ayes: 1618

Noes: 0

Absent: 0

Supervisor Bush, Chairman of the Audit Committee presented the bills in the amount of Nine Hundred Forty One Thousand, Eight Hundred Eighty Four Dollars, Seven Cents (\$941,884.07). A voice vote was taken and the bills were approved.

Carried: Ayes: 1618

Noes: 0

Absent: 0

Chairman Berwanger, T/Arcade, proposed to consolidate Resolutions Office #'s four (4) through thirteen (13) for consent agenda. A voice vote was taken and the request was granted.

4

RESOLUTION NO. 01-76 (March 13, 2001)

By Mrs. Humphrey, Chairman of the Finance Committee:

MEMBERS REAPPOINTED TO THE WYOMING COUNTY COMMUNITY HOSPITAL BOARD OF MANAGERS

BE IT RESOLVED, That the following persons are hereby reappointed to the Wyoming County Community Hospital Board of Managers for a five (5) year term, said term to expire as follows:

Janet Miller 5401 Curriers Rd T/Java, Arcade, NY 14009

Dr. J. Thomas Reagan 3148 Merchant Rd T/Warsaw, Warsaw, NY 14569
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Carried: Ayes: 1618

Noes: 0

Absent: 0

5

**RESOLUTION NO. 01-77
(March 13, 2001)**

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

**CHAIRMAN AUTHORIZED TO SIGN CONTRACT FOR
LAWN MOWING SERVICES FOR BUILDINGS AND
GROUNDS**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney and on behalf of the Wyoming County Department of Buildings and Grounds, is authorized and directed to sign a contract with Wolcott Farms Lawn Care, 3820 Hermitage Road, Warsaw, NY 14569 for Landscape Maintenance of County property not to exceed the amount of Twelve Thousand, Nine Hundred Dollars (\$12,900.00), effective through December 31, 2001.

Carried: Ayes: 1618

Noes: 0

Absent: 0

6

**RESOLUTION NO. 01-78
(March 13, 2001)**

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

**CHAIRMAN AUTHORIZED TO AWARD AND SIGN
CONTRACTS ON BEHALF OF THE HIGHWAY
DEPARTMENT**

WHEREAS, That pursuant to Section 126 of the Highway Law, the Chairman of the Board of Supervisors is hereby authorized and directed, jointly and in conjunction with the County Superintendent of Highways and the Public Works Committee, to award and sign a contract to the lowest responsible bidder for the replacement of Warsaw Bridge No. 2 (BIN #3366430) Buffalo Road (PIN # 4752.81) over the Oatka Creek; and

March 13, 2001

BE IT RESOLVED, That pursuant to Section 126 of the Highway Law, the Chairman of the Board of Supervisors is hereby authorized and directed, jointly and in conjunction with the County Superintendent of Highways and the Public Works Committee, to award and sign a contract to the lowest responsible bidder for the rehabilitation of Genesee Falls Bridge No. 1 (BIN #33198060) (PIN # 4752.58) over the Genesee River, and be it

FURTHER RESOLVED, That pursuant to Section 126 of the Highway Law, the Chairman of the Board of Supervisors is hereby authorized and directed, jointly and in conjunction with the County Superintendent of Highways and the Public Works Committee, to award and sign a contract to the lowest responsible bidder for the Reconstruction of CR#44 Curriers Road from Route 98 to Route 78.

Carried: Ayes: 1618

Noes: 0

Absent: 0

7

**RESOLUTION NO. 01-79
(March 13, 2001)**

By Mr. Miller, Chairman of the Planning Committee:

**EXPRESSING SUPPORT FOR EXPANSION OF
EMPIRE ZONES TO ALL NYS COUNTIES**

WHEREAS, Empire Zones (formerly known as Economic Development Zones) were authorized by the NYS Legislature to provide for enhanced public and private sector incentives for certain distressed areas of the State; and

WHEREAS, Through later legislative changes the value of incentives offered through Empire Zones has become a significant factor in the attraction of business to New York State; and

WHEREAS, Despite the authorization of 54 Empire Zones statewide, 26 counties in New York State, including Wyoming County do not qualify for Empire Zone, because we do not meet the original distress criteria to qualify; and

WHEREAS, Wyoming County hereby finds that having an Empire Zone is critical to the business attraction strategy of Wyoming County and New York State; now therefore

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BE IT RESOLVED, That Wyoming County supports the legislation proposed by Governor Pataki to expand the Zones program provided such legislation also includes participation by each county; and be it

FURTHER RESOLVED, That copies of this resolution be sent to the Governor, our State Legislators, the Commissioner of Empire State Development, Western New York Inter-County Association and the Wyoming County Chamber of Commerce.

Carried: Ayes: 1618

Noes:0

Absent: 0

8

**RESOLUTION NO. 01-80
(March 13, 2001)**

By Mr. Miller, Chairman of the Planning Committee:

**CHAIRMAN AUTHORIZED TO SIGN AGREEMENT
WITH SAFETY-KLEEN (NE), INC. FOR GLOW REGION
2001 HOUSEHOLD HAZARDOUS WASTE COLLECTION
PROGRAM**

WHEREAS, The GLOW Region Solid Waste Management Committee has applied for and secured funding from the New York State Department of Environmental Conservation (NYSDEC) for a Household Hazardous Waste Collection Project in 2001 and 2002 in the amount of Thirty-Seven Thousand, Seven Hundred Fifty Dollars (\$37,750.00); and

WHEREAS, The GLOW Committee has issued a Request for Proposals for professional services to hazardous waste service providers to conduct the two household hazardous waste collection days to be held on May 12, 2001 - Batavia, NY and May 19, 2001 - Rock Glen, NY; and

WHEREAS, The GLOW Committee received five (5) proposals from hazardous waste service providers; and

WHEREAS, On January 5, 2001, the GLOW Committee adopted Resolution No. 01-01 recommending Safety-Kleen (NE), Inc. as the contractor responsible for collection, transportation and disposal of unwanted and/or unusable household hazardous waste from GLOW region residents; now therefore

BE IT RESOLVED, That upon approval of the contract by the County

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Attorney, and on behalf of the GLOW Region Solid Waste Management Committee, the Chairman of the Wyoming County Board of Supervisors is authorized to sign the contract with Safety-Kleen (NE), Inc., as the contractor for the GLOW Region 2001 Household Hazardous Waste Collection Program in an amount not to exceed Twenty-Eight Thousand Dollars (\$28,000.00), the source of funds being state revenues appropriated from the NYSDEC.

Carried: Ayes: 1618

Noes: 0

Absent: 0

9

**RESOLUTION NO. 01-81
(March 13, 2001)**

By Mr. Rogers, Chairman of the Health and Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
WITH GENTIVA HEALTH CARE ON BEHALF OF THE
OFFICE FOR THE AGING**

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 a contract with Genitiviva Health Care, 212 East Main Street, Batavia, New York, to provide personal care services (PCA I and PCA II) at the approved hourly Medicaid rate, effective April 1, 2001 through March 31, 2003, contingent on the availability of funding.

Carried: Ayes: 1618

Noes: 0

Absent: 0

10

**RESOLUTION NO. 01-82
(March 13, 2001)**

By Mr. Rogers, Chairman of the Health and Human Services Committee:

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

Regular Session

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BE IT RESOLVED, That the Chairman of this Board/Commissioner of the Wyoming County Department of Social Services, with the approval of the County Attorney and on behalf of the Department of Social Services is hereby authorized and directed to sign the following contracts:

A. Martha Lochman, Driver for Enhanced Drug and Alcohol Program; amount not to exceed \$6,000.00, effective January 1, 2001 through December 31, 2001.

B. David Metsinger, Foster Parent Co-Trainer Services, in an amount not to exceed \$1,000.00, effective March 1, 2001 through December 31, 2001.

C. Laureen Arnold, Family Resolutions; amount not to exceed \$35,000.00, effective April 1, 2001 through December 31, 2001.

D. Wyoming County Chemical Abuse, Treatment Program for alcohol/drug abuse assessments, at a rate of \$125.00 per applicant/recipient; effective March 23, 2000 through March 22, 2003.

Carried: Ayes: 1618

Noes: 0

Absent: 0

11

**RESOLUTION NO. 01-83
(March 13, 2001)**

By Mr. Rogers, Chairman of the Health and Human Services Committee:

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

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

A. Children's Learning Center, 3799 South Nine Mile Road, Allegany, NY 14706; for pre-school and EI-evaluations, center based and related services; term of March 14, 2001 through June 30, 2002; payment per the language of the contract.

B. Erica Arcese, 1999 Vermont Road, North Collins, NY 14111; for pre-school related services-Music Therapy; term of March 14, 2001-June 30, 2002; payment per the language of the contract.

C. Jill Mumbach, 12970 VanSlyke Road, East Concord, NY; for EI itinerant services of Occupational Therapy; term of March 14, 2001-June 30, 2002; payment per the language of the contract.

D. Molly Kruska, 11742 Moore Road, Springville, NY 14141 for Early Intervention for Licensed Physical Therapy; term of March 14, 2001-June 30, 2002; payment per the language of the contract.

E. Wyoming County Sheriff's Department, for Juvenile Officer; effective January 1, 2001 through December 31, 2001; amount not to exceed \$9,300.00.

F. Healthy Community Alliance to publish and distribute the Stars of Tomorrow summer flyer; amount not to exceed \$3,400.00

G. Cooperative agreement with Dept. of Social Services and Public Health (Early Intervention) for medicaid funding for Early Intervention; effective immediately upon execution by the parties and terminate pursuant to provisions of Section 12 of said contract.

Carried: Ayes: 1618

Noes: 0

Absent: 0

12

**RESOLUTION NO. 01-84
(March 13, 2001)**

By Mr. Rogers, Chairman of the Health and Human Services Committee:

**RESOLUTION NO. 00-263 AND RESOLUTION NO. 00-293
AMENDED RE: CHANGES/ADDITIONS IN
REINVESTMENT FUNDS ON BEHALF OF DEPT. OF
MENTAL HEALTH**

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BE IT RESOLVED, That Resolution No. 00-263, passed by this Board on November 14, 2000, is hereby amended to reflect a correction in an amount as follows:

2) Suburban Adult Services, Inc. renewal contracts for the period of January 1, 2001 through December 31, 2001:

B. Supported Employment (one contract for **\$45,341.00**) -
Reinvestment Funds **\$36,421.00**; Ongoing Integrated
Supported Employment Funds - \$8,920.00

and be it

FURTHER RESOLVED, That Resolution 00-263, passed by this Board of Supervisors

on November 14, 2000 and Resolution No. 293, passed by this Board on December 12, 2000, is

hereby amended to reflect the corrections in the amounts as follows:

A. Contract with the Mental Health Association of Rochester/Monroe County to manage: (One Contract for \$171,101.00) + **\$13,325.00 + \$7,078.00 = \$191,504.00**

4. Mica & Psycho Social Club (\$56,590.00) + **\$13,325.00 = \$69,915.00**

7. Administrative Oversight (**\$7,078.00**)

Carried: Ayes: 1618

Noes: 0

Absent: 0

13

**RESOLUTION NO. 01-85
(March 13, 2001)**

By Mr. Rogers, Chairman of the Health and Human Services Committee:

**A. BAKER APPOINTED TO THE
OFFICE OF THE AGING ADVISORY BOARD**

March 13, 2001

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BE IT RESOLVED, That Arlene Baker, 18 Livingston Street, Town of Warsaw, Warsaw, NY 14569, is hereby appointed to the Office of the Aging Advisory Board; said term to expire December 31, 2003.

Carried: Ayes: 1618

Noes: 0

Absent: 0

14

**RESOLUTION NO. 01-86
(March 13, 2001)**

By Mr. Miller, Chairman of the Planning Committee:

2001 UNITED WAY CAMPAIGN SUPPORTED

WHEREAS, The United Way of Wyoming County has raised needed funding for vital services provided by a number of human service agencies to residents of Wyoming County; and

WHEREAS, The United Way has a 2001 campaign goal of \$310,000.00 (Three Hundred Ten Thousand Dollars) for these needed services to county residents; now, therefore, be it

RESOLVED, That the Wyoming County Board of Supervisors does hereby approve of and support the 2001 United Way Campaign, and encourages county and municipal employees, and county residents and employers to make an investment in their community and help us "Take care of our own".

Carried: Ayes: 1618

Noes: 0

Absent: 0

15

**RESOLUTION NO. 01-87
(March 13, 2001)**

By Mrs. Humphrey, Chairman of the Finance Committee:

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

WHEREAS, the County of Wyoming desires to maintain the additional one percent (1%) to the local sales tax charged to purchases, etc., made within the County under Resolution No. 99-220, passed September 16, 1999, and as

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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.2301, and Assembly bill, A.4212, which is the legislation necessary to amend Section 1210 of the Tax Law to authorize Wyoming County to continue to add an additional one percent (1%) to the present three percent (3%) through November 30, 2003; 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

16

**RESOLUTION NO. 01-88
(March 13, 2001)**

By Mr. Rogers, Chairman of the Health and Human Services Committee:

MAY AS MENTAL HEALTH MONTH

WHEREAS, Millions of Americans may experience a mental disorder at some point during their lives and many suffer devastating consequences as a result; and

WHEREAS, Americans recognize that comprehensive and accessible mental healthcare services in their communities can effectively treat many disorders; and

WHEREAS, Wyoming County has made a commitment to community-based systems of mental healthcare for all residents; and

WHEREAS, The guiding principles for community mental healthcare have always been comprehensiveness, cost-efficient, effective management, high quality and consumer-responsive services, and those principles are now being adopted by private and public healthcare payers; and

WHEREAS, State, local and federal governments continue to struggle with financing issues to ensure all Americans who need physical and behavioral healthcare services can receive the help they need; now therefore

March 13, 2001

BE IT RESOLVED, That the Wyoming County Board of Supervisors does hereby proclaim May 2001 as

“MENTAL HEALTH MONTH”

and calls upon all citizens, government agencies, public and private institutions, businesses and schools in Wyoming County to recommit our county to its original vision for community mental healthcare through education, volunteerism and understanding.

Carried: Ayes: 1618

Noes: 0

Absent: 0

17

**RESOLUTION NO. 01-89
(March 13, 2001)**

By Mr. Rogers, Chairman of the Health and Human Services Committee:

PUBLIC HEALTH WEEK PROCLAIMED

WHEREAS, Public health services and programs are a high priority for the residents of Wyoming County; and

WHEREAS, Public health programs contribute to the reduction of needless suffering through increasing the knowledge and awareness of healthy behaviors, prevention of disease and injury, and protection against environmental hazards; and

WHEREAS, Public Health Week recognizes the cooperation of community members, public agencies, private enterprises, academic institutions and foundations to promote the health and well being of Wyoming County residents; now therefore,

BE IT RESOLVED, That the Wyoming County Board of Supervisors declares the week of April 1st through April 7th, 2001 as

“PUBLIC HEALTH WEEK”

and urges all citizens to participate in the activities and programs scheduled and sponsored by the Wyoming County Public Health Department.

Carried: Ayes: 1618

Noes: 0

Absent: 0

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**RESOLUTION NO. 01-90
(March 13, 2001)**

By Mrs. Humphrey, Chairman of the Finance Committee:

**NYS D.O.T. TO ABANDON MAINTENANCE
JURISDICTION ON PARCEL OF LAND IN THE TOWN OF
ORANGEVILLE REQUESTED**

BE IT RESOLVED, That the County of Wyoming hereby requests that the New York State Department of Transportation release, transfer and convey to the County of Wyoming, upkeep and maintenance responsibilities for the unused property at the East corner of New York State Route 20A and 98 in the Town of Orangeville; and be it

FURTHER RESOLVED, That a map/or legal document sufficient to describe said parcel shall be appended to this resolution and is part of same.

Carried: Ayes: 1419 Noes: 199 Absent: 0

19

**RESOLUTION NO. 01-91
(March 13, 2001)**

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

**CAPITAL IMPROVEMENT PLAN 2001 EXPENDITURES
AUTHORIZED**

WHEREAS, Resolution No. 85-95 passed by this Board of Supervisors on May 14, 1985 established a Capital Reserve Fund to finance the cost of construction, reconstruction or acquisition of real property and buildings and the equipping thereof for county purposes in accordance with Section 6-c of the General Municipal Law; now therefore

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

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To 12.61.9950.9.99004 interfund transfer 632,500.00

EMERGENCY SERVICES CAPITAL PROJECTS

To 25.72.3640.2.22001 Capital Projects(Fire Training Center Contamination) 150,000.00

To 25.72.3020.2.22001 Capital Projects(911 Center Battery Backup) 40,000.00

To 25.72.3641.2.22001 Capital Projects(Communications Tower) 300,000.00

DOG CONTROL CAPITAL PROJECTS

To 26.73.3510.2.22001 Capital Projects(Dog Pound Renovations) 120,000.00

BUILDINGS & GROUNDS CAPITAL PROJECTS

To 27.74.6772.2.22001 Capital Projects(Air Quality Human Services Bldg) 22,500.00

and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors hereby authorizes the County Treasurer to transfer said funds for the purpose of expenditures for the aforementioned Capital Improvement Projects with ESTIMATED REVENUE Accounts increased accordingly in each Capital Fund.

Carried: Ayes: 1618

Noes: 0

Absent: 0

Supervisor Herman, T/Wethersfield moved that the meeting be adjourned at 2:26 PM

#2

RESOLUTION NO. 01-74
(March 13, 2001)

By Mrs. Humphrey, Chairman of the Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2001 ACCOUNTS

Regular Session

Proceedings of the Board of Supervisors

BE IT RESOLVED, That funds are hereby appropriated to the various 2001accounts as follows:

MENTAL HEALTH			
To acct. 01.38.4323.4.42410 monitoring and eval. \$7,599.00 W/the following rev. accounts increased as indicated: 01.11.4323.349001 Mental Health state aid 23.00 01.12.4323.4490 Mental Health Federal <u>7,576.00</u> \$7,599.00	\$7,599.00	\$7,599.00	\$7,599.00
To acct. 01.38.4320.4.40926 ARA, Inc. \$10,161.00 W/state aid rev. acct. 01.11.4320.3490 inc. by same amt.	\$10,161.00	\$10,161.00	\$10,161.00
DISTRICT ATTORNEY			
To acct. 01.32.1168.1.10604 Bonus Award (salary) \$10,000.00 01.32.1168.2.20001 Office Furniture/Equip. 18,810.00 01.32.1168.2.20201 Computer Equipment 20,395.00 01.32.1168.8.81001 Retirement 30.00 01.32.1168.8.83001 FICA 620.00 01.32.1168.8.85001 Medicare <u>145.00</u> \$50,000.00 W/rev. acct. 01.11.1168.3089 (other state rev.) Inc by same amt.	\$50,000.00	\$50,000.00	\$50,000.00
SOCIAL SERVICES			
To acct. 01.39.6010.4.40508 private auto repair \$4,423.96 W/rev. acct. 01.08.6010.2680 inc by same amount	\$4,423.96	\$4,423.96	\$4,423.96
BUILDINGS AND GROUNDS			
To acct. 01.34.1620.4.40810 Emergency Maint. Repair From any funds available	\$31,677.00	\$31,677.00	\$31,677.00

and be it

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

Carried: Ayes: 1618

Noes: 0

Absent: 0

#3

**RESOLUTION NO. 01-75
(March 13, 2001)**

By Mrs. Humphrey, Chairman of the Finance Committee:

FUNDS TRANSFERRED TO WCCH 2000 ACCOUNTS

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

WCCH - 2000			
From acct. 02.56.4510.1.10001 Fixed Salary	\$664,667.00		
02.56.4510.1.10701 Accrued Vac.	99,908.00		
02.56.4510.2.20801 Equipment	100,874.65		
02.56.4510.8.80001 Workers Comp	644.00		
02.56.4510.8.81001 Retirement	3,189.43		
02.56.4510.8.84001 Unemploy Ins.	31,761.07		
02.56.9733.7.70001 Serial Bond Int.	.50		
02.56.9740.7.70002 BAN Int.	166.67		
02.56.9785.6.60003 Install Purchase	80,478.00		
02.56.9785.7.70003 Install Purc Int.	<u>48,537.00</u>		
	\$1,030,226.32	\$1,030,226.32	
To accts. 02.56.4510.1.10101 Salaries	43,344.98		
02.56.4510.4.42501 Contr	717,766.20		
02.56.4510.8.83001 FICA	36,747.48		
02.56.4510.8.85001 Medicare	9,572.72		
02.56.4510.8.89001 Hosp Ins.	221,230.19		
02.56.9735.7.70002 BAN Int.	<u>1,564.75</u>		
	\$1,030,226.32	\$1,030,226.32	\$1,030,226.32

Carried: Ayes: 1618

Noes: 0

Absent: 0

Supervisor Bush, Chairman of the Audit Committee presented the bills in the amount of Nine Hundred Forty One Thousand, Eight Hundred Eighty Four Dollars, Seven Cents (\$941,884.07). A voice vote was taken and the bills were approved.

Carried: Ayes: 1618

Noes: 0

Absent: 0

Chairman Berwanger, T/Arcade, proposed to consolidate Resolutions Office #'s four (4) through thirteen (13) for consent agenda. A voice vote was taken and the request was granted.

4

RESOLUTION NO. 01-76
(March 13, 2001)

By Mrs. Humphrey, Chairman of the Finance Committee:

**MEMBERS REAPPOINTED TO THE WYOMING COUNTY
COMMUNITY HOSPITAL BOARD OF MANAGERS**

BE IT RESOLVED, That the following persons are hereby reappointed to the Wyoming County Community Hospital Board of Managers for a five (5) year term, said term to expire as follows:

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Dr. J. Thomas Reagan 3148 Merchant Rd T/Warsaw, Warsaw, NY
14569 4/30/2006

Carried: Ayes: 1618 Noes: 0 Absent: 0

5

**RESOLUTION NO. 01-77
(March 13, 2001)**

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

**CHAIRMAN AUTHORIZED TO SIGN CONTRACT FOR
LAWN MOWING SERVICES FOR BUILDINGS AND
GROUNDS**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney and on behalf of the Wyoming County Department of Buildings and Grounds, is authorized and directed to sign a contract with Wolcott Farms Lawn Care, 3820 Hermitage Road, Warsaw, NY 14569 for Landscape Maintenance of County property not to exceed the amount of Twelve Thousand, Nine Hundred Dollars (\$12,900.00), effective through December 31, 2001.

Carried: Ayes: 1618 Noes: 0 Absent: 0

6

**RESOLUTION NO. 01-78
(March 13, 2001)**

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

**CHAIRMAN AUTHORIZED TO AWARD AND SIGN
CONTRACTS ON BEHALF OF THE HIGHWAY
DEPARTMENT**

WHEREAS, That pursuant to Section 126 of the Highway Law, the Chairman of the Board of Supervisors is hereby authorized and directed, jointly and in conjunction with the County Superintendent of Highways and the Public

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Works Committee, to award and sign a contract to the lowest responsible bidder for the replacement of Warsaw Bridge No. 2 (BIN #3366430) Buffalo Road (PIN # 4752.81) over the Oatka Creek; and

BE IT RESOLVED, That pursuant to Section 126 of the Highway Law, the Chairman of the Board of Supervisors is hereby authorized and directed, jointly and in conjunction with the County Superintendent of Highways and the Public Works Committee, to award and sign a contract to the lowest responsible bidder for the rehabilitation of Genesee Falls Bridge No. 1 (BIN #33198060) (PIN # 4752.58) over the Genesee River, and be it

FURTHER RESOLVED, That pursuant to Section 126 of the Highway Law, the Chairman of the Board of Supervisors is hereby authorized and directed, jointly and in conjunction with the County Superintendent of Highways and the Public Works Committee, to award and sign a contract to the lowest responsible bidder for the Reconstruction of CR#44 Curriers Road from Route 98 to Route 78.

Carried: Ayes: 1618

Noes: 0

Absent: 0

7

**RESOLUTION NO. 01-79
(March 13, 2001)**

By Mr. Miller, Chairman of the Planning Committee:

**EXPRESSING SUPPORT FOR EXPANSION OF
EMPIRE ZONES TO ALL NYS COUNTIES**

WHEREAS, Empire Zones (formerly known as Economic Development Zones) were authorized by the NYS Legislature to provide for enhanced public and private sector incentives for certain distressed areas of the State; and

WHEREAS, Through later legislative changes the value of incentives offered through Empire Zones has become a significant factor in the attraction of business to New York State; and

WHEREAS, Despite the authorization of 54 Empire Zones statewide, 26 counties in New York State, including Wyoming County do not qualify for Empire Zone, because we do not meet the original distress criteria to qualify; and

WHEREAS, Wyoming County hereby finds that having an Empire
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Zone is critical to the business attraction strategy of Wyoming County and New York State; now therefore

BE IT RESOLVED, That Wyoming County supports the legislation proposed by Governor Pataki to expand the Zones program provided such legislation also includes participation by each county; and be it

FURTHER RESOLVED, That copies of this resolution be sent to the Governor, our State Legislators, the Commissioner of Empire State Development, Western New York Inter-County Association and the Wyoming County Chamber of Commerce.

Carried: Ayes: 1618

Noes:0

Absent: 0

8

**RESOLUTION NO. 01-80
(March 13, 2001)**

By Mr. Miller, Chairman of the Planning Committee:

**CHAIRMAN AUTHORIZED TO SIGN AGREEMENT
WITH SAFETY-KLEEN (NE), INC. FOR GLOW REGION
2001 HOUSEHOLD HAZARDOUS WASTE COLLECTION
PROGRAM**

WHEREAS, The GLOW Region Solid Waste Management Committee has applied for and secured funding from the New York State Department of Environmental Conservation (NYSDEC) for a Household Hazardous Waste Collection Project in 2001 and 2002 in the amount of Thirty-Seven Thousand, Seven Hundred Fifty Dollars (\$37,750.00); and

WHEREAS, The GLOW Committee has issued a Request for Proposals for professional services to hazardous waste service providers to conduct the two household hazardous waste collection days to be held on May 12, 2001 - Batavia, NY and May 19, 2001 - Rock Glen, NY; and

WHEREAS, The GLOW Committee received five (5) proposals from hazardous waste service providers; and

WHEREAS, On January 5, 2001, the GLOW Committee adopted Resolution No. 01-01 recommending Safety-Kleen (NE), Inc. as the contractor responsible for collection, transportation and disposal of unwanted and/or

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unusable household hazardous waste from GLOW region residents; now therefore

BE IT RESOLVED, That upon approval of the contract by the County Attorney, and on behalf of the GLOW Region Solid Waste Management Committee, the Chairman of the Wyoming County Board of Supervisors is authorized to sign the contract with Safety-Kleen (NE), Inc., as the contractor for the GLOW Region 2001 Household Hazardous Waste Collection Program in an amount not to exceed Twenty-Eight Thousand Dollars (\$28,000.00), the source of funds being state revenues appropriated from the NYSDEC.

Carried: Ayes: 1618

Noes: 0

Absent: 0

9

RESOLUTION NO. 01-81 (March 13, 2001)

By Mr. Rogers, Chairman of the Health and Human Services Committee:

CHAIRMAN AUTHORIZED TO SIGN A CONTRACT WITH GENTIVA HEALTH CARE ON BEHALF OF THE OFFICE FOR THE AGING

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 a contract with Genitivia Health Care, 212 East Main Street, Batavia, New York, to provide personal care services (PCA I and PCA II) at the approved hourly Medicaid rate, effective April 1, 2001 through March 31, 2003, contingent on the availability of funding.

Carried: Ayes: 1618

Noes: 0

Absent: 0

10

RESOLUTION NO. 01-82 (March 13, 2001)

By Mr. Rogers, Chairman of the Health and Human Services Committee:

Regular Session

Proceedings of the Board of Supervisors**AUTHORIZED CHAIRMAN/COMMISSIONER OF
SOCIAL SERVICES TO SIGN VARIOUS CONTRACTS ON
BEHALF OF THE DEPARTMENT OF SOCIAL SERVICES**

BE IT RESOLVED, That the Chairman of this Board/Commissioner of the Wyoming County Department of Social Services, with the approval of the County Attorney and on behalf of the Department of Social Services is hereby authorized and directed to sign the following contracts:

A. Martha Lochman, Driver for Enhanced Drug and Alcohol Program; amount not to exceed \$6,000.00, effective January 1, 2001 through December 31, 2001.

B. David Metsinger, Foster Parent Co-Trainer Services, in an amount not to exceed \$1,000.00, effective March 1, 2001 through December 31, 2001.

C. Laureen Arnold, Family Resolutions; amount not to exceed \$35,000.00, effective April 1, 2001 through December 31, 2001.

D. Wyoming County Chemical Abuse, Treatment Program for alcohol/drug abuse assessments, at a rate of \$125.00 per applicant/recipient; effective March 23, 2000 through March 22, 2003.

Carried: Ayes: 1618

Noes: 0

Absent: 0

11

**RESOLUTION NO. 01-83
(March 13, 2001)**

By Mr. Rogers, Chairman of the Health and Human Services Committee:

CHAIRMAN AUTHORIZED TO SIGN VARIOUS

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CONTRACTS ON BEHALF OF THE YOUTH BUREAU

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

A. Children's Learning Center, 3799 South Nine Mile Road, Allegany, NY 14706; for pre-school and EI-evaluations, center based and related services; term of March 14, 2001 through June 30, 2002; payment per the language of the contract.

B. Erica Arcese, 1999 Vermont Road, North Collins, NY 14111; for pre-school related services-Music Therapy; term of March 14, 2001-June 30, 2002; payment per the language of the contract.

C. Jill Mumbach, 12970 VanSlyke Road, East Concord, NY; for EI itinerant services of Occupational Therapy; term of March 14, 2001-June 30, 2002; payment per the language of the contract.

D. Molly Kruska, 11742 Moore Road, Springville, NY 14141 for Early Intervention for Licensed Physical Therapy; term of March 14, 2001-June 30, 2002; payment per the language of the contract.

E. Wyoming County Sheriff's Department, for Juvenile Officer; effective January 1, 2001 through December 31, 2001; amount not to exceed \$9,300.00.

F. Healthy Community Alliance to publish and distribute the Stars of Tomorrow summer flyer; amount not to exceed \$3,400.00

G. Cooperative agreement with Dept. of Social Services and Public Health (Early Intervention) for medicaid funding for Early Intervention; effective immediately upon execution by the parties and terminate pursuant to provisions of Section 12 of said contract.

Carried: Ayes: 1618

Noes: 0

Absent: 0

12

RESOLUTION NO. 01-84
(March 13, 2001)

By Mr. Rogers, Chairman of the Health and Human Services Committee:

Regular Session

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RESOLUTION NO. 00-263 AND RESOLUTION NO. 00-293 AMENDED RE: CHANGES/ADDITIONS IN REINVESTMENT FUNDS ON BEHALF OF DEPT. OF MENTAL HEALTH

BE IT RESOLVED, That Resolution No. 00-263, passed by this Board on November 14, 2000, is hereby amended to reflect a correction in an amount as follows:

2) Suburban Adult Services, Inc. renewal contracts for the period of January 1, 2001 through December 31, 2001:

B. Supported Employment (one contract for **\$45,341.00**) -
 Reinvestment Funds **\$36,421.00**; Ongoing Integrated
 Supported Employment Funds - \$8,920.00

and be it

FURTHER RESOLVED, That Resolution 00-263, passed by this Board of Supervisors

on November 14, 2000 and Resolution No. 293, passed by this Board on December 12, 2000, is

hereby amended to reflect the corrections in the amounts as follows:

A. Contract with the Mental Health Association of Rochester/Monroe County to manage: (One Contract for \$171,101.00) + **\$13,325.00 + \$7,078.00 = \$191,504.00**

4. Mica & Psycho Social Club (\$56,590.00) + **\$13,325.00 = \$69,915.00**
 7. Administrative Oversight (**\$7,078.00**)

Carried: Ayes: 1618

Noes: 0

Absent: 0

13

RESOLUTION NO. 01-85
(March 13, 2001)

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By Mr. Rogers, Chairman of the Health and Human Services Committee:

**A. BAKER APPOINTED TO THE
OFFICE OF THE AGING ADVISORY BOARD**

BE IT RESOLVED, That Arlene Baker, 18 Livingston Street, Town of Warsaw, Warsaw, NY 14569, is hereby appointed to the Office of the Aging Advisory Board; said term to expire December 31, 2003.

Carried: Ayes: 1618

Noes: 0

Absent: 0

14

**RESOLUTION NO. 01-86
(March 13, 2001)**

By Mr. Miller, Chairman of the Planning Committee:

2001 UNITED WAY CAMPAIGN SUPPORTED

WHEREAS, The United Way of Wyoming County has raised needed funding for vital services provided by a number of human service agencies to residents of Wyoming County; and

WHEREAS, The United Way has a 2001 campaign goal of \$310,000.00 (Three Hundred Ten Thousand Dollars) for these needed services to county residents; now, therefore, be it

RESOLVED, That the Wyoming County Board of Supervisors does hereby approve of and support the 2001 United Way Campaign, and encourages county and municipal employees, and county residents and employers to make an investment in their community and help us "Take care of our own".

Carried: Ayes: 1618

Noes: 0

Absent: 0

15

**RESOLUTION NO. 01-87
(March 13, 2001)**

By Mrs. Humphrey, Chairman of the Finance Committee:

HOME RULE REQUEST TO EXTEND SALES TAX

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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. 99-220, passed September 16, 1999, 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.2301, and Assembly bill, A.4212, which is the legislation necessary to amend Section 1210 of the Tax Law to authorize Wyoming County to continue to add an additional one percent (1%) to the present three percent (3%) through November 30, 2003; 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

16

RESOLUTION NO. 01-88
(March 13, 2001)

By Mr. Rogers, Chairman of the Health and Human Services Committee:

MAY AS MENTAL HEALTH MONTH

WHEREAS, Millions of Americans may experience a mental disorder at some point during their lives and many suffer devastating consequences as a result; and

WHEREAS, Americans recognize that comprehensive and accessible mental healthcare services in their communities can effectively treat many disorders; and

WHEREAS, Wyoming County has made a commitment to community-based systems of mental healthcare for all residents; and

WHEREAS, The guiding principles for community mental healthcare have always been comprehensiveness, cost-efficient, effective management, high quality and consumer-responsive services, and those principles are now
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being adopted by private and public healthcare payers; and

WHEREAS, State, local and federal governments continue to struggle with financing issues to ensure all Americans who need physical and behavioral healthcare services can receive the help they need; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors does hereby proclaim May 2001 as

“MENTAL HEALTH MONTH”

and calls upon all citizens, government agencies, public and private institutions, businesses and schools in Wyoming County to recommit our county to its original vision for community mental healthcare through education, volunteerism and understanding.

Carried: Ayes: 1618

Noes: 0

Absent: 0

17

**RESOLUTION NO. 01-89
(March 13, 2001)**

By Mr. Rogers, Chairman of the Health and Human Services Committee:

PUBLIC HEALTH WEEK PROCLAIMED

WHEREAS, Public health services and programs are a high priority for the residents of Wyoming County; and

WHEREAS, Public health programs contribute to the reduction of needless suffering through increasing the knowledge and awareness of healthy behaviors, prevention of disease and injury, and protection against environmental hazards; and

WHEREAS, Public Health Week recognizes the cooperation of community members, public agencies, private enterprises, academic institutions and foundations to promote the health and well being of Wyoming County residents; now therefore,

BE IT RESOLVED, That the Wyoming County Board of Supervisors declares the week of April 1st through April 7th, 2001 as

Proceedings of the Board of Supervisors
“PUBLIC HEALTH WEEK”

and urges all citizens to participate in the activities and programs scheduled and sponsored by the Wyoming County Public Health Department.

Carried: Ayes: 1618

Noes: 0

Absent: 0

18

RESOLUTION NO. 01-90
(March 13, 2001)

By Mrs. Humphrey, Chairman of the Finance Committee:

NYS D.O.T. TO ABANDON MAINTENANCE
JURISDICTION ON PARCEL OF LAND IN THE TOWN OF
ORANGEVILLE REQUESTED

BE IT RESOLVED, That the County of Wyoming hereby requests that the New York State Department of Transportation release, transfer and convey to the County of Wyoming, upkeep and maintenance responsibilities for the unused property at the East corner of New York State Route 20A and 98 in the Town of Orangeville; and be it

FURTHER RESOLVED, That a map/or legal document sufficient to describe said parcel shall be appended to this resolution and is part of same.

Carried: Ayes: 1419

Noes: 199

Absent: 0

19

RESOLUTION NO. 01-91
(March 13, 2001)

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

CAPITAL IMPROVEMENT PLAN 2001 EXPENDITURES
AUTHORIZED

WHEREAS, Resolution No. 85-95 passed by this Board of Supervisors on May 14, 1985 established a Capital Reserve Fund to finance the cost of construction, reconstruction or acquisition of real property and buildings and the

March 13, 2001

equipping thereof for county purposes in accordance with Section 6-c of the General Municipal Law; now therefore

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

BUILDING & CAPITAL RESERVE

To 12.61.9950.9.99004 interfund transfer 632,500.00

EMERGENCY SERVICES CAPITAL PROJECTS

To 25.72.3640.2.22001 Capital Projects(Fire Training Center Contamination) 150,000.00

To 25.72.3020.2.22001 Capital Projects(911 Center Battery Backup) 40,000.00

To 25.72.3641.2.22001 Capital Projects(Communications Tower) 300,000.00

DOG CONTROL CAPITAL PROJECTS

To 26.73.3510.2.22001 Capital Projects(Dog Pound Renovations) 120,000.00

BUILDINGS & GROUNDS CAPITAL PROJECTS

To 27.74.6772.2.22001 Capital Projects(Air Quality Human Services Bldg) 22,500.00

and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors hereby authorizes the County Treasurer to transfer said funds for the purpose of expenditures for the aforementioned Capital Improvement Projects with ESTIMATED REVENUE Accounts increased accordingly in each Capital Fund.

Carried: Ayes: 1618

Noes: 0

Absent: 0

Supervisor Herman, T/Wethersfield moved that the meeting be adjourned at
2:26 PM

REGULAR SESSION

TUESDAY

(April 10, 2001)

2:00 PM

The Regular Session of the Wyoming County Board of Supervisors was held at the Wyoming County Government Center, in the Board of Supervisors Chambers, 143 North Main Street, Warsaw, New York with all members present. Also present was County Attorney, Eric T. Dadd and County Administrator, Kevin D. DeFebbo. Chairman Berwanger, T/Arcade 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, Suzanne Aldinger.

C-1. Reminder: Inter-County of Western New York is being held in Erie County at the Gallery 101 Bistro and Shea's performing Arts Center. The program consist of a tour of Shea's Performing Arts Center. Registration will be at 9:30 AM. RSVP's need to be in by April 13, 2001.

#1

RESOLUTION NO. 01-92

(April 10, 2001)

By Mrs. Humphrey, Chairman of the Finance Committee:

FUNDS APPROPRIATED TO VARIOUS ACCOUNTS

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

FY 2000			
TOBACCO FUNDS			
To acct. 01.51.9789.6.60004 task closing cost \$929,484.38 01.51.9789.6.60005 debt defeasement \$6,699,184.52 \$7,628,688.90	\$7,628,688.90		
W/state aid rev. acct. 01.08.9789.2655 inc. by same amt.		\$7,628,688.90	\$7,628,688.90
FY 2001			
YOUTH BUREAU			
To acct. 01.45.7310.4.42447 Youth Court Expense \$5,640.00 W/rev. acct. 01.12.7310.4820 Inc by same amt.	\$5,640.00	\$5,640.00	\$5,640.00

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SHERIFF			
To acct 01.37.3110.4.41402 Computers \$4,120.00 W/rev acct 01.12.3110.4389 Inc by same amt.	\$4,120.00	\$4,120.00	\$4,120.00
PUBLIC HEALTH			
To acct 01.38.4010.4.42461 Colarectal Grant \$1,000.00 W/rev acct 01.04.4010.1601 Inc by same amt.	\$1,000.00	\$1,000.00	\$1,000.00
To acct 01.38.4050.2.20701 Institutional Equipment \$34, 500.00 W/rev acct 01.04.4050.161005 Inc by same amt.	\$34, 500.00	\$34, 500.00	\$34, 500.00
SOCIAL SERVICES			
To acct 01.39.6010.2.20201 Computer Equipment \$2,560.00 01.39.6010.4.42264 Community Solutions <u>\$103,898.00</u> \$106,458.00 W/rev acct 01.11.6010.4610 Inc by \$143,000.00	\$106,458.00	\$143,000.00	\$143,000.00
To acct 01.39.6010.4.43015 HEAP Admin. \$2,000.00 W/rev acct 01.12.6010.4610 Inc. by same amt.	\$2,000.00	\$2,000.00	\$2,000.00
PATHWAYS			
To acct. 23.90.6019.4.42230 HEAP Admin \$2,000.00 W/rev acct. 23.10.6019.282390 Inc by same amt.	\$2,000.00	\$2,000.00	\$2,000.00
BOARD OF ELECTIONS			
To acct 01.34.1450.2.20201 Computer Equip \$9,250.00 01.34.1450.4.40301 Professional Services 1,500.00 01.34.1450.4.41410 Software Purchase <u>34,250.00</u> \$45,000.00 From any funds available	\$45,000.00	\$45,000.00	\$45,000.00

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: 1618 Noes: 0 Absent: 0

Supervisor Bush, Chairman of the Audit Committee presented the bills in the amount of One Million, Eight Hundred Thirty Three Thousand, Seven Hundred Sixty One Dollars Seventy Six Cents (\$1,833,761.76). A voice vote was taken and the bills were approved.

Carried: Ayes: 1618 Noes: 0 Absent: 0

Chairman Berwanger, T/Arcade. Proposed to consolidate Resolutions Office #'s four (4) through Twenty Two (22) for consent agenda. Supervisor Herman, T/Wethersfield made a motion to accept the proposal and Supervisor Hickey, T/Bennington, seconded the motion. A voice vote was taken and the

request was granted.

#2

**RESOLUTION NO. 01-93
(April 10, 2001)**

By Mrs. West, Chairman of the Public Safety Committee:

SEXUAL ASSAULT AWARENESS MONTH PROCLAIMED

WHEREAS, Sexual assault affects every person of Wyoming County as a victim survivor or as a family member, significant other, neighbor or co-worker of a victim survivor; and

WHEREAS, Many citizens of Wyoming County are working to provide quality services and assistance to sexual assault survivors; and dedicated volunteers help staff 24-hour hotlines, respond to emergency calls and offer support, comfort, and advocacy during medical exams, criminal proceedings, and throughout the healing process; and

WHEREAS, It is critical to intensify public awareness of sexual assault, to educate people about the need for citizen involvement in efforts to reduce sexual violence, to increase support for agencies providing sexual assault services, and to increase awareness of the healing power of creative expression; and

WHEREAS, Wyoming County requests public support and assistance as it continues to work toward a society where all women, children, and men can live in peace, free from violence and exploitation; now therefore

BE IT RESOLVED, the Wyoming County Board of Supervisors, does hereby proclaim the month of April as

SEXUAL ASSAULT AWARENESS MONTH

in Wyoming County, and commend this observance to all citizens.

Carried: Ayes: 1618 Noes: 0 Absent: 0

#3

**RESOLUTION NO. 01-94
(April 10, 2001)**

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By Mrs. West, Chairman of the Public Safety Committee:

**PROCLAIMS NATIONAL CRIME VICTIMS RIGHTS
WEEK “REACH FOR THE STARS”**

WHEREAS,--America's victims' rights discipline has had a powerful impact in educating our nation about the devastating effects of crime and victimization, and the need to provide support and services to individuals and communities hurt by crime; and

WHEREAS,--victimization rates in the United States are the lowest recorded since the inception of the National Crime Victimization Survey in 1973; and

WHEREAS,--there were still nearly 29 million people in America who were victimized by crime last year; and

WHEREAS,--the year 2001 marks the 25th anniversary of the Victim Impact Statement, which helps our criminal and juvenile justice systems better understand the psychological, financial, and physical impact of crime on victims, and hold offenders accountable for their criminal and delinquent actions; and

WHEREAS,--the voices of our nation's victims have had a powerful effect in changing laws, policies, and attitudes to promote victims' rights and services, and encouraging every person in America to take a stand and help crime victims; and

WHEREAS,--important partnerships have been formed among criminal and juvenile justice agencies, allied professionals, victim services, and the private sector to ensure that crime victims are treated with the dignity and respect they deserve; and

WHEREAS,--our nation's commitment to crime victim assistance grows stronger with each passing year, with over 10,000 system- and community-based programs in place to provide help and hope to victims of crime; therefore,

BE IT RESOLVED,--that the Wyoming County Board of Supervisors proclaims the week of April 22 through 28, 2001, to be

***Wyoming County Crime Victims' Rights Week
“Reach for the Stars”***

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and celebrates victims' voices as an important chorus for fairness and dignity;
and be it

FURTHER RESOLVED,--that we continue to reach for the stars of
justice and compassion for crime victims as individuals, as communities, and as
a nation dedicated to
justice for all; and be it

FURTHER RESOLVED,--that a suitably prepared copy of this
proclamation be presented to Victim Services for Wyoming County.

Carried: Ayes: 1618 Noes: 0 Absent: 0

#4

**RESOLUTION NO. 01-95
(April 10, 2001)**

By Mrs. West, Chairman of the Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A DISASTER
RELIEF INITIATIVE (DRI) GRANT AGREEMENT WITH
NYS HOUSING AND TRUST FUND CORP. ON BEHALF
OF THE WYOMING COUNTY BUREAU OF FIRE/CIVIL
DEFENSE**

BE IT RESOLVED, That the Chairman of this Board, with the
approval of the County Attorney is hereby authorized and directed to sign the
Disaster Recovery Initiative (DRI) Grant with the New York State Housing
Trust Fund Corporation, Hampton Plaza, 38-40 State Street, Albany, New York
on behalf of the Wyoming County Office of Bureau of Fire/Civil Defense for
the purpose of flood management; said grant in the amount of Ninety-six
Thousand, Eighteen Dollars (\$96,018.00) effective November 15, 2000.

Carried: Ayes: 1618 Noes: 0 Absent: 0

#5

**RESOLUTION NO. 01-96
(April 10, 2001)**

By Mrs. West, Chairman of the Public Safety Committee:

April 10, 2001

**CHAIRMAN AUTHORIZED TO SIGN AMENDED
CONTRACT TO BI, INC. MONITORING SERVICE ON
BEHALF OF THE PROBATION DEPARTMENT**

BE IT RESOLVED, That the Chairman of the this Board, with the approval of the County Attorney is hereby authorized and directed to sign the amended contract with B.I. Inc., Monitoring Services, 6400 Lookout Road, Boulder, Colorado 80301 for new electronic monitoring equipment and rate changes per language of said contract.

Carried: Ayes: 1618 Noes: 0 Absent: 0

#6

**RESOLUTION NO. 01-97
(April 10, 2001)**

By Mrs. West, Chairman of the Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN CONTRACT WITH
NYS DIVISION OF PROBATION & CORRECTIONAL
ALTERNATIVES**

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 NYS Division of Probation and Correctional Alternatives for Probation Eligible Reduction Initiative , said contract to be in an amount up to \$18,649.00 for the period January 1, 2001 through December 31, 2001.

Carried: Ayes: 1618 Noes: 0 Absent: 0

#7

**RESOLUTION NO. 01-98
(April 10, 2001)**

By Mrs. Humphrey, Chairman of the Finance Committee:

**A. M. BALMAS APPOINTED TO THE WCCH BOARD OF
MANAGERS**

Regular Session

BE IT RESOLVED, That Anna Mae Balmas, 1 West Mill Street, T/Castile, Castile, NY is hereby appointed to the Wyoming County Community Hospital Board of Managers for a five (5) year term; said term effective May 1, 2001 through April 30, 2006.

Carried: Ayes: 1618 Noes: 0 Absent: 0

#8

RESOLUTION NO. 01-99 (April 10, 2001)

By Mr. Rogers, Chairman of the Health and Human Services Committee:

PATHWAYS MONTH PROCLAIMED

WHEREAS, Wyoming County applied for and received grant funding from the NYS Office of Children and Family Services for an Integrated County Plan Initiative (Pathways) in 1998; and

WHEREAS, Wyoming County committed itself to taking a different path on the way toward identifying, prioritizing and meeting its human service needs; and

WHEREAS, Pathways is a county wide collaboration involving personal and organizational interest cooperatively in delivering human services in Wyoming County; and

WHEREAS, Pathways is committed to eliminating the duplication of services across Wyoming County departments, agencies, organizations and schools, and adopting cost effective methods of service delivery; and

WHEREAS, Pathways is committed to the vision creating an efficient and effective allocation of assets and resources to all Wyoming County residents; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors does hereby proclaim the month of May 2001 as,

“WYOMING COUNTY PATHWAYS MONTH”

and calls upon all citizens, government agencies, public and private institutions, businesses and schools in Wyoming County to actively participate in the scheduled programs and activities sponsored by Pathways to work toward the goal of making Wyoming County a place where people come first.

Carried: Ayes: 1618 Noes: 0 Absent: 0

April 10, 2001

**RESOLUTION NO. 01-100
(April 10, 2001)**

By Mr. Rogers, Chairman of the Health and Human Services Committee:

NATIONAL VOLUNTEER WEEK PROCLAIMED

WHEREAS, The entire community can effect positive change with any volunteer action no matter how big or small; and

WHEREAS, Volunteers can connect with local community service opportunities through hundreds of community service organizations like Volunteer Centers; and

WHEREAS, More than 109 million volunteers working in their communities utilize their time and talent daily to make a difference in the lives of children, adults and the elderly; and

WHEREAS, During this week, all over the nation, service projects will be performed and volunteers will be recognized for their commitments to community service; and

WHEREAS, Volunteers have the power to fight the pervasive feeling of social disconnection experienced by 81% of Americans and especially young people; and

WHEREAS, Volunteers are vital to our future as a caring and productive nation; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors, hereby proclaims April 22 through April 28, 2001 as

NATIONAL VOLUNTEER WEEK

and be it

FURTHER RESOLVED, That this Board of Supervisors encourages all Wyoming County residents to join the effort and “Celebrate Volunteers” in their communities. By volunteering and recognizing those who serve, we connect with neighbors and strangers and replace disconnection and isolation

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with understanding and compassion.

Carried: Ayes: 1618 Noes: 0 Absent: 0

#10

**RESOLUTION NO. 01-101
(April 10, 2001)**

By Mr. Rogers, Chairman of the Health and Human Services Committee:

**RESOLUTION NO. 00-262 AMENDED TO INCREASE
MAXIMUM AMOUNT OF REIMBURSEMENT FOR FY
2000 ON BEHALF OF THE MENTAL HEALTH
DEPARTMENT**

BE IT RESOLVED, That Resolution No. 00-262, passed by this Board on November 14, 2000 is hereby amended to increase the maximum amount of reimbursement to Coordinated Care Services, Inc. (CCSI) by \$973.00 to \$64,796.00 for service year 2000.

Carried: Ayes: 1618 Noes: 0 Absent: 0

#11

**RESOLUTION NO. 01-102
(April 10, 2001)**

By Mr. Rogers, Chairman of the Health and Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
WITH COORDINATED CARE SERVICES, INC. (CCSI)
ON BEHALF OF THE MENTAL HEALTH DEPARTMENT**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with CCSI on behalf of the Mental Health Department, to provide an individual for Data Management for a sum, not to exceed, \$16,122.00 effective January 1, 2001 through December 31, 2001.

Carried: Ayes: 1618 Noes: 0 Absent: 0

April 10, 2001

**RESOLUTION NO. 01-103
(April 10, 2001)**

By Mr. Rogers, Chairman of the Health and Human Services Committee:

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

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

A. Sara Miller, 2845 Maxon Road, Varysburg, NY for Pre-School Special Education

Program for the purpose of Occupational Therapy Rehabilitation services; said term effective April 11, 2001 through June 30, 2002; payment per the language of the contract.

B. Jill Mumbach, 12970 VanSlyke Road, East Concord, NY; for Pre-School Special

Education related services for Occupation Therapy for April 11, 2001 through June 30, 2002; payment per the language of the contract.

Carried: Ayes: 1618 Noes: 0 Absent: 0

#13

**RESOLUTION NO. 01-104
(April 10, 2001)**

By Mr. Rogers, Chairman of the Health and Human Services Committee:

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

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BE IT RESOLVED, That the Chairman of this Board/Commissioner of the Wyoming County Department of Social Services, with the approval of the County Attorney and on behalf of the Department of Social Services is hereby authorized and directed to sign the following contracts:

A. Genesee Valley BOCES, 27 Lackawanna Avenue, Mt. Morris, NY 14510, amount not to exceed \$10,115.00 for training in Auto Mechanics Pre-Licensing and Defensive Driving; effective April 15, 2001 through April 14, 2002.

B. Rochester-Genesee Regional Transportation Authority, 1372 East Main Street, Rochester, NY 14609, for the purchase of 20 passes/month for Warsaw to/from Mt. Morris, amount not to exceed \$19,200.00; effective April 15, 2001 through April 14, 2002.

C. Peers Helping Peers for the purpose of transportation services to TANF eligibles for Vocational Education and Work Experience sites; amount not to exceed \$19,200.00; effective April 15, 2001 through April 14, 2002.

D. Catholic Charities, 10 Chapel Street, Mt. Morris, NY 14510, for the Auto Dream Program, amount not to exceed \$10,000.00; effective April 15, 2001 through April 14, 2002.

Carried: Ayes: 1618 Noes: 0 Absent: 0

#14

**RESOLUTION NO. 01-105
(April 10, 2001)**

By Mr. Rogers, Chairman of the Health and Human Services Committee:

**RESOLUTION NO. 00-285 AMENDED TO INCREASE
MAXIMUM AMOUNT OF REIMBURSEMENTS ON
BEHALF OF THE SOCIAL SERVICES DEPARTMENT**

BE IT RESOLVED, That Resolution No. 00-285, passed by this Board on December 12, 2000 is hereby amended on behalf of the Department of Social Services to increase the maximum amount of reimbursement to the following

April 10, 2001

contracts listed below:

2. Weatherization Referral and Packaging Program (WRAP), with Wyoming County Office for the Aging; effective October 1, 2000 through September 30, 2001; amount not to exceed Twenty One Thousand, Four Hundred Eighty Seven Dollars (\$21,487.00) + **\$17,729.00 = \$39,216.00.**

3. Home Energy Assistance Program, (aged 60 and over) with Wyoming County Office for the Aging; effective November 1, 2000 through September 30, 2001, amount not to exceed Ten Thousand Dollars (\$10,000.00) + **\$2,000.00 = \$12,000.00.**

Carried: Ayes: 1618 Noes: 0 Absent: 0

#15

**RESOLUTION NO. 01-106
(April 10, 2001)**

By Mr. Rogers, Chairman of the Health and Human Services Committee:

**RESOLUTION NO. 00-65 AMENDED TO REFLECT
INCREASE IN THE REIMBURSEMENT AMOUNTS FOR
FY2001, FY2002 AND FY2003 ON BEHALF OF THE
MENTAL HEALTH DEPARTMENT**

BE IT RESOLVED, That Resolution No 00-65, passed by this Board on March 14, 2000, is hereby amended to increase the maximum amount of reimbursement to Coordinated Care Services, Inc. (CCSI) by \$9, 743.00 to a total of \$127,598.00 for service years 2001, 2002 and 2003. This reflects a .25 FTE increase to the Youth Prevention Specialist position.

Carried: Ayes: 1618 Noes: 0 Absent: 0

#16

**RESOLUTION NO. 01-107
(April 10, 2001)**

By Mr. Cox, Chairman of the Agriculture Committee:

COUNTY ADMINISTRATOR (COUNTY PURCHASING

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**AGENT) AUTHORIZED TO ACCEPT BIDS FOR DOG
CAGES**

WHEREAS, Bids have been received for dog cages for the Wyoming County Dog Pound; and

WHEREAS, These bids have been reviewed by the Agriculture Committee of this Board and were determined to be accepted as the lowest responsible bid; now therefore

BE IT RESOLVED, That the County Administrator (County Purchasing Agent) is hereby authorized to award, to the lowest responsible bidder for the purchase of dog cages in the name of Wyoming County, to be paid from the Wyoming County Dog Control Capital Project account.

Carried: Ayes: 1618 Noes: 0 Absent: 0

#17

RESOLUTION NO. 01-108
(April 10, 2001)

By Mr. Cox, Chairman of the Agriculture Committee:

**MEMBERS APPOINTED/REAPPOINTED TO
THE REGION 9 FOREST PRACTICE BOARD**

BE IT RESOLVED, That Angela Brunner, 1947 Chaffee Road, T/Java, Arcade, New York is hereby appointed to a two (2) year term on the Region 9 Forest Practice Board as a Supervisor Representative, said term to expire April 9, 2003; and be it

FURTHER RESOLVED, That Burdette Randall, 4632 West Lake Road, T/Castile, Silver Springs, New York is hereby reappointed to a three (3) year term on the Region 9 Forest Practice Board as a Woodland Owner Representative, said term to expire April 9, 2004.

Carried: Ayes: 1618 Noes: 0 Absent: 0

#18

RESOLUTION NO. 01-109

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By Mr. Cox, Chairman of the Agriculture Works Committee:

**THE SAFE GUARD OF WYOMING COUNTY'S
AGRICULTURE INDUSTRY SUPPORTED**

WHEREAS, the Agriculture Industry in the United States, including Wyoming County, is of the utmost importance and concern of all its residents; and

WHEREAS, the recent outbreak of Foot-and-Mouth Disease (FMD) in Great Britain and other European countries has caused the United States Department of Agriculture (USDA) to implement an interim rule prohibiting or restricting the importation of livestock and fresh meat to all fifteen (15) countries of the European Union; and

WHEREAS, the USDA has implemented an emergency operations center to coordinate communications and provide consumer/traveler information about FMD and other related issues; and

WHEREAS, the USDA has heightened alert and increased inspections at ports of entry, borders, and airports to ensure passenger, luggage, and cargo checked as appropriate; and

WHEREAS, the United States continues to safeguard and protect American agriculture from FMD and all other foreign animal diseases; and

WHEREAS, the United States has been fortunate not to be affected directly by this condition; now therefore

BE IT RESOLVED, that the Wyoming County Board of Supervisors supports the efforts of the USDA and requests that the industry remain vigilant to prevent an introduction of Foot and Mouth Disease in the United States and take a proactive stance in controlling the media hysteria that could serve to have serious negative effects on the Agriculture Industry; and be it

FURTHER RESOLVED, that the Clerk of the Wyoming County Board of Supervisors is hereby directed to forward certified copies of this resolution to the USDA, the NYS Dept. of Agriculture and Markets, Governor George Pataki, Congressman Thomas M. Reynolds, Western New York Intercounty, New York State Association of Counties and any other representative designated by the Chairman of this Board.

Carried: Ayes: 1618 Noes: 0 Absent: 0

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**RESOLUTION NO. 01-110
(April 10, 2001)**

By Mr. Miller, Chairman of the Planning Committee:

**CHAIRMAN AUTHORIZED TO SIGN AN AGREEMENT
WITH NYS DEPT. OF ECONOMIC DEVELOPMENT ON
BEHALF OF THE WYOMING COUNTY PLANNING AND
DEVELOPMENT OFFICE**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign an agreement with the New York State Department of Economic and Development, 30 South Pearl Street, Albany, New York 12245 for Wyoming County Planning and Development Office to become a local service affiliate of the New York State Data Center. There is no cost to Wyoming County of said agreement which is effective January 1, 2001 through December.

Carried: Ayes: 1618 Noes: 0 Absent: 0

#20

**RESOLUTION NO. 01-111
(April 10, 2001)**

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

**COUNTY SUPERINTENDENT OF HIGHWAYS
AUTHORIZED TO ACCEPT BIDS FOR
MAINTENANCE/CONSTRUCTION MATERIALS**

WHEREAS, Bids have been received for maintenance/construction materials for the Wyoming County Highway Department; and

WHEREAS, These bids have been reviewed by the Public Works Committee of this Board and were determined to be accepted as the lowest responsible bids; now therefore

BE IT RESOLVED, That the Public Works Committee and the

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Superintendent of Highways is hereby authorized to award, to the lowest responsible bidders for the purchase of maintenance/construction materials in the name of Wyoming County, to be paid from the Wyoming County Highway Department account.

Carried: Ayes: 1618 Noes: 0 Absent: 0

#21

**RESOLUTION NO. 01-112
(April 10, 2001)**

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

**COUNTY ADMINISTRATOR (COUNTY PURCHASING
AGENT) AUTHORIZED TO ACCEPT BIDS FOR
BUILDING SUPPLIES**

WHEREAS, Bids have been received for building supplies for the Wyoming County Dog Pound; and

WHEREAS, These bids have been reviewed by the Public Works Committee of this Board and were determined to be accepted as the lowest responsible bid; now therefore

BE IT RESOLVED, That the County Administrator (County Purchasing Agent) is hereby authorized to award, to the lowest responsible bidder, for the purchase of building supplies in the name of Wyoming County, to be paid from the Wyoming County Dog Control Capital Project account.

Carried: Ayes: 1618 Noes: 0 Absent: 0

#22

**RESOLUTION NO. 01-113
(April 10, 2001)**

By Mr. Herman, Chairman of the Human Resource Committee:

**CHAIRMAN AUTHORIZED TO SIGN CONTRACT
WITH EMPLOYEE SERVICES, INC.**

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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 between the County of Wyoming and Employee Services, Inc., 111 West Pearly Street, Wellsville, NY, 14895, for the purpose of providing an Employee Assistance Program (EAP) at an annual cost of \$14.96 per employee (941); and be it

FURTHER RESOLVED, That the said contract shall be for a three (3) month period effective May 1, 2001 through July 31, 2001.

Carried: Ayes: 1618 Noes: 0 Absent: 0

#23

**RESOLUTION NO. 01-114
(April 10, 2001)**

By Mrs. West, Chairman of the Public Safety Committee:

**RESOLUTION NO. 00-301 AMENDED RE: TITLE
CHANGE OF PINS COORDINATOR TO PROBATION
OFFICER**

BE IT RESOLVED, That Resolution No. 00-301 passed by this Board on December 12, 2000 be amended to change the title of one (1) position of Pins Coordinator in the Wyoming County Probation Department to one (1) position of Probation Officer, in the Wyoming County Probation Department; said position to be placed on Schedule A, Grade 15 of the CSEA Agreement; effective May 21, 2001.

Carried: Ayes: 1618 Noes: 0 Absent: 0

#24

**RESOLUTION NO. 01-115
(April 10, 2001)**

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

**TWO (2) LABORER (SEASONAL) POSITION
IN THE DEPARTMENT OF BUILDINGS AND GROUNDS
April 10, 2001**

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CREATED

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BE IT RESOLVED, That one (1) position of Laborer (Seasonal) is created in the Wyoming County Department of Building and Grounds, said rate of pay at Six Dollars Seventy Five Cents per hour (\$6.75/hr) plus Twenty Five Cents (\$.25/hr) for each previous season worked, with no other benefits except those mandated by law; and be it

FURTHER RESOLVED, That one (1) position of Laborer (Seasonal) is created in the Wyoming County Department of Building and Grounds, said rate of pay at Seven Dollars per hour (\$7.00/hr) contingent on the availability of funds, with no other benefits except those mandated by law.

Carried: Ayes: 1618 Noes: 0 Absent: 0

#25

RESOLUTION NO. 01-116
(April 10, 2001)

By Mrs. Humphrey, Chairman of the Finance Committee:

**ONE (1) POSITION OF PRINCIPAL ACCOUNT CLERK
CREATED IN THE OFFICE OF THE TREASURER**

BE IT RESOLVED, That there is hereby created one (1) position of Principal Account Clerk, ft., in the Wyoming County Treasurer's Office; said position to be placed on Schedule A, Grade 14, of the CSEA Agreement.

Carried: Ayes: 1618 Noes: 0 Absent: 0

#26

RESOLUTION NO. 01-117
(April 10, 2001)

By Mr. Rogers, Chairman of the Health and Human Services Committee:

**ONE (1) SEASONAL STUDENT AIDE POSITION
CREATED IN THE WYOMING COUNTY YOUTH**
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BUREAU

BE IT RESOLVED, That one (1) position of Seasonal Student Aide is created in the Wyoming County Youth Bureau, said rate of pay at Six Dollars Twenty Five Cents per hour (\$6.25/hr) plus Twenty Five Cents (\$.25/hr) for each previous season worked, with no other benefits except those mandated by law.

Carried: Ayes: 1618 Noes: 0 Absent: 0

#27

RESOLUTION NO. 01-118
(April 20, 2001)

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

**HEALTH INSURANCE PROTOCOL FOR SCHEDULE F
AND TEMPORARY CLERICAL POOL EMPLOYEES OF
THE WYOMING COUNTY SALARY PLAN APPROVED**

BE IT RESOLVED, That the Wyoming County Board of Supervisors authorizes Schedule F employees as well as Temporary Clerical Pool employees on the Wyoming County Salary Plan to purchase health insurance at county group rates, at their own expense; and be it

FURTHER RESOLVED, That the following protocol has been established to facilitate this resolution:

A. Interested employees shall contact the Wyoming County Insurance Office to select a particular Health Insurance Plan.

B. The Wyoming County Health Insurance Officer shall establish a new separate billing group with the respective providers and affected employees will be allowed to purchase health insurance at the county group rate.

C. Insurance coverage will become available on the first of the month following publications of authorizing resolution.

D. Individual affected employees must send the required monthly premium check to the Wyoming County Treasurer's Office to be received by same no later than the twentieth (20th) of each month prior to effective coverage.

April 10, 2001

This resolution shall take effect immediately.

Carried: Ayes: 1618 Noes: 0 Absent: 0

#28

**RESOLUTION NO. 01-119
(April 10, 2001)**

By Mrs. Humphrey, Chairman of the Finance Committee:

**BOND RESOLUTION OF THE COUNTY OF WYOMING,
NEW YORK, DATED APRIL 10, 2001 FOR THE ISSUANCE
AND SALE OF BONDS OF THE COUNTY OF WYOMING,
NEW YORK, IN THE AMOUNT OF \$2,922,000.00 FOR THE
RECONSTRUCTION OF 9 MILES OF CURRIERS ROAD
IN THE TOWNS OF ARCADE AND JAVA, WYOMING
COUNTY, NEW YORK.**

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

Section 1. The County of Wyoming, New York is hereby authorized to reconstruct 9 miles of Curriers Road in the Towns of Arcade and Java, Wyoming County, New York.

Section 2. Pursuant to Subdivision 11 of the Local Finance Law, the period of probable usefulness shall be fifteen (15) years.

Section 3. The maximum estimated cost of reconstruction of 9 miles of Curriers Road in the Towns of Arcade and Java, New York is \$2,922,000.00.

Section 4. The estimated maximum cost of the reconstruction of said road is the sum of \$2,922,000.00 and said amount is hereby appropriated therefor. The plan of financing involves the issuance of \$2,922,000.00 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 5. Serial bonds of said County of Wyoming in the Regular Session

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principal amount of \$2,922,000.00 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law of the State of New York, to finance the said appropriation.

Section 6. The following additional matters are hereby determined and declared:

a. In accordance with Section 11 of the Local Finance Law, the period of probable usefulness for which said bonds are to be issued is hereinabove set forth for said renovation, such period of probable usefulness being the period of fifteen (15) years. Also, set forth above is the maximum estimated cost for said reconstruction.

Section 7. Each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of such bonds shall contain the recital of validity prescribed by Section 52.00 of said Local Finance Law, and said serial bonds and any notes issued in anticipation of said bonds shall be general obligations of the County payable as to both principal and interest by general tax upon all the taxable real property within the County without limitation of rate or amount. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and provision shall be made annually in the budget of the County by appropriation for (a) the amortization and redemption of the bonds to

mature in such year and (b) the payment of interest to be due and payable in such year.

Section 8. Subject to the provisions of this resolution and pursuant to Section 30.00 of the Local Finance Law relative to the authorization of the issuance of bond anticipation notes and of Section 50.00 and Section 56.00 to Section 60.00 of said law, the powers and duties of the Board of Supervisors relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the serial bonds authorized by this resolution and of any notes authorized and issued in anticipation of the sale of said bonds, and the renewals thereof, are hereby delegated to the County Treasurer, as the Chief Fiscal Officer of the County.

Section 9. The validity of the bonds authorized by this resolution and of any notes issued in anticipation of the sale of said bonds may be contested only if: (a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or (b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of

April 10, 2001

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

Section 10. The specific object or purpose of the purchase herein authorized is reconstruction of 9 miles of Curriers Road in the Towns of Arcade and Java, property which is owned by the County of Wyoming.

Section 11. This resolution shall take effect immediately.

Carried: Ayes: 1687 Noes: 0 Absent: 0

Motion made at 2:35 PM by Supervisor Herman, T/Wethersfield to enter into Executive Session for the purpose of discussing the medical, financial, credit or employment history of a particular person or corporation, or matter leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person (s) or corporation. Seconded by Supervisor Hickey, T/Bennington. Carried. Motion made by Supervisor Rogers, T/Pike at 3:20 PM to adjourn Executive Session, seconded by Supervisor Knab, T/Sheldon. Carried. No action taken, business resumed.

Supervisor Kushner, T/Eagle made a motion to vote on resolution office #29 separately by voting on each salary plan individually. Motion was seconded by Supervisor Bush, T/Gainesville. A voice vote was taken and the motion was passed. Resolution office #29 was voted on as follows:

#29-D

**RESOLUTION NO. 01-120
(April 10, 2001)**

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

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 December 12, 2000. Commencing January 1, 2001, employees in the job titles covered thereby shall be paid the basic salary in accordance with these wage and salary schedules; and be it

FURTHER RESOLVED, That the salary of any position vacated shall be open for review by the necessary Committee.

Carried: Ayes: 1277 Noes: 341; (127) Gozelski, (214) Humphrey Absent: 0

Regular Session

RESOLUTION NO. 01-121
(April 10, 2001)

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

SCHEDULE S ADOPTED

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

Schedule "S" annexed hereto shall be substituted for the existing Schedule "S", adopted on December 12, 2000. Commencing January 1, 2001, employees in the job titles covered thereby shall be paid the basic salary in accordance with these wage and salary schedules; and be it

FURTHER RESOLVED, That the salary of any position vacated shall be open for review by the necessary Committee.

Carried: Ayes: 1277 Noes: 341; (127) Gozelski, (214) Humphrey Absent:0

Supervisors Bush, T/Gainesville made a motion to amend resolution office #29-I to implement the changes over a two year period. A roll call vote was taken. The amendment was defeated.

Defeated: Ayes: 528; (54) Davis, (49) Kushner, (96) Bush, (20) Totstline, (93) Brunner, (64) Cox, (46) Rogers, (106) Knab

Noes: 1,090; (162) Berwanger, (164) Agan, (127) Hickey, (127) Gozelski, (48) Orangeville, (214) Humphrey, (213) Miller, (35) Herman

Absent: 0

Resolution office #29-I was voted on as presented.

#29-I

RESOLUTION NO. 01-122
(April 10, 2001)

April 10, 2001

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

SCHEDULE I ADOPTED

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

Schedule "T" annexed hereto shall be substituted for the existing Schedule "T", adopted on December 12, 2000. Commencing January 1, 2001, employees in the job titles covered thereby shall be paid the basic salary in accordance with these wage and salary schedules; and be it

FURTHER RESOLVED, That the salary of any position vacated shall be open for review by the necessary Committee.

Defeated: Ayes: 809; (162) Berwanger, (164) Agan, (54) Davis, (49) Kushner, (20) Totslie, (64) Cox, (48) West, (213) Miller, (35) Herman

Noes: 809; (127) Hickey, (127) Gozelski, (96) Bush, (93) Brunner, (214) Humphrey, (46) Rogers, (106) Knab

Absent: 0

#29-F

**RESOLUTION NO. 01-123
(April 10, 2001)**

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

SCHEDULE F ADOPTED

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

That Wyoming County Salary Schedule "F", adopted on April 11, 2000, annexed hereto shall be substituted for the existing Schedule "F". Commencing January 1, 2001; and be it

FURTHER RESOLVED, That the salary of any position vacated shall be open for review by the necessary Committee.

Carried: Ayes: 1618 Noes: 0 Absent: 0
Regular Session

RESOLUTION NO. 01-124
(April 10, 2001)

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

SCHEDULE G ADOPTED

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

FURTHER RESOLVED, That Wyoming County Salary Schedule "G", adopted on July 1, 1997 annexed hereto shall be substituted for the existing Schedule "G". Commencing January 1, 2001; and be it

FURTHER RESOLVED, That the salary of any position vacated shall be open for review by the necessary Committee.

Carried: Ayes: 1618 Noes: 0 Absent: 0

#30

RESOLUTION NO. 01-125
(April 10, 2001)

By Mrs. Humphrey, Chairman of the Finance Committee:

**PRESENTS LOCAL LAW A; RE: SALARIES OF VARIOUS
COUNTY OFFICERS**

WHEREAS, there have been duly presented and introduced at a meeting of this Board, held on this 10th day of April 2001, a proposed local law entitled Local Law No. A, Year 2001, County of Wyoming, establishing and relating to the annual compensation of certain County Officers, to become effective for the year 2001, 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 May, 2001, at 2:00 PM in the County Government Center 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

April 10, 2001

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by publishing such notice at least once in the official newspapers of the county designated for such publications.

Carried:

Ayes: 1618

Noes: 0

Absent: 0

Supervisor West, T/Orangeville made a motion for Resolution Unanimous Consent #31 be presented to the Board of Supervisors. A voice vote was taken and the request was granted.

UC#31

**RESOLUTION NO. 01-126
(April 10, 2001)**

By Mrs. West, Chairman of the Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A LEASE
AGREEMENT ON BEHALF OF THE WYOMING COUNTY
SHERIFF'S DEPARTMENT**

BE IT RESOLVED, That with the approval of the County Attorney and on behalf of the Wyoming County Sheriff's Department, the Chairman of this Board of Supervisors is hereby authorized and directed to sign a lease agreement with the Town of Bennington for the purpose of providing space for a Wyoming County Sheriff's Department Sub-Station at 905 Alleghany Road in the Town of Bennington, New York; said lease shall be effective for the period of April 1, 2001 through March 31, 2002 in the amount of Fifty Dollars (\$50.00) per month.

Carried:

Ayes: 1618

Noes: 0

Absent: 0

Supervisor Herman, T/Wethersfield moved that the meeting be adjourned at
3:35 PM

REGULAR SESSION

TUESDAY

(May 8, 2001)

2:00 PM

The Regular Session of the Wyoming County Board of Supervisors was held at the Wyoming County Government Center, in the Board of Supervisors Chambers, 143 North Main Street, Warsaw, New York with all members present except Jerry Davis, T/Covington. Also present was County Attorney, Eric T. Dadd and County Administrator, Kevin D. DeFebbo. Chairman Berwanger, T/Arcade 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, Suzanne Aldinger.

C-1. Reminder: Inter-County of Western New York is being held in Livingston County on May 11, 2001 at the Big Tree Inn, Main Street, Geneseo, New York. The program consist of a Tour of the Salt Mines after lunch. Registration will be at 9:30 AM. RSVP's need to be in May 9, 2001.

Chairman Berwanger, T/Arcade, declared the Public Hearing open in regards to Local Law Introductory No. A, Year 2001, Establishing the Salaries of Certain County Officers.

#1

RESOLUTION NO. 01-127

(May 8, 2001)

By Mrs. Humphrey, Chairman of the Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2001 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2001accounts as follows:

PUBLIC HEALTH			
To Acct. 01.38.4010.4.41506 Educational Material W/rev acct 01.12.4010.448907 inc. by same amount	\$5,000.00	\$5,000.00	\$5,000.00
YOUTH BUREAU			
To Acct. 01.45.7310.4.42434 Stars for Tomorrow \$600.00 W/rev acct 01.03.7310.1289 increased by same amount	\$600.00	\$600.00	\$600.00

May 8, 2001

SHERIFF'S DEPARTMENT			
To Acct. 01.37.3110.2.23001 vehicles 01.37.3110.4.40509 change over expenses	\$81,000.00	\$81,000.00	\$81,000.00
To Acct. 01.37.3110.1.10301 Overtime \$25,675.00 01.37.3110.8.83001 FICA-Social Security 1,582.00 01.37.3110.8.85001 FICA-Medicare 370.00 27,627.00 W/rev acct 01.08.3110.2680 increased by same amount	\$27,627.00	\$27,627.00	\$27,627.00
To Acct. 01.37.3110.2.20501 Law Enforcement Equip \$5,255.00 01.37.3110.2.20001 Furniture 9,128.03 W/rev acct. 01.12.3110.4389 increased by same amount	\$9,128.03	\$9,128.03	\$9,128.03
BUILDINGS AND GROUNDS			
To Acct. 01.34.1620.2.20401 Misc. Equipment \$1,760.60 W/rev acct 01.08.1620.2665 increased by same amount	\$1,760.60	\$1,760.60	\$1,760.60

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: 1564 Noes: 0 Absent: 54; Davis

#2

RESOLUTION NO. 01-128 (May 8, 2001)

By Mrs. Humphrey, Chairman of the Finance Committee:

FUNDS TRANSFERRED TO VARIOUS 2001 ACCOUNTS

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

SOCIAL SERVICES			
From Acct. 01.40.6123.4.42263 Juvenile Delinquent \$35,000.00 To Acct. 01.39.6010.2.23001 Cars \$35,000.00	\$35,000.00	\$35,000.00	\$35,000.00

Carried: Ayes: 1564 Noes: 0 Absent: 54; Davis

Supervisor Bush, T/Gainesville, Chairman of the Audit Committee presented the bills in the amount of One Million, One Hundred Forty Four Thousand, Four Hundred Eighty Four Dollars, Six Cents (\$1,144,484.06).

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A voice vote was taken and the bills were approved.

Carried: Ayes: 1564 Noes: 0 Absent: 54; Davis

Chairman Berwanger, T/Arcade, proposed to consolidate Resolution Office #'s Three through Seventeen (3-17) for consent agenda. Supervisors Humphrey, T/Perry, had some question regarding Resolution Office No. Four (4). All questions were answered to Supervisor Humphrey's satisfaction. Supervisor Bush asked that Resolution Office No. Twelve (12) be pulled from consent agenda and be voted on separately. Chairman Berwanger asked the Board if that was acceptable to everyone. A voice vote was taken and the request was granted.

#3

**RESOLUTION NO. 01-129
(May 8, 2001)**

By Mrs. West, Chairman of the Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN SELECTIVE
TRAFFIC ENFORCEMENT PROGRAM (STEP) GRANT
APPLICATION**

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, Village of Arcade Police Department, Village of Perry Police Department and the Village of Warsaw Police Department, is hereby authorized and directed to sign a grant application and all related documents for the participation in the Selective Traffic Enforcement Program (STEP) Grant; effective October 1, 2001 through September 30, 2002.

Carried: Ayes: 1564 Noes: 0 Absent: 54; Davis

#4

**RESOLUTION NO. 01-130
(May 8, 2001)**

By Mrs. West, Chairman of the Public Safety Committee:

**SUPPORTS STATE FUNDING AND INDEPENDENT
OVERSIGHT OF PUBLIC DEFENSE FUNCTIONS**

May 8, 2001

WHEREAS, In certain proceedings New York State is required to provide high quality legal assistance to persons otherwise financially unable to obtain counsel and/or necessary expenses of representation; and

WHEREAS, Providing these public defense services the ends of justice in accordance with rights and privileges guaranteed by the constitution of the state of New York and the Constitution of the United States of America; and

WHEREAS, The availability of high quality public defense services affirms the faith of citizens in New York State's government of laws; and

WHEREAS, The present system under County Law Articles 18-A and 18-B of requiring the counties to provide defense services with little state financial assistance and no state oversight is operating unsatisfactorily; and

WHEREAS, The existing limit set by County Law 18-B on fees for counsel assigned to provide public defense services has not been changes since 1986, despite inflation and the increasing costs of maintaining a law practice, remaining at the outdated and unrealistically low rates of \$40 per hour for services rendered in court and \$25 per hour for preparation and other services rendered out of court; and

WHEREAS, These inadequate rates have resulted in a shortage of qualified lawyers to provide defense services, thereby denying or delaying the representation to which public defense clients are entitled, causing court congestion and delay, and eroding public trust and confidence in the legal system; and

WHEREAS, Counties and localities are struggling to carry the increasing burden of fulfilling the state mandate to provide defense services, and cannot bear the cost of raising assigned counsel fees to reasonable levels; and

WHEREAS, In current statutory scheme, each county must provide public defense services and may choose to do so through a legal aid society, a public defender system, an assigned counsel system, or some combination of these systems; and

WHEREAS, I the State supplements the costs of assigned counsel programs by subsidizing the differential between the existing rate and an increased rate, simultaneous support must be allocated to other systems providing quality public defense services to allow counties to continue exercising their right to choose a legal aid or public defender system without fiscal penalty; and

WHEREAS, If the increased cost of assigned counsel becomes another funded mandate passed along to the counties, the rights of clients will suffer due to fiscal constraints placed by already overburdened counties on public defense services; and

WHEREAS, No mechanism currently exists for state oversight of the provision of public defense services, despite its character as a state mandate and the appropriation of some funds to support public defense services; and

WHEREAS, Sound fiscal and governmental policy require oversight of defense services to ensure that the state mandate is being met and to determine the most effective and efficient future allocation of state funds; therefore be it

RESOLVED, That the Wyoming County Board of Supervisors respectfully requests the Governor of the State of New York to introduce legislation this session and the New York State Legislature to pass legislation

- a) Creating an independent and politically insulated statewide Public Defense Commission to oversee both the distribution of state funds and the provision of defense services through an office that would:
 - 1) Establish and monitor compliance with standards for the provision of defense services to assure effective, efficient representation;
 - 2) Evaluate and improve current methods of providing defense services;
 - 3) Administer distribution of state funds to assigned counsel and organized providers;
 - 4) Provide direct representation for eligible persons where required or requested; and
 - 5) Report to the Governor, the Legislature and the Judiciary annually, making recommendations needed to improve the provision of public defense services in New York State.
- b) Raising the rate of compensation set for counsel assigned under Article 18-B, last amended in 1986, to seventy-five dollars per hour.
- c) Creating and indexing procedure to keep assigned counsel rates in line with increases in the cost of living.
- d) Eliminating the in-court/out-of-court differential for such compensation, any felony/misdemeanor and appellate differentials, and per-case caps, because these arbitrary limits do not reflect the professional, ethical, constitutional, and statutory mandates under which counsel must act in all types of cases.
- e) Establishing a schedule of state appropriations to subsidize the increase that will not simultaneously undermine the provision of public defense services by organized providers (public defenders, legal aid societies and not-for-profit providers).

f) Funding the provision of public defense services in each of the counties of the state;

and be it

FURTHER RESOLVED, That copies of this resolution be sent to the Governor of the State of New York, the Majority Leader of the New York Senate, the Speaker of the New York State Assembly, the Chairs of the Codes and Judiciary Committees of the New York State Senate and Assembly, the State Senators and Assembly Members representing Wyoming County, the Task Force on Assigned Counsel Compensation and the New York State Association of Counties.

Carried: Ayes: 1564 Noes: 0 Absent: 54; Davis

#5

**RESOLUTION NO. 01-131
(May 8, 2000)**

By Mr. Rogers, Chairman of the Health and Human Services Committee:

DRIVE OUT BREAST CANCER DAY PROCLAIMED

WHEREAS, More than One Hundred Eighty Thousand (180,000) women in the United States will learn for the first time that they breast cancer and more than Forty Thousand (40,000) women will lose their lives - Three Thousand Four Hundred (3,400) in New York State alone; and

WHEREAS, Early detection and prompt treatment can significantly reduce the suffering and deaths caused by this disease; and

WHEREAS, In recognition of the fact that mammography, an “x-ray” of the breast, is the single most effective method of detecting breast changes that may be cancer long before physical symptoms can be seen or felt; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors does hereby declare June 13, 2001 as Drive Out Breast Cancer Day in Wyoming County; and be it

FURTHER RESOLVED, That all citizens are urged to participate in the activities sponsored by the American Cancer Society.

Carried: Ayes: 1564 Noes: 0 Absent: 54; Davis

Regular Session

RESOLUTION NO. 01-132
(May 8, 2001)

By Mr. Rogers, Chairman of the Health and Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN AN AGREEMENT
WITH HEALTH RESEARCH INSTITUTE (HRI) ON
BEHALF OF THE PUBLIC HEALTH DEPT.**

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 Health Research Institute (HRI), One University Plaza, Rensselaer, New York 12144-3456, on behalf of the Public Health Department, for the reimbursement of funds for West Nile Virus surveillance activities along with public and professional education activities related to West Nile Virus for the period of May 1, 2001 through December 31, 2001; said agreement not to exceed Five Thousand Dollars (\$5,000.00).

Carried: Ayes: 1564 Noes: 0 Absent: 54; Davis

#7

RESOLUTION NO. 01-133
(May 8, 2001)

By Mr. Rogers, Chairman of the Health and Human Services Committee:

**RESOLUTION NO. 00-295 AMENDED RE: NEW YORK
STATE DEPARTMENT OF HEALTH IMMUNIZATION
GRANT ON BEHALF OF THE PUBLIC HEALTH
DEPARTMENT**

BE IT RESOLVED, That Resolution No. 00-295, passed by this Board of Supervisors on December 12, 2000 is hereby amended to change the date of said contract to April 1, 2001 through March 31, 2002; and be it

FURTHER RESOLVED, That appendix "B" and "D" is hereby amended to reflect changes per the language of said contract.

Carried: Ayes: 1564 Noes: 0 Absent: 54; Davis

May 8, 2001

**RESOLUTION NO. 01-134
(May 8, 2001)**

By Mr. Rogers, Chairman of the Health and Human Services Committee:

**CHAIRMAN/COMMISSIONER OF SOCIAL SERVICES
AUTHORIZED TO SIGN A CONTRACT WITH WYOMING
AREA HOMEMAKERS**

BE IT RESOLVED, That the Chairman of this Board/Commissioner of the Wyoming County Department of Social Services, 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 Wyoming Area Homemakers, 5 North Main Street, Warsaw, New York for Respite, Resource, Parenting Skills, Home Management Skills, effective January 1, 2001 through December 31, 2001; amount not to exceed Thirty Thousand Dollars (\$30,000.00).

Carried: Ayes: 1564 Noes: 0 Absent: 54; Davis

#9

**RESOLUTION NO. 01-135
(May 8, 2001)**

By Mr. Rogers, Chairman of the Health and Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
WITH HUGH H. TEN HAGEN ON BEHALF OF THE
YOUTH BUREAU**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney is hereby authorized and directed to sign a contract with Hugh H. Ten Hagen, P.O. Box 348, Warsaw, New York on behalf of the Youth Bureau for Pathways Consultant, effective May 1, 2001 through April 30, 2002; amount not to exceed Thirty Five Thousand Dollars (\$35,000.00).

Carried: Ayes: 1564 Noes: 0 Absent: 54; Davis

RESOLUTION NO. 01-136
(May 8, 2001)

By Mr. Rogers, Chairman of the Health and Human Services Committee:

**AUTHORIZE CHAIRMAN TO SIGN A LETTER OF
AGREEMENT WITH HEALTHY COMMUNITY
ALLIANCE ON BEHALF OF THE YOUTH BUREAU**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney is hereby authorized and directed to sign a letter of agreement with Healthy Community Alliance, 26 Jamestown Street, Gowanda, New York on behalf of the Youth Bureau for Personal Wellness Profiles, effective September 1, 2000 through June 25, 2001; amount not to exceed Four Thousand Dollars (\$4,000.00).

Carried: Ayes: 1564 Noes: 0

Absent: 54; Davis

#11

RESOLUTION NO. 01-137
(May 8, 2001)

By Mr. Miller, Chairman of the Planning Committee:

PUBLIC HEARING FOR AGRICULTURAL DISTRICT NO.
5

WHEREAS, This Board is conducting a review of Agricultural District No. 5 located in the Towns of Middlebury, Attica, Warsaw and Orangeville; and

WHEREAS, The review process was initiated with a 30-day review period and this Board directed the County Agricultural and Farmland Protection Board and the County Planning Board to prepare reports including their recommendations to continue, terminate or modify District No. 5; and

WHEREAS, This Board will receive the reports of these Boards and their recommendation to modify the District; and

WHEREAS, This Board is required to hold a public hearing prior to
May 8, 2001

making a finding whether the District should be continued, terminated or modified; now therefore

BE IT RESOLVED, That a Public Hearing will be held by the Board of Supervisors of Wyoming County, State of New York, at the Wyoming County Government Center, in the Village of Warsaw, on the 10th day of July, 2001, at 2:00 PM regarding Wyoming County Agricultural District No. 5 located in the Towns of Middlebury, Attica, Warsaw, and Orangeville to consider the recommendations of the Agricultural and Farmland Protection Board and the County Planning Board to modify the District; and be it

FURTHER RESOLVED, That the Clerk of this Board is authorized and directed to publish the hearing notice and that the Department of Planning and Development is directed to provide notices to the concerned parties as required by the Agriculture and Markets Law; and be it

FURTHER RESOLVED, That copies of the Review Plan including a map of the District showing the proposed modifications and the reports and recommendations of the Wyoming County Agricultural and Farmland Protection Board and the Wyoming County Planning Board will be available for public review at: Wyoming County Planning and Development located at 6470 Route 20A in the Town of Perry; and the Cooperative Extension office at 401 North Main Street, Warsaw, New York.

Carried: Ayes: 1564 Noes: 0

Absent: 54; Davis

#12

**RESOLUTION NO. 01-138
(May 8, 2001)**

By Herman, Chairman of the Human Resource Committee:

**CHAIRMAN AUTHORIZED TO SIGN CONTRACT WITH
ELECTIONS SYSTEMS AND SOFTWARE, INC. ON
BEHALF OF THE BOARD OF ELECTIONS**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney is hereby authorized and directed to sign a contract with Elections Systems and Software, Inc.(ES&S), 11208 John Galt Blvd., Omaha, NE 68137 for the purchase, maintenance, and support of software in an amount not to exceed Thirty Four Thousand, One Hundred Sixty Dollars (\$34,160.00); effective April 10, 2001 through April 9, 2002.

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Carried: Ayes: 1200

Noes: 364; Hickey (127), Bush (96), Brunner (93), West (48)

Absent: 54; Davis

#13

**RESOLUTION NO. 01-139
(May 8, 2001)**

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

**CHAIRMAN AUTHORIZED TO SIGN A SUPPLEMENTAL
AGREEMENT WITH ERDMAN ANTHONY CONSULTING
ENGINEERS ON BEHALF OF THE WYOMING COUNTY
HIGHWAY DEPARTMENT**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney is hereby authorized and directed to sign a supplemental agreement with Erdman Anthony Consulting Engineers, 2165 Brighton Henrietta Town Line Road, Rochester, New York for design cost to move and replace the Village of Warsaw waterline and temporary stream crossing for use by the property owner to move agriculture implements; amount not to exceed Eighteen Thousand, Five Hundred Dollars (\$18,500.00).

Carried: Ayes: 1564 Noes: 0

Absent: 54; Davis

#14

**RESOLUTION NO. 01-140
(May 8, 2001)**

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

**CHAIRMAN AUTHORIZED TO AWARD AND SIGN
CONTRACTS ON BEHALF OF THE HIGHWAY
DEPARTMENT**

BE IT RESOLVED, That pursuant to Section 126 of the Highway Law, the Chairman of the Board of Supervisors is hereby authorized and directed, jointly and in conjunction with the County Superintendent of Highways and the Public Works Committee, to award and sign a contract to the lowest responsible

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bidder for the replacement of Middlebury Bridge No. 10 (BIN #3319970) West Middlebury Road over the Tonawanda Creek; and be it

FURTHER RESOLVED, That pursuant to Section 126 of the Highway Law, the Chairman of the Board of Supervisors is hereby authorized and directed, jointly and in conjunction with the County Superintendent of Highways and the Public Works Committee, to award and sign a contract to the lowest responsible bidder for the replacement of Sheldon Bridge No. 11 (BIN #332020) over the Engine Creek, and be it

Carried: Ayes: 1564 Noes: 0

Absent: 54; Davis

#15

**RESOLUTION NO. 01-141
(May 8, 2001)**

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

**CHAIRMAN AUTHORIZED TO SIGN PURCHASE
CONTRACT; RE: RIGHT OF WAY FOR MIDDLEBURY
BRIDGE**

WHEREAS, That the real property purchase contracts in the Town of Middlebury, obtained by the Public Works Committee on May 2, 2001, needed for the replacement of Middlebury Bridge #10, (BIN 3319970) CR #1 West Middlebury Road over the Tonawanda Creek, as described on maps on file in the Office of Wyoming County Superintendent of Highways is hereby ratified and accepted; and be it

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

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

Occidental Chemical Corporation Map #1 Parcel #1 1294 sf TE
\$7.00

Occidental Chemical Corporation Map #2 Parcel #2 4969 sf Fee
\$134.00

Occidental Chemical Corporation Map #3 Parcel #3 5523 sf Fee

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\$149.00

Occidental Chemical Corporation Map #4 Parcel #4 1112 sf TE
\$6.00

Carried: Ayes: 1564 Noes: 0 Absent: 54; Davis

#16

RESOLUTION NO. 01-142
(May 8, 2001)

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

**CHAIRMAN AUTHORIZED TO SIGN PURCHASE
CONTRACTS; RE: RIGHT OF WAY FOR SHELDON
BRIDGE**

WHEREAS, That the real property purchase contracts in the Town of Sheldon, obtained by the Public Works Committee on May 2, 2001, needed for the replacement of Sheldon Bridge #11, (BIN 332020) Almeter Road over the Engine Creek, as described on maps on file in the Office of Wyoming County Superintendent of Highways is hereby ratified and accepted; and be it

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

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

Owner Unknown	Map #1 Parcel #1 1023 sf TE	\$ 5.00
Owner Unknown	Map #2 Parcel #2 5571 sf Fee	\$139.00

Acquired Improvements	<u>\$ 75.00</u>
\$296.00 Jason Zehler and April R. George	
Map #3 Parcel #3 5860 sf Fee	\$147.00

Acquired Improvements	<u>\$ 75.00</u>
	\$222.00

Carried: Ayes: 1564 Noes: 0 Absent: 54; Davis

May 8, 2001

**RESOLUTION NO. 01-143
(May 8, 2001)**

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

**CHAIRMAN AUTHORIZED TO AWARD AND SIGN
CLEANING CONTRACTS ON BEHALF OF THE
BUILDINGS AND GROUNDS DEPARTMENT**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney is hereby authorized and directed to sign a award and sign a cleaning contracts on behalf of the Buildings and Grounds Department with T.C.C.T , Inc., 2276 Silver Lake Road, Perry, NY for cleaning services of the Board of Elections, Human Services Building, Public Health, Mental Health and Courthouse in an amount not to exceed Sixty Four Thousand, Two Hundred Fifty Four Dollars (\$64,254.00); said contract to be effective May 15, 2001 through May 14, 2002 and be it

FURTHER RESOLVED, That the Chairman of this Board, with the approval of the County Attorney is hereby authorized and directed to award and sign a contract on behalf of the Buildings and Grounds Department with Michael J. Hendry Cleaning Services, 12 East Court Street, Warsaw, NY for cleaning services of the Department of Social Services and the Highway Department in an amount not to exceed Twenty Eight Thousand, Six Hundred Twenty Dollars (\$28,620.00); said contract to be effective May 15, 2001 through May 14, 2002.

Carried: Ayes: 1564 Noes: 0 Absent: 54; Davis

Supervisor Rogers, T/Pike, introduced and welcomed Mr. Hugh Ten Hagen as the new Wyoming County Pathways Consultant.

Mr. Richard Tindell, Director of the Wyoming County Planning and Development Department, presented a brief presentation on the County's Strategic Plan. Mr. Tindell also announced that there will be one more public information meeting regarding the Strategic Plan at the Warsaw Legion Hall on Thursday, May, 31, 2001 at 7:30 PM.

RESOLUTION NO. 01-144
(May 8, 2001)

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

REQUEST RESTORATION OF CHIPS FUNDING
IN THE 2001-2002 STATE BUDGET

WHEREAS, Governor Pataki has proposed the elimination of Consolidated Highway Improvement Programs (CHIPS) funding for operation and maintenance and funding for the Multi-Modal program in this 2001-2002 budget, and

WHEREAS, Elimination of this funding will impact local governments by nearly 235 million dollars, and

WHEREAS, CHIPS and Multi-Modal funding continues to be a vital part of each County's efforts to provide and maintain safe roads and bridges for its citizens, and

WHEREAS, The current level of CHIPS and Multi-Modal funding is inadequate to rebuild and maintain the local highway system, and

WHEREAS, The CHIPS program represents a successful state and local partnership delivering necessary preventative maintenance funding to over 1600 levels of local governments, and

WHEREAS, The proposed budget cuts strike at a program with a proven record of accomplishment for sustaining transportation infrastructure, promoting motorist safety and sustaining construction and related jobs at the local government level, and

WHEREAS, To not fund this vital program is to permit the further deterioration of our transportation infrastructure so vital to the economic well being of the State of New York and to the safety and welfare of its citizens, and

WHEREAS, More than \$180,000,000 in highway user fees are diverted into the State general fund annually, and

WHEREAS, The loss of these transportation funds will severely impact the taxpayers of New York, and

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WHEREAS, The Wyoming County Board of Supervisors empathically opposes the elimination of these funds for operating and maintenance aid from the 2001-2002 State Budget, now, therefore be it

RESOLVED, That the Wyoming County Board of Supervisors does hereby request restoration and an increase in Consolidated Highway Improvement Program (CHIPS) funding for operating and maintenance and funding for the Multi-Modal program, and be it

FURTHER RESOLVED, That the Clerk of this Board of Supervisors is hereby authorized and directed to forward certified copies of this resolution to Governor Pataki, members of the New York State Legislature and all others deemed necessary and proper.

Carried: Ayes: 1564 Noes: 0 Absent: 54; Davis

#19

**RESOLUTION NO. 01-145
(May 8, 2001)**

By Mrs. Humphrey, Chairman of the Finance Committee:

**APPROVE CORRECTION OF ERRORS IN THE 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 Town of Warsaw

Tax Map #564801 85.12-3-38

ASSESSED TO: D.J.S. Realty Limited

ERROR: Clerical

AUTHORITY: RPTL 550.2(a)

CORRECTION: Tax bill amount- \$2,160.44

Carried: Ayes: 1564 Noes: 0 Absent: 54; Davis

Regular Session

RESOLUTION NO. 01-146
(May 8, 2001)

By Mrs. Humphrey, Chairman of the Finance Committee:

WYOMING COUNTY COMPUTER USE POLICY
ADOPTED

WHEREAS, It is necessary to establish guidelines for the use of County computer equipment and software with the goal of insuring that such equipment and software are used in an appropriate and professional manner; and

WHEREAS, The County of Wyoming desires to implement a computer policy; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors shall adopt the following policy:

1. **Use of Computer Equipment and Software.** Computer equipment and software shall only be used for proper purposes as described herein. All improper uses of such equipment and software are prohibited. Employees who engage in the improper use of computer equipment and software shall be subject to disciplinary action up to and including termination of employment.

- a. **Proper-** Computer equipment and software may be used to enable an employee to carry out his/her job duties and for the furtherance of County business.
- b. **Improper-** Computer equipment and software may not be used for any reason unrelated to County business, including, but not limited to:
 - accessing and/or attempting to access information contained on County computers without proper authorization;
 - performing any action which has the purpose or effect of disrupting County business;
 - performing any action which has the purpose or effect of harassing another person;
 - creating or distributing materials that are discriminatory or offensive;
 - violating any Federal, State, Local law or regulation or violating any County work rule or policy;
 - creating, accessing or distributing pornographic or sexually explicit

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materials;

- engaging in any other behavior which would be considered unprofessional and inappropriate in the workplace by a reasonably prudent person.

In addition, improper use shall include the installation, connection or modification of any computer hardware, software or computer devices on County computer equipment without the express, written authorization from the Director of Information Technology .

2. **Installation of Hardware and Software.** Any employee with a request to have County business related computer hardware or software installed on or connected to County computer equipment must direct this request to his/her Department Head. If the Department Head approves the request, the Department Head must contact Computer Services to request installation or connection. All installations and connections shall be performed by Computer Services unless express, written authorization is given to another person to make an installation or connection.
3. **E-mail.** The purpose of this policy is to ensure the proper use of Wyoming County's e-mail system by its employees. E-mail is a tool for business communications, and users have the responsibility to use this resource in an efficient, effective, ethical and lawful manner. E-mail communications should follow the same standards expected in written business communications and public meetings.

All e-mail accounts maintained on the e-mail systems are the sole property of Wyoming County. Wyoming County has the right to monitor any employee's e-mail account for legitimate business reasons, including compliance with this policy, employee performance and where there is reasonable suspicion of activities that violate this policy.

Employees who are terminated or laid off have no rights to the contents of their e-mail messages and will not be allowed access to the e-mail system. Department Heads or managers may be permitted access to an employee's e-mail in their absence if deemed necessary for the County's business purposes.

The following use of the e-mail system is strictly prohibited:

- The creation and exchange of messages that are offensive, harassing, obscene or threatening.
- The exchange of proprietary information, trade secrets or any other

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privileged, confidential or sensitive information. Caution should be taken to ensure that messages are addressed to the appropriate recipient; it is easy to inadvertently address e-mail messages incorrectly. Confidential messages should include a warning regarding accidental transmission to an unintended third party.

- The creation and exchange of advertisements, solicitations, chain letters and other unsolicited e-mail. The creation and exchange of information in violation of any copyright laws.
- Registration to list servers without proper authorization. A subscription to such a service can result in an overload of received messages directly impacting the performance of the e-mail system.
- Registration of the County in any news groups or chat rooms.
- Forwarding messages to another person without permission of the originator.
- Reading or sending messages from another user's account except under proper delegate arrangements.
- Altering or copying a message or attachment belonging to another user without the permission of the originator.
- Compromising the privacy of their password by giving it to others or exposing it to public view.

Violations of these prohibitions should be reported to your department head immediately.

The following is acceptable standard e-mail protocol and should be adhered to:

- Retain messages only if relevant to the business or an anticipated litigation. Messages will be retained by the e-mail system for not more than 60 days.
- Address messages to recipients who need to know rather than to everyone you know. Messages sent unnecessarily can impact system and user performance.
- Construct messages professionally (spelling, grammar) and efficiently (subject field, attachments).
- Incidental and infrequent personal use of the County's e-mail system is acceptable.

4. **Record Retention Requirements.** *Employees who create E-mails or other computer documents which involve:*

- policies and directives.
- correspondence or memoranda related to official business.

- work schedules and assignments.
- agendas and minutes of meetings.
- drafts of documents that are circulated for comment or approval.
- any document that initiates, authorizes, or completes a business transaction.
- final reports or recommendations, and
- any other document which is subject to record retention requirements

must retain such documents pursuant to record retention requirements. Such documents should be retained by printing off a hard copy of the document and retaining this document as required. Documents should not be retained on a computer for more than six months unless there is a reasonable expectation that the user will need computer access to such documents in the future.

5. **Monitoring Use.** No employee should have an expectation of privacy in his/her use of computer equipment or software. Employee use of computer equipment and software may be monitored by the County in its discretion.
6. **Further Information.** Any employee who needs further information regarding the proper and improper uses of computer equipment and software should contact the Director of Information Technology.
7. **Modifications to Policy.** The County reserves the right to modify this policy at any time.

DEFINITIONS:

Computer equipment and software as used herein means County owned computer equipment (including, but not limited to, personal computers, laptops, hand held devices and any peripheral devices), software provided by the County, E-mail systems provided by the County, Internet services provided by the County, and any other equipment or software related to County computer use which are made available to employees by the County. Software also includes any County business related software: licensed to the County from third parties, obtained from other agencies (State, Federal, etc.), and downloaded from the Internet.

County business as used herein means the areas of service which the County provides to the public pursuant to the directives of the Federal Government, State Government, Wyoming County Board of Supervisors, and/or

Hard copy as used herein means a tangible, written document. When a computer document has been printed, the result is the hard copy.

Job duties as used herein means the responsibilities of an employee relating to his/her work for Wyoming County.

Therefore be it

FURTHER RESOLVED, That the Director of Information Technology shall be responsible for the implementation and adherence to this Computer Use Policy and by all County Departments affected; and be it

FURTHER RESOLVED, That this policy may be amended and/or revised, with the approval of the appropriate Committee of this Board as required, and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors adopts this Computer Use Policy effective immediately.

Carried: Ayes: 1564 Noes: 0 Absent: 54; Davis
#21

RESOLUTION NO. 01-147
(May 8, 2001)

Mrs. Humphrey, Chairman of the Finance Committee, presented the **SEMI-ANNUAL MORTGAGE TAX REPORT** for the period of October 1, 2000 through March 31, 2001 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 One Hundred Seventy Two Thousand, Two Hundred Twenty Six Dollars Fourteen Cents (\$172,226.14) to the several tax districts of Wyoming County, in accordance with the report filed with the Clerk of the Board of Supervisors, as follows:

TAX DISTRICTS	MORTGAGE TAX DISTRIBUTED	VILLAGE	TOWN
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Arcade	\$12,483.23	\$3,180.53	\$9,302.70
Attica	\$16,804.71	\$4,399.46	\$12,405.25
Bennington	\$20,135.16	\$0.00	\$20,135.16
Castile	\$14,433.29	\$907.93	\$12,463.06
Perry Village	\$0.00	\$1,062.30	\$0.00
Covington	\$17,408.68	\$0.00	\$17,408.68
Eagle	\$4,256.03	\$0.00	\$4,256.03
Gainesville	\$7,118.86	\$286.27	\$5,885.35
Silver Springs Village	\$0.00	\$947.24	\$0.00
Genesee Falls	\$2,371.59	\$0.00	\$2,371.59
Java	\$11,717.86	\$0.00	\$11,717.86
Middlebury	\$7,650.39	\$674.21	\$6,976.18
Orangeville	\$2,341.42	\$0.00	\$2,341.42
Perry	\$15,653.08	\$3,824.59	\$11,828.49
Pike	\$4,569.22	\$302.49	\$4,266.73
Sheldon	\$9,716.84	\$0.00	\$9,716.84
Warsaw	\$23,079.82	\$6,308.07	\$16,771.75
Wethersfield	\$2,485.96	\$0.00	\$2,485.96
TOTAL	\$172,226.14	\$21,893.09	\$150,333.05

Let This Be Your Warrant For Such Payment:

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the Board of Supervisors this 8th day of May 2001.

S/ Suzanne Aldinger, Clerk
Board of Supervisors

Carried: Ayes: 1564 Noes: 0 Absent: 54; Davis

A motion was made at 2:53 PM by Supervisor Herman,
T/Wethersfield to enter into executive
session for the purpose of discussing the medical, financial, credit or

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employment history of a particular person or corporation, or matter leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person (s) or corporation. Seconded by Supervisors Rogers, T/Pike. Carried. Motion made by Supervisor Herman, T/Wethersfield, at 3:22 PM to adjourn executive session, seconded by Supervisor Miller, T/Warsaw. Carried. No action taken. Business resumed.

Supervisor Humphrey, T/Perry made a motion to vote on Resolution Office No. Twenty Two (22) and Twenty Three (23) together on one vote. A voice vote was taken and the motion was passed.

#22

**RESOLUTION NO. 01-148
(May 8, 2001)**

By Mrs. Humphrey, Chairman of the Finance Committee:

SCHEDULE I ADOPTED

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

Schedule "I" annexed hereto shall be substituted for the existing Schedule "T", adopted on December 12, 2000. Commencing January 1, 2001, employees in the job titles covered thereby shall be paid the basic salary in accordance with these wage and salary schedules; and be it

FURTHER RESOLVED, That the salary of any position vacated shall be open for review by the necessary Committee.

Carried: Ayes: 1311 Noes: 253; Bush (96), Brunner (93), Cox (64)
Absent: 54; Davis

#23

**RESOLUTION NO. 01-149
(May 8, 2001)**

By Mrs. Humphrey, Chairman of the Finance Committee:

**PRESENTS LOCAL LAW B; RE: SALARIES OF VARIOUS
COUNTY OFFICERS**

WHEREAS, there have been duly presented and introduced at a meeting of this Board, held on this 8th day of May 2001, a proposed local law entitled

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Local Law No. B, Year 2001, County of Wyoming, establishing and relating to the annual compensation of certain County Officers, to become effective for the year 2001, 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 12th day of June, 2001, at 2:00 PM in the County Government Center 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: 1311Noes: 253; Bush (96), Brunner (93), Cox (64) Absent: 54; Davis

Chairman Berwanger, T/Arcade, asked if anyone had any questions in regards to the Public Hearing. No comments or questions were presented. Chairman Berwanger declared the Public Hearing closed.

#24

**RESOLUTION NO. 01-150
(May 8, 2001)**

By Mrs. Humphrey, Chairman of the Finance Committee:

**LOCAL LAW INTRODUCTORY NO. A, YEAR 2001
ADOPTED**

WHEREAS, there was duly presented and introduced at a meeting of this Board, held on the 10th day of April, a proposed local law of the County, designated as Local Law Introductory No. A, for the year 2001, entitled A Local Law of the County of Wyoming, establishing the salaries of the certain County Officers; and

WHEREAS, in accordance with the provisions of Resolution No. 01-125, there was a public hearing held by this Board of Supervisors on this 8th day of May, 2001 at 2:00 PM, after due notices of said hearing having been posted and published according to the law and said resolution; and

WHEREAS, after holding said public hearing, and the said local law having laid on the desks of the members of this Board of Supervisors at least seven days prior to the final adoption, a majority of this Committee agreed to recommend the enactment and passage of the above mentioned local law, designated as herein above set forth; now therefore

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BE IT RESOLVED, That Local Law Introductory No. A, Year 2001, County of Wyoming, New York, as presented to this Board on the 8th day of May, 2001, is hereby adopted, enacted and passed by this Board in its original form as follows:

Section 1. Effective as hereafter provided, the annual salary of the Director of the Office for the Aging shall be increased by \$3,108.00.

Section 2. Effective as hereafter provided, the annual salary of two positions of Commissioner of Elections shall be increased by \$341.00.

Section 3. Effective as hereafter provided, the annual salary of the Buildings and Grounds Superintendent shall be increased by \$2,908.00.

Section 4. Effective as hereafter provided, the annual salary of the Bureau of Fire Coordinator shall be increased by \$188.00

Section 5. Effective as hereafter provided, the annual salary of the County Administrator shall be increased by \$3,950.00.

Section 6. Effective as hereafter provided, the annual salary of the County Attorney shall be increased by \$2,613.00.

Section 7. Effective as hereafter provided, the annual salary of the County Historian shall be increased by \$495.00.

Section 8. Effective as hereafter provided, the annual salary of the Code Enforcement Officer shall be increased by \$3,108.00.

Section 9. Effective as hereafter provided, the annual salary of the Dog Control Officer shall be increased by \$5,442.00.

Section 10. Effective as hereafter provided, the annual salary of the Economic Development Director shall be increased by \$2805.00.

Section 11. Effective as hereafter provided, the annual salary of the Highway Superintendent shall be increased by \$3,753.00.

Section 12. Effective as hereafter provided, the annual salary of the Deputy Highway Superintendent shall be increased by \$2,355.00.

Section 13. Effective as hereafter provided, the annual salary of the Personnel Officer shall be increased by \$2,550.00.

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Section 14. Effective as hereafter provided, the annual salary of the Information and Technology Director shall be increased by \$3,111.00.

Section 15. Effective as hereafter provided, the annual salary of the Public Defender shall be increased by \$1,232,00.

Section 16. Effective as hereafter provided, the annual salary of the Real Property Tax Director shall be increased by \$2,558.00.

Section 17. Effective as hereafter provided, the annual salary of the Youth Bureau Director shall be increased by \$1,099.00.

Section 18. Effective as hereafter provided, the annual salary of the Commissioner of the Department of Social Services shall be increased by \$3,381.00.

Section 19. Effective as hereafter provided, the annual salary of the Workers Compensation Executive Secretary (Administrator) shall be increased by \$2,490.00.

Section 20. All salaries set forth herein shall be effective as of January 1, 2001.

Section 21. This Local Law shall take effect on the date of filing in the Office of the Secretary of the State of New York.

Section 22. This Local Law is subject to permissive referendum.

Carried: Ayes: 1564 Noes: 0 Absent: 54; Davis

Supervisor Herman, T/Wethersfield moved that the meeting be adjourned at 3:32 PM.

REGULAR SESSION

TUESDAY

(June 12, 2001)

2:00 PM

The Regular Session of the Wyoming County Board of Supervisors was held at the Wyoming County Government Center, in the Board of Supervisors Chambers, 143 North Main Street, Warsaw, New York with all members present except Anne Humphrey, T/Perry and Joseph Gozelski, T/Castile. Also Present was County Attorney, Eric T. Dadd and County Administrator, Kevin D. DeFebbo. Chairman Berwanger, T/Arcade 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, Suzanne Aldinger.

C-1. Reminder: Inter-County of Western New York is being held in Ontario County on June 15, 2001 at the Steamboat Landing Conference Center, 215 Lakeshore Drive, Canandaigua, New York. The program consist of Medicaid/Jail: County Nightmares, and the NYS Property Tax.

Chairman Berwanger, T/Arcade, declared the Public Hearing open in regards to Local Law Introductory No. B Yr. 2001, establishing the Salaries of Certain County Officials.

#1

RESOLUTION NO. 01-151

(June 12, 2001)

By Mrs. West, Acting Chairman of the Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2001 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2001 accounts as follows:

PUBLIC HEALTH			
To acct. 01.38.4035.4.41506 Educational Material W/rev acct 01.04.4035.168905 increased by same amount.	\$800.00	\$800.00	
HIGHWAY			
HIGHWAY CAPITAL PROJECTS			

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to: 17.66.5112.2.20904 Roads with Revenue acct. no. 17.14.5112.5730 (BAN Proceeds) increased by same amount	\$2,922,000.00	\$2,922,000.00	
HIGHWAY - CO. ROAD FUND to: 04.53.5142.1.10101 FT CSEA Contract 04.53.5142.4.40602 County Snow Rentals \$116,000.00 04.53.5142.4.41804 Pay to Town & Villages - Snow \$298,323.00 w/rev acct 01.13.5142.5031 inc. by same amount	\$424,323.00	\$424,323.00	
SOCIAL SERVICES			
To: 01.39.6010.2.20001 Furniture 01.39.6010.4.42278 TOPS Expenses w/revenue acct. 01.12.6010.4610 increased by same amount	\$3,631.00 10,000.00	13,631.00	
To acct 01.40.6141.4.42268 HEAP W/rev acct 01.12.6141.4641 increased by same amount	\$400,000.00	\$400,000.00	
PATHWAYS - ICP			
from acct: 23.91.4010.4.42433 Tobacco Coalition w/rev acct 23.10.4010.282391 decreased by same amount	-\$4,000.00	-\$4,000.00	
PROBATION			
to acct.: 01.37.3140.4.41410 software (purchase) to acct: 01.37.3140.2.20201 CPU's w/rev. acct. 01.04.3141.1515 increased by same.	\$600.00 \$2,000.00	\$2,600.00	
INTER-FUND TRANSFERS			
to acct 01.52.9901.9.9902 Inter Fund Transfers-Co. Snow From any funds available	\$424,323.00	\$424,323.00	

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: 1277 Noes: 0 Absent: 341; (214) Humphrey, (127) Gozelski

#2

RESOLUTION NO. 01-152 (June 12, 2001)

By Mrs. West, Acting Chairman of the Finance Committee:

FUNDS TRANSFERRED TO VARIOUS 2001 ACCOUNTS

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

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PUBLIC HEALTH			
From acct 01.38.4010.4.40803 Bldg. Supplies 01.38.4010.4.43009 Pathways (tobacco) 01.38.4035.4.40106 Malpractice 01.38.4035.4.40901 Audit Service 01.38.4035.4.41510 Educational Material 01.38.4035.4.40801 Contracted Bldg. Repair 01.38.4050.4.40801 Contracted Bldg. Repair 01.38.4050.4.40803 Building Supplies 01.38.4050.4.40901 Audit Services 01.38.4050.4.41201 Postage To acct. 01.38.4010.4.40923 Dietician Services To acct. 01.38.4050.4.40923 Dietician Services	\$900.00 \$4,000.00 \$1,500.00 \$500.00 \$800.00 \$400.00 \$2,500.00 \$900.00 \$1,200.00 \$950.00		
		\$4,900.00 \$8,750.00	\$13,650.00
PUBLIC DEFENDER/LEGAL DEFENSE			
from: 01.11.1171.308910 ATI Progrman REVENUE 01.12.1171.448914 Byrne REVENUE 01.32.1171.4.40902 Legal Services EXPENSE to: 01.11.1170.3089 State Aid-Sec. 606 REVENUE 01.32.1170.4.40902 Legal Svcs. EXPENSE	\$3,200.00 10,000.00 18,900.00	13,200.00 18,900.00	\$32,100.00
TREASURER			
From: 01.33.1340.1.10001 Budget Salaries S,D&I To: 01.33.1325.1.10001 Treas. Salaries S,D & I	\$2,900.00	\$2,900.00	
SOCIAL SERVICES			
From acct 01.39.6030.4.42256 Cont. Managed Care To acct 01.39.6030.2.20201 Managed Care - CPU's	\$48.48	\$48.48	

Carried: Ayes: 1277 Noes: 0 Absent: 341; (214) Humphrey, (127) Gozelski

Supervisor Bush, T/Gainesville, Chairman of the Audit Committee presented the bills in the amount of One Million, Fifty Four Thousand, Three Hundred Forty Eight Dollars, Seventy Nine Cents (\$1,054,348.79). A voice vote was taken and the bills were approved.

Carried: Ayes: 1277 Noes: 0 Absent: 341; (214) Humphrey, (127) Gozelski

Chairman Berwanger, T/Arcade, proposed to consolidate Resolution Office #'s Three through Twenty Two (3-23) for consent agenda. There were no objections. A voice vote was taken and the request was granted.

**RESOLUTION NO. 01-153
(June 12, 2001)**

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

**CHAIRMAN AUTHORIZED TO SIGN AN AGREEMENT
WITH FRANCIS A. SIMONS & ASSOC., INC.
ON BEHALF OF THE HIGHWAY DEPARTMENT**

BE IT RESOLVED, That the Chairman of this Board is hereby authorized and directed, with the approval of the County Attorney and on behalf of the Wyoming County Highway Department to sign a letter of agreement with Francis A. Simons & Associates, Inc., 599 Holland Road, Java Village, Arcade, New York 14009 for generator power at the Department of Social Services (upper building); amount not to exceed Thirteen Thousand Dollars (\$13,000.00).

Carried: Ayes: 1277 Noes: 0 Absent: 341; (214) Humphrey, (127) Gozelski

4

**RESOLUTION NO. 01-154
(June 12, 2001)**

By Mrs. West Chairman of the Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN AMENDED
INDIGENT PAROLEE PROGRAM CONTRACT**

BE IT RESOLVED, That the Chairman of this Board is hereby authorized and directed, with the approval of the County Attorney and on behalf of the Wyoming County-Attica Legal Aid Bureau, to sign an amended agreement with the New York State Division of Criminal Justice Services (contract no. M008154/funding period 4/01/00 through 8/31/01) for the provision of the Indigent Parolee Program; and be it

FURTHER RESOLVED, That said contract shall be extended through August 31, 2001 for the purpose of expending grant funding.

Carried: Ayes: 1277 Noes: Absent: 341; (214) Humphrey, (127) Gozelski

RESOLUTION NO. 01-155
(June 12, 2001)

By Mrs. West, Chairman of the Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN CONTRACT WITH
WYOMING-COUNTY ATTICA LEGAL AID BUREAU,
INC. FOR IPP, ATI, AND PARALEGAL/INVESTIGATOR
SERVICES**

BE IT RESOLVED, That this Board of Supervisors hereby approves a contract with Wyoming-County Attica Legal Aid Bureau Inc., 14 Main Street, Attica, NY, in an amount not to exceed \$182,500.00 annually, for the purpose of providing indigent parolee representation, Alternatives to Incarceration to the community and paralegal/investigator services in the office of the Wyoming County Public Defender for the period of January 1, 2001 through December 31, 2001; 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 Wyoming County.

Carried: Ayes: 1277 Noes: 0 Absent: 341; (214) Humphrey, (127) Gozelski

6

RESOLUTION NO. 01-156
(June 12, 2001)

By Mrs. West, Chairman of the Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A GRANT
APPLICATION ON BEHALF OF THE SHERIFF'S
DEPARTMENT FOR PARTICIPATION IN THE "COPS" IN
SCHOOLS GRANT PROGRAM**

BE IT RESOLVED, That with the approval of the County Attorney and on behalf of the Wyoming County Sheriff's Department, the Chairman of this Board of Supervisors is authorized and directed to sign a grant application and all related documents for participation in the US Department of Justice "COPS"

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In Schools Grant Program for the year 2001.

Carried: Ayes: 1277 Noes: 0 Absent: 341; (214) Humphrey, (127) Gozelski

7

**RESOLUTION NO. 01-157
(June 12, 2001)**

By Mrs. West, Chairman of the Public Safety Committee:

**MEMBERS APPOINTED/REAPPOINTED TO THE
FIRE ADVISORY BOARD**

BE IT RESOLVED, That the following named persons are hereby appointed/reappointed to the Wyoming County Fire Advisory Board on the recommendation of the Wyoming County Bureau of Fire Coordinator, and in accordance with Section 225-a of the County Law for a term of one year:

<u>DEPARTMENT</u>	<u>MEMBER</u>	<u>ADDRESS</u>
Arcade	Charles Witkop	6070 Michigan Road Arcade, New York 14009
Attica	Tony Santoro	74 Exchange Street Attica, New York 14011
Bennington	Joseph Heller, Jr.	1290 Maxon Road Attica, New York 14011
Bliss	Richard Maher	3429 Route 39 Bliss, New York 14024
Castile	Todd Miller	32 Hurd Street Castile, New York 14427
Cowlesville	Paul Kiecher	502 Clinton Street Cowlesville, NY 14037
Gainesville	Albert Keller	3 Shearing Road Gainesville, NY 14066
Genesee Falls	Jim Kemp	6235 Denton Corners

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		Road Castile, NY 14427
Harris Corners	Mark Schwab	2744 Route 77 Strykersville, NY 14145
North Java	Joe Siler	2520 Pee Dee Road North Java, NY 14113
Perry	Ernest Sylvester	7790 Water Street Perry, New York 14530
Perry Center	James Brick	7618 Rt. 20A Perry, New York 14530
Pike	Lyman Granger	30 Main Street Pike, New York 14130
Sheldon	Terry Griffen	1629 Route 20A, Lot #25 Varysburg, NY 14167
Silver Springs	Clifford Stowe	5324 Wethersfield Road Silver Springs, NY 14550
Strykersville	Donald Simons	425 Factory Road Strykersville, NY 14145
Varysburg	William Gerhardt	2295 Route 98 Varysburg, NY 14167
Warsaw	William Goulet	5310 Wethersfield Road Warsaw, NY 14569
Wyoming	Norman Caryl	508 Dale Road Dale, New York 14039

Members At-Large for towns without Departments:

Orangeville
Covington

Carried: Ayes: 1277 Noes: 0 Absent: 341; (214) Humphrey, (127) Gozelski

June 12, 2001

**RESOLUTION NO. 01-158
(June 12, 2001)**

By Mrs. West, Chairman of the Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN AN AGREEMENT
WITH QC MICROSYSTEMS, INC. ON BEHALF OF THE
PROBATION DEPARTMENT**

BE IT RESOLVED, That with the approval of the County Attorney, and on behalf of the Probation Department, the Chairman of this Board is hereby authorized and directed to sign an agreement with QC Microsystems, Inc., 409 East Main Street., Madison, WI for the provision of maintenance and licenser of software for the period of June 18, 2001 through June 17, 2002; amount not to exceed Thirteen Thousand, Nine Hundred Fifty Dollars (\$13,950).

Carried: Ayes: 1277 Noes: 0 Absent: 341; (214) Humphrey, (127) Gozelski

9

**RESOLUTION NO. 01-159
(June 12, 2001)**

By Mr. Rogers, Chairman of the Health and Human Services Committee:

**M. GILLILAND REAPPOINTED TO THE BOARD OF
HEALTH**

BE IT RESOLVED, That Mary Gilliland, 6688 Church Street, Portageville, New York 14536, is hereby reappointed to the Wyoming County Board of Health for a six (6) year term, said term to expire June 11, 2007.

Carried: Ayes: 1277 Noes: 0 Absent: 341; (214) Humphrey, (127) Gozelski

10

**RESOLUTION NO. 01-160
(June 12, 2001)**

Regular Session

By Mr. Rogers, Chairman of the Health and Human Services Committee:

**SUPPORT OF STATE LEGISLATION THAT WOULD
LIMIT THE AGGREGATE LOCAL FINANCIAL SHARE
OF THE COSTS OF THE MEDICAL ASSISTANCE
PROGRAM**

WHEREAS, Medicaid is a vital component to New York's health care delivery system, providing health care to New York State's most vulnerable citizens; and

WHEREAS, Since the enactment of the Medicaid program, counties in New York State have been required to share in the costs of services, and Wyoming County is mandated by the State of New York to contribute a 25 percent matching share with the exception of long-term care services; and

WHEREAS, Wyoming county has minimal authority by state law to manage, control or reduce local Medicaid costs, and therefore serves primarily as a means to transfer a portion of the state's share of Medicaid costs from the statewide tax base to the Wyoming County property tax base; and

WHEREAS, In most states, the state government assumes all the responsibility for the non-federal share of the Medicaid program, so that the burden of paying for the medically needy is distributed over the widest possible tax base; and

WHEREAS, Wyoming County taxpayers currently pay almost Three Million, Five Hundred Thousand Dollars (\$3,500,000.00) in Medicaid costs through the Wyoming County budget, which represents 45% percent of the property taxes paid by local taxpayers to the county; and

WHEREAS, Wyoming County taxpayers are currently funding a Medicaid local share that is growing at 5%, which makes Medicaid the largest and most volatile single expense in the Wyoming County budget; and

WHEREAS, The growth of local Medicaid costs are siphoning away the limited resources available to fund the entire Wyoming County budget without adding new pressures on the property taxpayer of Wyoming County; and

WHEREAS, A.8701 is legislation sponsored in the New York State Assembly that would cap the level of Medicaid growth that would be funded by

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the property taxpayers of Wyoming County; and

WHEREAS, Under this proposal, Wyoming County would pay what they paid in last year for Medicaid plus an increase up to the Consumer Price Index; and

WHEREAS, This reasonable approach would provide Wyoming County property taxpayers with meaningful budgetary relief, while maintaining Wyoming County's annual commitment to the Medicaid program; now therefore

BE IT RESOLVED, Wyoming County supports A.8701 and calls upon Senator Dale Volker to support the introduction of companion legislation in the New York State Senate; and be it

FURTHER RESOLVED, That Wyoming County calls upon the Governor and the State Legislature to support A.8701 and enact the legislation into law; and be it

FURTHER RESOLVED, That the Clerk of this Board of Supervisors is hereby authorized to transmit a certified copy of this Resolution to Governor George Pataki, Joseph Bruno, Speaker Pro Tem and Majority Leader of the of the New York State Senate, Sheldon Silver, Speaker of the New York State Assembly, Senator Dale Volker, Assemblyman Daniel Burling, the New York State Association of Counties, and all others deemed necessary and proper.

Carried: Ayes: 1277 Noes: 0 Absent: 341; (214) Humphrey, (127) Gozelski

11

**RESOLUTION NO. 01-161
(June 12, 2001)**

By Mr. Rogers, Chairman of the Health and Human Services Committee:

**SUPPORT OF STATE LEGISLATION THAT WOULD
ELIMINATE THE LOCAL FINANCIAL SHARE OF
ADDITIONAL PROGRAM ENHANCEMENTS UNDER
THE MEDICAID PROGRAM**

WHEREAS, Medicaid is a vital component of New York's health care delivery system, and was designed to provide health care to New York State's most valuable citizens; and

WHEREAS, Since the enactment of the Medicaid program, counties in New York State have been required to share in the cost of services, and Wyoming County is mandated by the State of New York to contribute a 25 percent matching share with the exception for long-term care services; and

WHEREAS, New York State offers one of the broadest and most generous Medicaid packages in the nation, requiring the taxpayers of Wyoming County to fund local share costs, while most economically comparable states fund all or most of the non-federal share of Medicaid; and

WHEREAS, When the state mandates that counties provide additional Medicaid services, but does not provide sufficient fiscal assistance to support those services, Wyoming County is forced to rely on its state-constitutional limited means of raising revenues locally; and

WHEREAS, To the extent that Wyoming County reduces services or increases taxes to fund these new Medicaid services, Wyoming County becomes less competitive with comparable counties in other states which may be positioned to lure businesses and citizens from New York; and

WHEREAS, Over the past two years, Wyoming County has seen Medicaid costs growing significantly and anticipates that further expansion of Medicaid programs and services with a local financial share will only add to local budgetary constraints; and

WHEREAS, A.8702/S.4892, legislation pending in the New York Senate and Assembly, would eliminate the local financial share of additional program enhancements under the Medicaid program; and

WHEREAS, This would include the proposals advanced as part of the State Fiscal Year 2001-02 Executive Budget, including the Medicaid Buy-In program for disabled workers and coverage for specific women's health care treatment, both which carry a local financial share; and

WHEREAS, This legislation protects Wyoming County taxpayers by ensuring that when the state enacts new programs and services under the Medicaid program, that the funding will be provided from sources other than the Wyoming County budget; now therefore

BE IT RESOLVED, that Wyoming County supports S.4892/A.8702 and calls upon the Governor and the State Legislature to support this legislation and enact it into law; and be it

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FURTHER RESOLVED, That the Clerk of this Board of Supervisors is hereby authorized to transmit a certified copy of this Resolution to Governor George Pataki, Joseph Bruno, Speaker Pro Tem and Majority Leader of the New York State Senate, Sheldon Silver, Speaker of the New York State Assembly, Senator Dale Volker, Assemblyman Daniel Burling, New York State Association of Counties, and all others deemed necessary and proper.

Carried: Ayes: 1277 Noes: 0 Absent: 341; (214) Humphrey, (127) Gozelski

12

**RESOLUTION NO. 01-162
(June 12, 2001)**

By Mr. Rogers, Chairman of the Health and Human Services Committee:

**SUPPORT OF STATE LEGISLATION THAT WOULD
DIRECT THE NEW YORK STATE DEPARTMENT OF
HEALTH TO PROPOSE A PLAN TO IMPROVE THE
SYSTEM OF MEDICAID ADMINISTRATION**

WHEREAS, Medicaid is a complex federal and state program whose costs and administration represent a major component of state and local fiscal relationships in New York State; and

WHEREAS, New York's Medicaid program is administered by 58 local social services districts (the 57 counties and the City of New York), which are overseen by the New York State Department of Health (NYSDOH); and

WHEREAS, In state fiscal year 1989-90, New York state imposed a "temporary freeze" on open-ended state reimbursement of local administrative costs and has renewed this arbitrary cap annually since its inception, thereby compounding the Medicaid fiscal burden borne by localities, whose mandated administrative costs have more than quadrupled over this period; and

WHEREAS, The report, State-County Relations in New York: Key partnership Issues - The Impacts of State Revenue Sharing and the Medicaid Mandate, commissioned by the New York State Senate, documents inefficiencies of the current Medicaid administrative system and recommends a series of changes in administrative procedure and communications that would strengthen the state-local partnership; and

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WHEREAS, The recommendations include provisions to replace the existing administrative system and address the concerns of county governments, including the following:

- That counties be given sufficient notice of changes that will impact their local share or administrative costs;
- That revisions affecting county medical assistance budgets not to be imposed on a county during a county fiscal year;
- That funding predictability be improved to enhance counties' planning capability;
- That timely adjustments be made to county share amounts and counties be provided with information in advance;
- That the state improve the exchange of data and information with the counties, particularly in the area of overburden aid;
- That counties be given flexibility to be more effective managers, specifically in the area of competitive bidding; and
- That the medical assistance advisory group be established within the department of health which could serve as a liaison to counties on matters of payments, practices, and policies; and

WHEREAS, S.4892/A.8647 is legislation pending in the New York State Senate and Assembly that would require the NYSDOH to submit a legislative proposal to reform the current administration of the Medicaid program;

WHEREAS, under this proposal, the NYSDOH would collect information from interested parties and develop a proposal that addresses many of the key concerns that have been expressed by counties; and

WHEREAS, This mandate relief measure could provide substantial budgetary savings to both the state and the county governments, while strengthening the state-local partnership; now therefore

BE IT RESOLVED, That Wyoming County supports A.8647/S.4891 and calls upon the Governor and the State Legislature to support this legislation and enact it into law; and be it

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FURTHER RESOLVED, That the Clerk of the Board of Supervisors is hereby authorized to transmit a certified copy of this Resolution to Governor George Pataki, Joseph Bruno, Speaker Pro Tem and Majority Leader of the New York State Senate, Sheldon Silver, Speaker of the New York State Assembly, Senator Dale Volker, Assemblyman Daniel Burling, the New York State Association of Counties, and all others deemed necessary and proper.

Carried: Ayes: 1277 Noes: 0 Absent: 341; (214) Humphrey, (127) Gozelski
13

**RESOLUTION NO. 01-163
(June 12, 2001)**

By Mr. Rogers, Chairman of the Health and Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
WITH WCCA, INC. ON BEHALF OF THE OFFICE FOR
THE AGING**

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 execute a contract with Wyoming County Community Action Agency, Inc., 6720 Rt. 20A, Perry, New York, for the purpose of providing services under the Title V Program for the period of July 1, 2001 through June 30, 2002, contingent on the availability of funding.

Carried: Ayes: 1277 Noes: 0 Absent: 341; (214) Humphrey, (127) Gozelski
14

**RESOLUTION NO. 01-164
(June 12, 2001)**

By Mr. Rogers, Chairman of the Health and Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
WITH RENSSELAERVILLE INSTITUTE ON BEHALF OF
THE YOUTH BUREAU**

BE IT RESOLVED, That with the approval of the County

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Attorney, the Chairman of this Board is hereby authorized and directed to sign a contract with The Rensselaerville Institute, Rensselaerville, New York 12147, for the purpose of providing Outcome Funding Training, on behalf of the Youth Bureau for Pathways and the Integrated County Plan Grant,

effective July 1, 2001 through June 30, 2002; amount not to exceed Eighteen Thousand Dollars

(\$18,000.00).

Carried: Ayes: 1277 Noes: 0 Absent: 341; (214) Humphrey, (127) Gozelski

15

**RESOLUTION NO. 01-165
(June 12, 2001)**

By Mr. Rogers, Chairman of the Health and Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN VARIOUS
CONTRACTS ON BEHALF OF THE PUBLIC HEALTH
DEPARTMENT**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney and on behalf of the Public Health Office, is hereby authorized and directed to sign the following contracts:

- A. Health Research, Inc., One University Place, Rensselaer, NY, 12144-3456, in an amount not to exceed \$3,000.00 for Lead Testing; effective January 1, 2001 through December 31, 2001.
- B. Genesee County Public Health Department Laboratory, 3837 West Main Street, Batavia, NY 14020, in an amount not to exceed, \$13,500.00 for Sanitary Bacteriology Services; effective January 1, 2001 through December 31, 2001.
- C. Erie County Department of Health, 95 Franklin Street,

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Buffalo, NY 14202, in an amount not to exceed \$4,611.60 for the purpose of Bacteriology Laboratory Services for the clients of the Men & Women's Reproductive Health Service; effective January 1, 2001 through December 31, 2001.

- D. Eastern Laboratory Services, Inc., 387 Fulton Street, South Waverly, PA 18840, in an amount not to exceed \$3,500.00 for Environmental Health Laboratory Services; effective January 1, 2001 through December 31, 2001.
- E. X-Cell Laboratory of Western New York, Inc, 60 Pineview Drive, Amherst, NY 14228, in an amount not to exceed \$15,000.00 for Cervical Cytology Services for the Men's and Women's Reproductive Health Service; effective January 1, 2001 through December 31, 2001.

Carried: Ayes: 1277 Noes: 0 Absent: 341; (214) Humphrey, (127) Gozelski

16

RESOLUTION NO. 01-166

(June 12, 2001)

By Mr. Rogers, Chairman of the Health and Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
WITH RITA SERGEL ON BEHALF OF THE 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 a contract with Rita Sergel, 405 Hatfield Road, Warsaw, New York 14569, on behalf of the Mental Health Department for the purpose of Parent Advocate for the Coordinated Children's Services Initiative, at \$10.00/hr. not to exceed Four Thousand Dollars (\$4,000.00); effective June 1, 2001 through December 31, 2001.

Carried: Ayes: 1277 Noes: 0 Absent: 341; (214) Humphrey, (127) Gozelski

17

RESOLUTION NO. 01-167

(June 12, 2001)

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By Mr. Rogers, Chairman of the Health and Human Services Committee:

**RESOLUTION NO. 00-263 AMENDED RE: 2001 NEW AND
RENEWAL CONTRACTS ON BEHALF OF THE MENTAL
HEALTH DEPARTMENT**

BE IT RESOLVED, That Resolution No. 00-263, passed by this Board of Supervisors on November 14, 2000 is hereby amended to reflect the following addition in amount due to additional Reinvestment Funds:

3) ARA, Inc. renewal contracts for the period of January 1, 2001 through December 31, 2001:

D. Adult Case Management (\$85,843.00) + **\$6,261.00 = \$92,104.00**

Carried: Ayes: 1277 Noes: 0 Absent: 341; (214) Humphrey, (127) Gozelski

18

**RESOLUTION NO. 01-168
(June 12, 2001)**

By Mr. Rogers, Chairman of the Health and Human Services Committee:

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

BE IT RESOLVED, That the Chairman of this Board/Commissioner of Social Services, with the approval of the County Attorney and on behalf of the Wyoming County Department of Social Services, is hereby authorized and directed to sign the following contracts:

- A. Wyoming County Youth Bureau, 5362 Munger Mills Road, Silver Springs, NY, in an amount not to exceed \$5,000.00 for field trips for the Merit Incentive Program; effective May 15, 2001 through October 1, 2001.
- B. Wyoming County Community Action, Inc., 6470 Route 20A, Suite 1, Perry, NY, in an amount not to exceed, \$21,500.00 for delivery of non-residential domestic violence services for TANF eligibles; effective January 1, 2001 through December
June 12, 2001

31, 2001.

- C. Wyoming County Community Action, Inc., 6470 Route 20A, Suite 1, Perry, NY, in an amount not to exceed \$13,500.00 for delivery of non-residential domestic violence services for non-TANF eligibles; effective January 1, 2001 through December 31, 2001.

Carried: Ayes: 1277 Noes: 0 Absent: 341; (214) Humphrey, (127) Gozelski

19

RESOLUTION NO. 01-169

(June 12, 2001)

By Mr. Rogers, Chairman of the Health and Human Services Committee:

**CHAIRMAN/COMMISSIONER OF SOCIAL SERVICES
AUTHORIZED TO SIGN A RENEWAL LEASE
AGREEMENT ON BEHALF OF THE DEPARTMENT OF
SOCIAL SERVICES**

BE IT RESOLVED, That the Chairman/Commissioner of the Department of Social Services, with the approval of the County Attorney, is hereby authorized and directed to sign a renewal lease agreement on behalf of the Wyoming County Department of Social Services for the upgrade of a IOS Capital-Canon Copier including maintenance per state contract #PC54553, for a period of June 1, 2001 through May 31, 2004; amount not to exceed \$13,306.32.

Carried: Ayes: 1277 Noes: 0 Absent: 341; (214) Humphrey, (127) Gozelski

20

RESOLUTION NO. 01-170

(June 12, 2001)

By Mr. Rogers, Chairman of the Health and Human Services Committee:

**CHAIRMAN/COMMISSIONER OF SOCIAL SERVICES
AUTHORIZED TO SIGN AGREEMENT WITH
INSTRUCTIONAL ACCESS, INC. ON BEHALF OF THE**

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DEPARTMENT OF SOCIAL SERVICES

BE IT RESOLVED, That the Chairman/Commissioner of the Department of Social Services, with the approval of the County Attorney is hereby authorized and directed to sign an agreement with Instructional Access, Inc., on behalf of the Wyoming County Department of Social Services for the Merit Incentive Camperships for twelve (12) students, amount not to exceed Twenty Three Thousand, Nine Hundred Forty Dollars (\$23, 940.00); effective August 3, 2001 through August 5, 2001.

Carried: Ayes: 1277 Noes: 0 Absent: 341; (214) Humphrey, (127) Gozelski
21

RESOLUTION NO. 01-171
(June 12, 2001)

By Mr. Rogers, Chairman of the Health and Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
WITH BUFFALO HOSPITAL SUPPLY ON BEHALF OF
THE PUBLIC 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 a contract with Buffalo Hospital Supply, 4039 Genesee Street, Buffalo New York 14225, on behalf of the Public Health Department for the provision of Medical Supplies, effective March 30, 2001 through March 29, 2002; in an amount not to exceed Thirty Thousand Dollars (\$30,000.00).

Carried: Ayes: 1277 Noes: 0 Absent: 341; (214) Humphrey, (127) Gozelski
22

RESOLUTION NO. 01-172
(June 12, 2001)

By Mrs. West, Acting Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
WITH WCCA, INC., FOR THE ADMINISTRATION OF**

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THE WORKFORCE INVESTMENT ACT OF 1998

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BE IT RESOLVED, That the Chairman of this Board of Supervisors is hereby authorized and directed, with the approval of the County Attorney, to sign a contract with Wyoming County Community Action, Inc., 6470 Route 20, Perry, NY 14530, to administer and otherwise act on behalf of the County of Wyoming in the operation and administration of the Workforce Investment Act of 1998 for a period effective July 1, 2001 through June 30, 2002.

Carried: Ayes:1277 Noes: 0 Absent: 341; (214) Humphrey, (127) Gozelski
23

RESOLUTION NO. 01-173
(June 12, 2001)

By Mrs. West, Acting Chairman of the Finance Committee:

ELECTRONIC FUNDS TRANSFER AGREEMENT
APPROVED

BE IT RESOLVED, That one (1) of the following:
JOHN B. EDWARDS WYOMING COUNTY TREASURER
be and hereby is authorized to execute on behalf of the Corporation Electronic Funds Transfer Agreements (defined to include Funds Transfer Agreements and/or Agreements for the Automatic Transfer of Credits and/or Debits) with The Bank of Castile in such form and content and upon such terms as he deems suitable and proper; and hereby is authorized to designate different or additional individuals as authorized representatives of this Corporation in accordance with the particular Electronic Funds Transfer Agreement.

Carried: Ayes:1277 Noes: 0 Absent: 341; (214) Humphrey, (127) Gozelski
24

RESOLUTION NO. 01-174
(June 12, 2001)

By Mrs. West, Acting Chairman of the Finance Committee:

RESOLUTION NO. 01-146 AMENDED

Regular Session

BE IT RESOLVED, That Resolution No. 01-146 passed by this Board on May 8th, 2001 is hereby amended as follows:

Section 4. **Record Retention Requirements.** As per Board of Supervisors Resolution 95-152 passed by this Board on July 11th 1995 that adopted the Records Retention and Disposal Schedule CO-2.

Carried: Ayes: 1277 Noes:0 Absent: 341; (214) Humphrey, (127) Gozelski
25

**RESOLUTION NO. 01-175
(June 12, 2001)**

By Mrs. West, Acting Chairman of the Finance Committee:

**COUNTY REQUIRES NEW YORK STATE TO TAKE
OVER ALL UNFUNDED STATE MANDATES**

WHEREAS, The Wyoming County Board of Supervisors is now faced with a \$5.6 million shortfall for unfunded New York State mandates; and

WHEREAS, The total mandated services the Wyoming County provided equals 71% of the County's total operating budget; and

WHEREAS, Wyoming County and the Western New York Region is losing revenue base with population shifts, business and industry leaving the area, moving to other areas where the cost to do business and the cost of living is less onerous than the tax burden on New York State; and

WHEREAS, The Wyoming County Board of Supervisors is faced with the possibility of making drastic cuts to many non-mandated services which are vital to this community; and

WHEREAS, Wyoming County can no longer bear the burden alone of providing mandated and non-mandated services; and

WHEREAS, Many much needed local programs and services provided by the County such as its parks, economic development, Sheriff department, Pioneer Library System, veterans service, domestic violence service, public health service, and others are threatened by the fact that the State is passing their mandated costs off to County governments without reimbursement; and

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WHEREAS, Wyoming County should not begin a process of slash and burn, creating hysteria and fear throughout the County in an effort to address these budgetary problems; and

WHEREAS, It is also important to recognize that many of the State mandated programs and services such as Medicaid, TANF/safety net, State Retirement System, Juvenile Delinquent (PINS), Motor Vehicles, Social Services, Probation and Public Defenders Offices provide necessary services to the residents of Wyoming County; and

WHEREAS, more than half of County budgets throughout New York State are made up of State mandated programs, and

WHEREAS, Only three states in the nation (New York being one of the three), require the county governments to share costs of providing Medicaid for its citizens; and

WHEREAS, It is unfair for the State of New York to continue to require county governments to provide for Medicaid and other State mandated programs at the County's expense to providing local services, especially in light of the fact that the State has projected a \$2.7 billion surplus, and

WHEREAS, By requiring New York State to assume all of the costs and responsibilities of running their own programs, Wyoming County residents will be spared from losing local programs and services, and will continue to have state mandated programs and services, but now they would be totally paid for and operated by New York State; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors supports the repeal of all laws imposing upon county governments and local municipalities state mandated services without reimbursement; and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors goes on record in support of the requirement that the State of New York be required to assume total control of Medicaid and all other state mandated programs, as well as assuming all costs associated with these programs, taking control and fiscal oversight and responsibility for all of its mandated services; and be it

FURTHER RESOLVED, That all counties in New York State be totally and completely relieved of this onerous burden of unfunded State mandates; and be it

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FURTHER RESOLVED, That this Resolution be sent to Governor George Pataki, New York State Representatives, Senate Majority Leader Joseph Bruno, Senate Minority Leader Martin Connors, Assembly Speaker Sheldon Silver, Assembly Minority Leader John Faso, New York State Senator Dale Volker, New York State Assemblyman Daniel Burling, The New York State Association of Counties and Western New York Inter-County Association.

Carried: Ayes: 1277 Noes: 0 Absent: 341; (214) Humphrey, (127) Gozelski
26

**RESOLUTION NO. 01-176
(June 12, 2001)**

By Mrs. West, Acting Chairman of the Finance Committee:

SCHEDULE S AMENDED, RE: BUDGET DIRECTOR

BE IT RESOLVED, That Schedule S of the Wyoming County Salary Plan, adopted April 10, 2001, is hereby amended to set the salary of the Budget Director at \$0.00 annually.

Carried: Ayes: 1277 Noes: 0 Absent: 341; (214) Humphrey, (127) Gozelski
27

**RESOLUTION NO. 01-177
(June 12, 2001)**

By Mrs. West, Acting Chairman of the Finance Committee:

EXTENDS BENEFITS OF SCHEDULES G, AND H

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

SCHEDULES G & H

1. The annexed 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 January 1999.

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2. Effective January 1, 1999, all wage increases by the County of Wyoming, which were granted in the 1999-2001 Agreement by and between the County of Wyoming and the Wyoming County Employees Unit, Wyoming County Local Unit 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.

3. Effective January 1, 1999, all benefits of employment by the County of Wyoming, which were granted in the 1999-2001 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 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 1999-2001 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 1999-2001 C.S.E.A. Agreement.
- c. No such employee shall be allowed to join or contribute to the Sick Leave Bank or 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 1999-2001 C.S.E.A Agreement.
- e. No such employee shall be entitled to the provision of Article 1 Section 1.2 (or as renumbered) of the 1999-2001 C.S.E.A. Agreement.

Carried: Ayes: 1277 Noes: 0 Absent: 341; (214) Humphrey, (127) Gozelski
28

**RESOLUTION NO. 01-178
(June 12, 2001)**

By Mrs. West, Acting Chairman of the Finance Committee:

**SEASONAL STUDENT AIDE POSITIONS IN THE
WYOMING COUNTY COMPUTER SERVICES
DEPARTMENT CREATED**

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BE IT RESOLVED, That there is hereby created four (4) positions of (Seasonal) Student Aide in the Wyoming County Computer Services Department at a rate of Six Dollars per hour (\$6.00/hr.) plus Twenty Five Cents per hour (\$.25/hr.) for each previous season worked, with no other benefits except those mandated by law.

Carried: Ayes: 1277 Noes: 0 Absent: 341; (214) Humphrey, (127) Gozelski
29

**RESOLUTION NO. 01-179
(June 12, 2001)**

By Mr. Rogers, Chairman of the Health and Human Services Committee:

**POSITIONS CREATED/ABOLISHED IN THE
DEPARTMENT OF THE OFFICE FOR THE AGING**

BE IT RESOLVED, That there is hereby created one (1) fte. position of Clerk; to be placed on Schedule A, Grade 2 of the CSEA Agreement; and be it

FURTHER RESOLVED, That there is hereby abolished one (1) fte. position of Account Clerk, contingent upon the permanent appointment of the incumbent who maintains hold of said Account Clerk position.

Carried: Ayes: 1277 Noes: 0 Absent: 341; (214) Humphrey, (127) Gozelski
30

**RESOLUTION NO. 01-180
(June 12, 2001)**

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

**POSITION OF TEMPORARY MOTOR VEHICLE LICENSE
CLERK CREATED IN THE DEPARTMENT OF MOTOR
VEHICLES**

June 12, 2001

BE IT RESOLVED, That there is hereby created one (1) fte. temporary position of Motor Vehicle License Clerk in the Department of Motor Vehicles, effective through the end of the current leave of absence, said position to be placed on Schedule A, Grade 4 of the CSEA Agreement.

Carried: Ayes: 1277 Noes: 0 Absent: 341; (214) Humphrey, (127) Gozelski
31

**RESOLUTION NO. 01-181
(June 12, 2001)**

By Mr. Cox, Chairman of the Agriculture Committee:

**WYOMING COUNTY PROCLAIMS JUNE AS DAIRY
MONTH**

WHEREAS, June is the month when nature bestows upon us her most nearly perfect weather, and

WHEREAS, Milk is nature's most nearly perfect food, it follows that June is the most fitting month to celebrate Dairy Month. June is the start of summer, when everyone appreciates the ease and convenience of the whole gamut of good dairy foods, and

WHEREAS, June is the time to enjoy to the fullest all the milk products whose vitamins, calcium and minerals contribute so much to health and vitality all year long, and

WHEREAS, We hereby dedicate this month of June to the idea of eating dairy foods, every day, and

WHEREAS, We also set aside the month of June to pay tribute to the nation's vast dairy industry -- one-sixth of the nation's farm economy -- whose daily work and dedication contribute so much to the nation's health and prosperity every day of the year, and

WHEREAS, We propose a salute to MILK, the beverage that has helped our children grow taller, our young adults become more vigorous and our senior citizens to enjoy the longest, most productive lives in the history of the world; now therefore

BE IT RESOLVED, That this Wyoming County Board of Supervisors,
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hereby proclaims June, 2001 to be Dairy Month and do encourage all our citizens to enjoy milk and other dairy foods, and do urge civic and business organizations to cooperate in this observance in public and in private in order that we may enjoy improved health and increased prosperity.

Carried: Ayes: 1277 Noes: 0 Absent: 341; (214) Humphrey, (127) Gozelski
32

**RESOLUTION NO. 01-182
(June 12, 2001)**

By Mrs. West, Chairman of the Public Safety Committee:

LOCAL LAW C FOR YEAR 2001 PRESENTED

WHEREAS, there has been duly presented and introduced at a meeting of this Board, held on this 12th day of June 2001, a proposed local law entitled
“A LOCAL LAW

**ESTABLISHING AND RELATING TO WIRELESS 911 CALL
ROUTING BY 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 10th day of July, 2001, at 2:00 PM in the County Government Center 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: 1277 Noes: 0 Absent: 341; (214) Humphrey, (127) Gozelski

**LOCAL LAW INTRODUCTORY NO. D, YEAR 2001
COUNTY OF WYOMING****A LOCAL LAW AMENDING LOCAL LAW NO. 12 FOR THE YEAR
1994, COUNTY OF NEW YORK, FOR THE COLLECTION OF
CERTAIN DELINQUENT VILLAGE TAXES BY THE COUNTY OF
WYOMING**

Section 2 shall be amended as follows:

Section 2. Resolution by Villages.

June 12, 2001

a. Any village lying within the County of Wyoming may elect each year to have its delinquent Village taxes collected by the County of Wyoming in accordance with Section 1442 of the Real Property Tax Law of the State of New York. In any year in which a village shall make such a determination, it shall cause a certified copy of the resolution of the Village Board authorizing such action to be provided to the Wyoming County Treasurer and the Clerk of the Board of Supervisors. Such resolution shall be adopted by the Village Board no earlier than September 1st of each year and shall be applicable to taxes levied in June of that year. The certified copies shall be delivered as set forth above, no later than October 1st of each year.

b. In addition to the foregoing, any village lying within the County of Wyoming may elect to have delinquent village taxes for the year 1994 and prior collected by the County of Wyoming in accordance with Section 1442 of the Real Property Tax Law of the State of New York. Such resolution shall be adopted by the Village Board no earlier than September 1, 2001. This provision regarding the payment of delinquent village taxes for the year 1994 and prior shall be operable for village resolutions received by the County in 2001 only.

Section 7. Effective Date. This local law shall become effective upon the filing thereof in the Office of the Secretary of State of the State of New York.

33

**RESOLUTION NO. 01-183
(June 12, 2001)**

By Mrs. West, Acting Chairman of the Finance Committee:

LOCAL LAW NO. D FOR THE YEAR 2001 PRESENTED

WHEREAS, there has been duly presented and introduced at a meeting of this Board, held on this 12th day of June 2001, a proposed local law Introductory D, Year 2001, amending Local Law No. 12, Year 1994, County of Wyoming, New York regarding County Payment of Delinquent Village Taxes year 2001, 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 10th day of July, 2001, at 2:00 PM in the County Government Center 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

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by publishing such notice at least once in the official newspapers of the county designated for such publications.

Carried: Ayes: 1277 Noes: 0 Absent: 341; (214) Humphrey, (127) Gozelski

Chairman Berwanger, T/Arcade, asked if anyone had any question on the Public Hearing of Local B, 2001 regarding the Salaries of certain County Officials. No comments or questions were presented. Motion was made by Mr. Herman, T/Wethersfield, to close the Public Hearing, seconded by Mr. Knab, T/Sheldon. All were in favor of closing the Public Hearing. Chairman Berwanger declared the Public Hearing closed.

34

**RESOLUTION NO. 01-184
(June 12, 2001)**

By Mrs. West, Acting Chairman of the Finance Committee:

**LOCAL LAW INTRODUCTORY NO. B, YEAR 2001
ADOPTED**

WHEREAS, there was duly presented and introduced at a meeting of this Board, held on the 8th day of May, a proposed local law of the County, designated as Local Law Introductory No. B, for the year 2001, entitled A Local Law of the County of Wyoming, establishing the salaries of the certain County Officers:

WHEREAS, in accordance with the provisions of Resolution No. 01-149, there was a public hearing held by this Board of Supervisors on this 12th day of June, 2001 at 2:00 PM, after due notices of said hearing having been posted and published according to the law and said resolution; and

WHEREAS, after holding said public hearing, and the said local law having laid on the desks of the members of this Board of Supervisors at least seven days prior to the final adoption, a majority of this Committee agreed to recommend the enactment and passage of the above mentioned local law, designated as herein above set forth; now therefore

BE IT RESOLVED, That Local Law Introductory No. B, Year 2001, County of Wyoming, New York, as presented to this Board on the 8th day of May, 2001, is hereby adopted, enacted and passed by this Board in its original form as follows:

BE IT ENACTED by the Board of Supervisors of the County of
June 12, 2001

Wyoming as follows:

Section 1. Effective as hereafter provided, the annual salary of the County Clerk shall be \$46,000.00

Section 2. Effective as hereafter provided, the annual salary of County Sheriff shall be \$60,000.00.

Section 3. Effective as hereafter provided, the annual salary of the County Treasurer shall be \$60,000.00

Section 4. This Local Law is subject to permissive referendum.

Carried: Ayes: 1277 Noes: 0 Absent: 341; (214) Humphrey, (127) Gozelski

Supervisor West, T/Orangeville, Acting Chairman of the Finance Committee made motion for Resolution Unanimous Consent #35 be presented to the Board of Supervisors. A voice vote was taken and the request was granted.

UC# 35

**RESOLUTION NO. 01-185
(June 12, 2001)**

By Mrs. West, Acting Chairman of the Finance Committee:

BIDS FOR PRINTING SERVICES AWARDED

WHEREAS, after due advertisement, bids were opened on March 22, 2001 by the Office of the Wyoming County Administrator (County Purchasing Agent) for the purchase of printing services for use by all Wyoming County Departments; now therefore

BE IT RESOLVED, That all Wyoming County Departments are hereby authorized to purchase printing services as follows:

VENDOR:	CATEGORY #1	NOT TO EXCEED:
Big Tree Graphics	envelopes	\$4,697.00
Warsaw Pennysaver	letterhead	\$1,385.29

VENDOR:	CATEGORY #2	NOT TO EXCEED:
Hilltop Industries	card stock	\$642.20
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VENDOR:	CATEGORY #3	NOT TO EXCEED:
Hilltop Industries	NCR forms	\$2,322.40

and be it

FURTHER RESOLVED, That the original bids are on file in the Office of the County Administrator; this award shall be effective on May 1, 2001 through April 30, 2002.

Carried: Ayes: 1277 Noes: 0 Absent: 341; (214) Humphrey, (127) Gozelski

Chairman Berwanger, T/Arcade, presented the floor to the County Clerk to inform the Board of a reception position to be placed in the Information Room in the Lobby of the Government Center. Said position is to be totally funded through the Workforce Investment Act, Program for Dislocated Workers. This is being handled through Wyoming County Community Action, the County Clerk, Janet Coveny, and the Clerk to the Board of Supervisors, Suzanne Aldinger. This person would not only direct any person looking for directions, handling mail and possibly answer phones, but also work inserting data into the computer for the County Clerk and formatting and publishing the Board of Supervisors Journal of Proceedings. This position is for Six months beginning June 25, 2001 through the end of the year. All offices will continue to answer their own phones. The only phones this person will be answering the phones is when someone might not have someone to answer the phones for maybe half a day. There is no cost to the County. There were no objections from any of the Supervisors.

Supervisor Herman, T/Wethersfield moved that the meeting be adjourned at 2:57 PM.

REGULAR SESSION

TUESDAY

(July 10, 2001)

2:00 PM

The Regular Session of the Board of Supervisors was held at the Wyoming County Government Center, in the Board of Supervisors Chambers, 143 North Main Street, Warsaw, NY with all members present. Also present was County Attorney, Eric T. Dadd and County Administrator, Kevin D. DeFebbo. Chairman Berwanger, T/Arcade 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, Suzanne Aldinger.

C-1. Reminder: Inter-County of Western New York is being held in Cayuga County on July 20, 2001 at the Springside Inn at Owasco Lake. The Program is New Ways of Using Geographic Information (GIS), the Tax Mapping Application, and the NASA Regional Application Center, N.E. at Cayuga Community College. Reservations need to be in on July 13, 2001. Anyone interested in attending should contact this office.

Chairman Berwanger, T/Arcade, declared the Public Hearing open in regards to Agricultural District #5

Chairman Berwanger, T/Arcade, declared the Public Hearing open in regards to Local Law Introductory No. C Yr. 2001, establishing and relating to wireless 911 call routing by the County of Wyoming.

Chairman Berwanger, T/Arcade, declared the Public Hearing open in regards to Local Law Introductory No. D Yr. 2001, a local law amending Local Law No. 12 for the year 1994.

#1

RESOLUTION NO. 01-186

(July 10, 2001)

By Mrs. Humphrey, Chairman of the Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2001 ACCOUNTS

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BE IT RESOLVED, That funds are hereby appropriated to the various 2001 accounts as follows:

CIVIL SERVICE			
To acct. 01.34.1430.4.42308 Employee Recognition w/rev acct 01.03.1430.1289 inc. by same amount.	\$850.00	\$850.00	
PUBLIC DEFENDER			
To acct. 01.32.1170.4.41302 witnesses From any funds available	\$3,500.00	\$3,500.00	
SOCIAL SERVICES			
To acct. 01.39.6010.2.20001 Furniture \$9,631.00 01.39.6010.2.20201 Comp. Equip. <u>7,500.00</u> \$17,131.00 w/rev acct 01.12.6010.4610 inc by same amount	\$17,131.00	\$17,131.00	
To acct. 01.39.6010.4.42274 Family Resolution w/rev acct. 01.12.6010.4610 inc by same amount	\$38,472.00	\$38,472.00	
To acct. 01.39.6010.4.43006 FS Nutrition w/rev. acct. 01.12.6010.4610 inc. by same amount	\$21,896.00	\$21,896.00	
PATHWAYS			
To acct 23.90.6012.4.42450 FS Nutrition w/rev acct 23.10.6012.282390 inc. by same amount	\$21,896.00	\$21,896.00	
MENTAL HEALTH			
To acct. 01.38.4322.4.42408 Liv/Wyo Arc w/state aid rev acct. 01.11.4322.3490 inc by same amt.	\$74.00	\$74.00	
To acct. 01.38.4324.4.42441 Misc. MH Program w/rev acct. 01.03.4324.1289 inc by \$21,318.00 state aid rev acct 01.11.4324.3490 inc by <u>\$2,782.00</u> \$24,100.00	\$24,100.00	\$21,318.00 \$2,782.00 \$24,100.00	\$24,100.00
MENTAL HEALTH (cont'd)			
To acct. 01.38.4325.4.42441 Misc MH Program w/state aid rev acct 01.11.4325.3490 inc by same amt	\$26,560.00	\$26,560.00	
To acct. 01.38.4250.4.42306 Misc Expenses w/federal aid acct 01.12.4250.4490 inc by same amt.	\$1,273.00	\$1,273.00	
From acct. 01.38.4310.4.40926 ARA, Inc. w/state acct 01.11.4310.3490 decrease by same amt	\$26,396.00	-\$26,396.00	
From acct. 01.38.4320.4.40926 ARA, Inc. w/state acct 01.11.4320.3490 decrease by same amt	-\$9,703.00	-\$9,703.00	
PUBLIC HEALTH			
To acct. 01.38.4010.4.40601 Office Rent w/offsetting rev. acct. inc by 01.11.4010.340101 WIC	\$8,150.00	\$2445.00	

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OFFICE FOR THE AGING			
To acct. 01.44.6772.2.20201 CPU \$1,200.00 01.44.6772.4.40401 Train/Educ 750.00 01.44.6772.4.40406 Employ Mileage 500.00 01.44.6772.4.40916 Food Service 2,700.00 01.44.6772.4.40926 MH Contract 5,125.00 01.44.6772.4.40924 Homemkr Srvc 3,655.00 01.44.6772.4.41010 Misc Off Supply 400.00 01.44.6772.4.41201 Postage 600.00 01.44.6772.4.41202 Printing 600.00 01.44.6772.4.41204 Advertising 1,500.00 01.44.6772.4.42302 OFA Prog Exps 2,750.00 01.44.6772.4.42306 Misc Other 650.00 01.44.6772.4.42414 Respite 4,570.00 \$25,000.00	\$25,000.00		
w/rev acct 01.12.6772.477219 inc by same amt		\$25,000.00	

and be it

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

Carried: Ayes: 1618 Noes: 0 Absent: 0

#2

RESOLUTION NO. 01-187 (July 10, 2001)

By Mrs. Humphrey, Chairman of the Finance Committee:

FUNDS TRANSFERRED TO VARIOUS 2001 ACCOUNTS

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

PUBLIC HEALTH/CORONER			
From acct 01.32.1185.4.40301 Professional Services To acct. 01.38.4010.4.40301 Professional Services	\$1,500.00	\$1,500.00	

Carried: Ayes: 1618

Noes: 0

Absent: 0

Supervisor Bush, T/Gainesville, Chairman of the Audit Committee presented the bills in the amount of Two Million, Seven Hundred Forty Eight Thousand, Six Hundred Eighty One Dollars, Sixteen Cents (\$2,748,681.16). A voice vote was taken and the bills were approved.

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Carried: Ayes: 1618

Noes: 0

Absent: 0

Chairman Berwanger, T/Arcade, proposed to consolidate Resolution Office #'s Three through Eighteen (3-18) for consent agenda. There were no objections. A voice vote was taken and the request was granted.

#3

**RESOLUTION NO. 01-188
(July 10, 2001)**

By Mr. Herman, Chairman of the Human Resource Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
WITH EMPLOYEE SERVICES, INC. ON BEHALF OF
THE WYOMING COUNTY CIVIL SERVICE 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 Employee Services, Inc., 111 West Pearl Street, Wellsville, NY 14895 on behalf of the Wyoming County Civil Service Office, for the Wyoming County Employee Assistance Program at a cost of Fifteen Dollars Eighty Six Cents (\$15.86) per employee, amount not to exceed Fourteen Thousand, Nine Hundred Twenty Four Dollars, Twenty Six Cents (\$14,924.26); for the period of July 1, 2001 through June 30, 2003.

Carried: Ayes: 1618

Noes: 0

Absent: 0

#4

**RESOLUTION NO. 01-189
(July 10, 2001)**

By Mr. Rogers, Chairman of the Health and Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN AGREEMENT
WITH MICHAEL E. SMITH**

BE IT RESOLVED, That the Chairman of this Board of Supervisors on behalf of the County of Wyoming, with the approval of the County Attorney, is hereby authorized and directed to sign an Independent Administrative Services Agreement with Michael E. Smith, 13 Tower Road, T/Middlebury, Wyoming,

July 10, 2001

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New York 14591 to provide certain administrative services to assess the County and the elected coroners of the County of Wyoming, in the efficient discharge of each parties' obligations and duties; the amount of compensation for such services shall not exceed \$1,500.00 annually to be paid in four (4) quarterly installments; said agreement shall be in effective for a period of one (1) year from January 1, 2001 through December 31, 2001.

Carried: Ayes: 1618

Noes: 0

Absent: 0

#5

**RESOLUTION NO. 01-190
(July 10, 2001)**

By Mr. Rogers, Chairman of the Health and Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
WITH ERIE COUNTY DEPARTMENT OF HEALTH
ON BEHALF OF THE PUBLIC HEALTH DEPARTMENT**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Erie County Department of Health, 95 Franklin Street, Buffalo, New York, on behalf of the Wyoming County Public Health Department, for the provision of Mosquito Testing of West Nile Virus, amount not to exceed Three Thousand, Six Hundred Dollars (\$3,600.00); effective July 1, 2001 through December 31, 2001.

Carried: Ayes: 1618

Noes: 0

Absent: 0

#6

**RESOLUTION NO. 01-191
(July 10, 2001)**

By Mr. Rogers, Chairman of the Health and Human Services Committee:

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

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney and on behalf of the Wyoming County Youth

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Bureau, is hereby authorized and directed to sign the following contracts:

- A. Elizabeth Wascak, 3050 Main Street, P.O. Box 105,
Yorkshire, NY 14173,
for the provision of Speech Therapy services for Preschool
Special Education, contingent upon the availability of funds,
effective June 13, 2001 through
June 30, 2002.
- B. Gina Polisoto, 2311 King Road, Forestville, NY 14062, for the
provision of Physical Therapy services for Preschool Special
Education, contingent upon the availability of funds, effective
June 13, 2001 through June 30, 2002.

Carried: Ayes: 1618

Noes: 0

Absent: 0

#7

**RESOLUTION NO. 01-192
(July 10, 2001)**

By Mr. Rogers, Chairman of the Health and Human Services Committee:

**CHAIRMAN/COMMISSIONER OF SOCIAL SERVICES
AUTHORIZED TO SIGN A CONTRACT WITH OCFS**

BE IT RESOLVED, That the Chairman of this Board/Commissioner of the Wyoming County Department of Social Services, with the approval of the County Attorney, is hereby authorized and directed to sign a contract with the New York State Office of Children and Family Services, 52 Washington Street, Rensselaer, New York 12144 for the purpose of the Federal Family Resolutions Project, effective March 1, 2001 through February 28, 2002; in an amount not to exceed Forty Six Thousand, One Hundred Sixty Seven Dollars (\$46,167.00).

Carried: Ayes: 1618

Noes: 0

Absent: 0

#8

**RESOLUTION NO. 01-193
(July 10, 2001)**

By Mr. Rogers, Chairman of the Health and Human Services Committee:

July 10, 2001

**CHAIRMAN AUTHORIZED TO SIGN A
MEMORANDUM OF UNDERSTANDING WITH ARA, INC.
ON BEHALF OF THE OFFICE FOR THE AGING**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign a memorandum of understanding with ARA, Inc., 39 Duncan Street, Warsaw, NY 14569 on behalf of the Wyoming County Office for the Aging for the provision the Counseling Services for Family Caregiver Services, in an amount not to exceed Eleven Thousand, One Hundred Twenty Five Dollars (\$11,125.00), with mileage and training reimbursements; effective July 1, 2001 through June 30, 2002.

Carried: Ayes: 1618

Noes: 0

Absent: 0

#9

**RESOLUTION NO. 01-194
(July 10, 2001)**

By Mr. Rogers, Chairman of the Health and Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN AMENDED
CONTRACT WITH FRONTIER FOOD SERVICES ON
BEHALF OF THE OFFICE OF THE AGING**

BE IT RESOLVED, That the Chairman of the this Board, with the approval of the County Attorney is hereby authorized and directed to sign the amended contract with Frontier Food Service, P.O. Box 903, West Seneca, New York 14224 to increase the mileage reimbursement to reflect the current IRS rates in amount not to exceed One Thousand, Four Hundred Dollars (\$1,400.00); effective July 1, 2001.

Carried: Ayes: 1618

Noes: 0

Absent: 0

#10

**RESOLUTION NO. 01-195
(July 10, 2001)**

By Mr. Rogers, Chairman of the Health and Human Services Committee:

CHAIRMAN/COMMISSIONER OF SOCIAL SERVICES

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AUTHORIZED TO SIGN A CONTRACT WITH NEW
DIRECTION

BE IT RESOLVED, That the Chairman of this Board/Commissioner of the Wyoming County Department of Social Services, with the approval of the County Attorney, is hereby authorized and directed to sign a contract with the New Directions, 6395 Old Niagara Road, Lockport, New York 14094 for the provision of Non-Secure Detention Services, for the period of July 1, 2001 through June 30, 2002; in an amount not to exceed Sixty Thousand Dollars (\$60,000.00).

Carried: Ayes: 1618

Noes: 0

Absent: 0

#11

RESOLUTION NO. 01-196
(July 10, 2001)

By Mrs. West, Chairman of the Public Safety Committee:

CHAIRMAN AUTHORIZED TO SIGN APPLICATION FOR
S.T.O.P. VIOLENCE AGAINST WOMEN FORMULA
GRANT PROGRAM

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign the 2001-2002 Grant Award Agreement with the New York State Department of Criminal Justice Services on behalf of the Wyoming County District Attorney's Office and the County of Wyoming for the S.T.O.P. Violence Against Women Grant Program contingent on the availability of funding including matching funds from the County of Wyoming pursuant to the grant requirements; said contract in effect from August 1, 2001 through June 31, 2002; and

BE IT FURTHER RESOLVED, That the Chairman of this Board of Supervisors, with the approval of the County Attorney, is hereby authorized and directed to sign an agreement with Wyoming County Community Action, Inc., 6470 Rte 20A, Perry, NY 14530, for the administration of said program for the period August 1, 2001 through June 31, 2002; contingent on the availability of funding.

Carried: Ayes: 1618

Noes: 0

Absent: 0

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**RESOLUTION NO. 01-197
(July 10, 2001)**

By Mrs. West, Chairman of the Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN LLEBG GRANT
ON BEHALF OF THE DISTRICT ATTORNEY**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is authorized and directed to sign the Fiscal Year 2001 Local Law Enforcement Block Grant Program, authorized by the Bureau of Justice (BJA) on behalf of Wyoming County for an award in the amount of Thirteen Thousand, Six Hundred Two Dollars Dollars (\$13,602.00), and to provide the required local match.

Carried: Ayes: 1618 Noes: 0 Absent: 0

#13

**RESOLUTION NO. 01-198
(July 10, 2001)**

By Mrs. West, Chairman of the Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
WITH NATURE'S WAY ENVIRONMENTAL
CONSULTANTS & CONTRACTORS, INC. ON BEHALF OF
WYOMING COUNTY EMERGENCY SERVICES**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Nature's Way Environmental Consultants and Contractors, Inc., 3553 Crittenden Road, Crittenden, New York 14038, on behalf of the Wyoming County Emergency Services Department, for the purpose of clean up at the Wyoming County Fire Training Center, amount not to exceed Forty Six Thousand, Seven Hundred Dollars (\$46,700.00).

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 01-199
(July 10, 2001)

By Mrs. Humphrey, 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 contracts with Zientek Realty and Auction Co., 357 West Main St., Arcade, NY 14009 an auction agency to provide property tax auction services in an amount not to exceed the language of said contract for the year 2001.

Carried: Ayes: 1618

Noes: 0

Absent: 0

#15

RESOLUTION NO. 01-200
(July 10, 2001)

By Mr. Miller, Chairman of the Planning Committee:

2002 MATCHING FUNDS PROGRAM APPROVED

BE IT RESOLVED, That the Wyoming County Board of Supervisors does hereby approve taking part in the 2002 Matching Funds Program for tourist promotional activities; and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors hereby designates the Wyoming County Tourist Promotion Agency, Inc. as the official tourist promotion agency for the County of Wyoming and as the agency to apply for and receive matching funds on behalf of the County, under the Matching Funds Program.

Carried: Ayes: 1618

Noes: 0

Absent: 0

July 10, 2001

**RESOLUTION NO. 01-201
(July 10, 2001)**

By Mrs. Humphrey, Chairman of the Finance Committee:

**FUNDS APPROVED FOR MATCHING FUNDS PROGRAM
FOR TOURIST PROMOTION**

BE IT RESOLVED, That the Wyoming County Board of Supervisors hereby approves taking part in the 2002 Matching Funds 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 year 2002 County Budget.

Carried: Ayes: 1618 Noes: 0 Absent: 0

#17

**RESOLUTION NO. 01-202
(July 10, 2001)**

By Mr. Miller, Chairman of the Planning Committee:

**KAREN WILSON APPOINTED TO THE
WYOMING COUNTY PLANNING BOARD**

BE IT RESOLVED, That Karen Wilson, 997 Chaffee Road, Town of Java, Arcade, New York 14009 is hereby appointed to the Wyoming County Planning Board to fill the unexpired term of Robert Kibler, said term to expire December 31, 2001.

Carried: Ayes: 1618 Noes: 0 Absent: 0

#18

**RESOLUTION NO. 01-203
(July 10, 2001)**

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By Mr. Cox, Chairman of the Agriculture Committee:

**SUPERVISOR ALTERNATE MEMBER APPOINTED TO
THE REGION 9 FISH & WILDLIFE BOARD**

BE IT RESOLVED, That Jerry Davis, 7414 Court Road, Pavilion, NY 14525 is hereby appointed as an Alternate Supervisor Member Representative to the Region 9 Fish & Wildlife Board; said term to expire December 31, 2001.

Carried: Ayes: 1618

Noes: 0

Absent: 0

#19

**RESOLUTION NO. 01-204
(July 10, 2001)**

By Mr. Rogers, Chairman of the Health and Human Services Committee:

**OPPOSE SELECTIVE COUNTY AUDITS FOR ARTICLE
VI STATE AID**

WHEREAS, Many large counties in the state, including New York City, have never been audited, and

WHEREAS, The process of selectively auditing some counties and ignoring others is selective enforcement of the law which we believe to be an illegal action on the part of the New York State Department of Health; and

WHEREAS, It has become apparent that the Department's audit pattern is to repeatedly audit the small, rural upstate counties while ignoring that large urban counties that receive approximately 80% of the State Aid and represent more complex audit targets; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors strongly objects to this practice and considers it to be illegal and in violation of the public health law and should be stopped; and be it

FURTHER RESOLVED, That a certified copy of this resolution be sent to Governor George E. Pataki, New York State Senator Dale Volker, Assemblyman Daniel Burling, the Commissioner of the New York State Health Department, the New York State Association of County Health Officials, the

July 10, 2001

New York State Association of Counties and Inter-County Association of Western New York.

Carried: Ayes: 1618

Noes: 0

Absent: 0

#20

**RESOLUTION NO. 01-205
(July 10, 2001)**

By Mrs. West, Chairman of the Public Safety Committee:

**OPPOSE AN ACT TO AMEND THE GENERAL
MUNICIPAL LAW IN RELATION TO CERTAIN
PAYMENTS TO POLICE OFFICERS AND OTHERS WHO
ARE INJURED OR TAKEN ILL ARISING OUT OF THE
COURSE OF EMPLOYMENT**

WHEREAS, Legislation has been presented to Governor Pataki as Bill Numbers A8587 and S4350, amending the General Municipal Law Sec. 207-c definition of “injury or illness”; and

WHEREAS, This change would require municipalities to pay covered officers benefits pursuant to General Municipal Law Sec. 207-c whenever a workplace injury is found to be compensable by the Worker’s Compensation Board, and

WHEREAS, The current definition affords covered officers ample protection from injuries and illness that directly relate to the “heightened risk” faced by such officer, and

WHEREAS, The amendment would provide the same tax-free, full-pay protection intended for officers injured in the line of duty, to any covered officers who suffer any ordinary workplace injury, enhancing Worker’s Compensation Benefits, and resulting in a more costly mandate to counties and all local governments; and

WHEREAS, This mandate on municipalities is unfunded by the State of New York;
now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors does hereby oppose the aforementioned legislation, which would not provide

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any additional coverage to those police officers who are injured in a “heightened risk” situation, but would enhance the benefits received for any workplace injury, and strongly urges Governor Pataki to veto this legislation; and be it

FURTHER RESOLVED, That copies of this resolution be forwarded to New York State Governor George E. Pataki, Senator Dale Volker, Assemblyman Daniel Burling, New York State Sheriff’s Association, Inter-County Association of Western New York, New York State Association of Counties and all others deemed necessary and proper.

Carried: Ayes: 1618

Noes: 0

Absent: 0

#21

**RESOLUTION NO. 01-206
(July 10, 2001)**

By Mrs. West, Chairman of the Public Safety Committee:

**SUPPORT THE ADOPTION OF “PENNY’S LAW” TO
EXPAND JUVENILE OFFENDER STATUS FOR
INDIVIDUALS**

WHEREAS, “Penny’s Law” was so named in tribute to the Salamanca, New York mother and nurse-midwife who was brutally raped and murdered on Mother’s Day in 1999 by a juvenile offender; and

WHEREAS, “Penny’s Law” would effectively close a loophole in current law by requiring juvenile murderers who are deemed serious enough to face trial as an adult to receive sentences appropriate to the severity of the crime; and

WHEREAS, Every convicted criminal should be held appropriately responsible for their crimes in order to protect the public; and

WHEREAS, The tragedy of Penny Brown should never be visited upon another family in the state of New York; and

WHEREAS, New York State has an obligation to bring greater clarity and truth in sentencing to its judicial system; and

WHEREAS, New York State law needs to be reformed to ensure that

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juveniles who commit adult crimes and tried as adults receive adult sentences, now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors urges the New York State Assembly and Senate to enact Assembly Bill A.2580-A. , and be it

FURTHER RESOLVED, That The Wyoming County Clerk to the Board of Supervisors is authorized and directed to forward certified copies of this resolution to Governor George E. Pataki, the Majority and Minority Leaders of the New York State Senate and Assembly, Senator Dale Volker, and Assemblyman Daniel Burling.

Carried: Ayes: 1525 Noes: 1; (93) Brunner Absent: 0

#22

**RESOLUTION NO. 01-207
(July 10, 2001)**

By Mrs. Humphrey, Chairman of the Finance Committee:

**LOCATION OF AUGUST 2001 REGULAR SESSION
CHANGED**

WHEREAS, the Rules of Procedure of the Board of Supervisors has been suspended by unanimous consent for the purpose recited in this resolution; now therefore

BE IT RESOLVED, That the Regular Session of the Wyoming County Board of Supervisors will be held on Tuesday, August 14, 2001 at 2:00 PM at the Wyoming County Fairgrounds in Pike, New York.

Carried: Ayes: 1618 Noes: 0 Absent: 0

Chairman Berwanger, T/Arcade gave permission to Ms. Sharon Burns to speak for three (3) minutes in front of the Board of Supervisors regarding Resolution Office #23. Sharon Burns questioned sections which described land as a commodity or resource to be preserved. "People don't realize a farmer's ability to sell his property to the highest bidder might be limited", said Burns. She called the plan "a done deal" and a step toward regionalism.

RESOLUTION NO. 01-208
(July 10, 2001)

By Mr. Miller, Chairman of the Planning Committee:

**WYOMING COUNTY STRATEGIC DEVELOPMENT
PLAN ACCEPTED**

WHEREAS, The Wyoming County Board of Supervisor's initiated a strategic development planning process in January, 2000 with financial assistance from the United States Department of Commerce, Economic Development Administration; and

WHEREAS, The Strategic Development Plan was prepared with extensive public participation including the following:

- A county residents survey in 1999 identified key issues and asked participants to evaluate how Wyoming County rated in certain areas. Seven-hundred fifty surveys were returned from a random sample of 2,000.
- A 22 member steering committee met frequently to provide direction and leadership for the project.
- Six focus groups of 10 to 15 members met twice to provide input and direction to the consulting team.
- Five public workshops were attended by a total of over 100 county residents in Perry, Arcade, Attica, and Warsaw.
- A workshop was held in January, 2001 with 83 municipal officials.
- All of the above participants received a copy of a Draft final report for their review and comment. In addition, 127 county residents received a copy of the Draft final report by calling county Planning and Development Department.

and with the assistance of a consulting team headed by Thomas Point Associates; and

WHEREAS, The Strategic Development Plan contains a number of recommendations that will help make Wyoming County a world class rural county that provides its residents with a good quality of life; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors congratulates and thanks all those who assisted in the preparation of the
July 10, 2001

Strategic Development Plan; and be it

FURTHER RESOLVED, That a Full Environmental Assessment has been prepared and reviewed, and it has been determined that the acceptance of the Strategic Development Plan will not result in any large and important impacts and will not have a significant impact in the environment and a negative declaration will be prepared; and be it

FURTHER RESOLVED, That the Chairman of this Board of Supervisors is hereby authorized as the official representative of the County of Wyoming, New York to sign the determination of significance with the approval of the County Attorney; and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors does hereby accept the Strategic Development Plan; and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors directs the Steering Committee and the Planning and Development Department to begin taking actions to pursue the implementation of the Strategic Development Plan, with the understanding that the commitment of any county resources for implementation actions will be reviewed and approved by the appropriate Supervisor's Committee and the full Board of Supervisors.

Carried: Ayes: 1618

Noes: 0

Absent: 0

Chairman Berwanger, T/Arcade, asked if anyone had any question on the Public Hearing of the Agricultural District #5, of Local C, 2001 establishing and relating to wireless 911 call routing by the County of Wyoming and Local D, 2001 a local law amending Local Law No. 12 for the year 1994. No comments or questions were presented. All were in favor of closing the Public Hearing. Chairman Berwanger declared the Public Hearing closed.

**INTRODUCTORY LOCAL LAW NO. C, YEAR 2001
COUNTY OF WYOMING**

**“A LOCAL LAW ESTABLISHING AND RELATING TO WIRELESS 911
CALL ROUTING BY THE COUNTY OF WYOMING.”**

Section 1. **Name.** This local law shall be know as the Wyoming County Wireless 911 Call Routing Law.

Section 2. **Authority.** This local law is enacted under authority of

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Section 10 of the Municipal Home Rule Law of the State of New York, Article IX of the State Constitution of New York, the County Law, and other applicable statutory and decisional law.

Section 3. **Findings and Declaration of Intent.** The Wyoming County Board of Supervisors (hereinafter "Board of Supervisors") recognizes the paramount importance of the health, safety and welfare of the citizens of the County and further recognizes that when the lives or property of its citizens are in imminent danger that appropriate assistance must be rendered as expeditiously as possible.

The Board of Supervisors recognizes further that such assistance is increasingly summoned by wireless communications including but not limited to cellular phones and that unintentional, though avoidable, delays in reaching appropriate emergency aid can and does occur to the detriment and jeopardy of life and property when such wireless 911 calls from within Wyoming County are routed to anywhere other than directly to the single countrywide Wyoming County Public Service Answering Point (PSAP) which is under the jurisdiction of the Wyoming County Sheriffs Office.

The Board of Supervisors further finds that a major obstacle to the prompt response to emergent wireless requests for assistance in Wyoming County is the failure of one or more wireless telephone service suppliers to directly route such calls to the Wyoming County Public Service Answering Point (PSAP).

The Board of Supervisors further finds that the Wyoming County Public Service Answering Point (PSAP) has the most accurate, current and extensive knowledge of Wyoming County's geography, roadways, landmarks, emergency sendee resources and similar information of critical importance in emergent situations and can immediately dispatch the number and type of emergency services the situation requires.

The Board of Supervisors further finds and declares that, by the enactment of the provisions of this local law, it is the intent of the Board of Supervisors to fulfill its obligation to provide for the health, safety and welfare of the people of this County by mandating the direct routing of 911 calls, including wireless calls, by service suppliers directly to the Wyoming County Public Service Answering Point (PSAP) so as to facilitate the rendering of emergency services as expeditiously and effectively as possible.

Section 4. **Definitions.** For the purpose of this law:

a) "Wireless telephone service" means all commercial mobile services, as that term is defined in section 332(d) of title 47, United States Code, including all broadband personal communications services, wireless radio telephone services, geographic area specialized and enhanced specialized mobile radio services, and incumbent wide area specialized mobile radio licensees, which offer real time, two-way voice service that is interconnected with the public switched telephone network.

b) "Wireless telephone service supplier" means any corporation or person as defined in section ten hundred eighty of the Tax Law which provides wireless telephone service in New York State.

c) "Wyoming County Public Service Answering Point" or "Wyoming County PSAP" means the site designated and operated by the County of Wyoming through its 911 Coordinator for the purpose of receiving emergency calls including those from a wireless telephone service and dispatching needed emergency services.

Section 5. **Routing.** All wireless telephone service suppliers doing business in Wyoming County shall route all 911 emergency calls to the Wyoming County Public Service Answering Point (PSAP).

Section 6. **Prohibited Areas.**

a) No wireless telephone service supplier shall knowingly fail to route wireless 911 telephone calls originating within Wyoming County to the Wyoming County PSAP as required by Section 5 above.

b) No owner, official, employee or agent of a wireless telephone supplier shall design, implement, arrange or cause, either directly or indirectly, a process or activity whereby 911 calls are routed other than as provided in Section 5 above.

c) No person or entity shall, either directly or indirectly, solicit, suggest, implore, agree or otherwise take action so as to cause or seek to cause a wireless telephone service supplier to route wireless 911 calls from within Wyoming County to other than the Wyoming County Public Service Answering Point (PSAP).

Section 7. **Sanctions.** Any person or entity violating this local law shall be guilty of a unclassified misdemeanor and shall be subject to a fine not exceeding five hundred dollars and/or to a period of confinement in the Wyoming County Jail for a period not to exceed three months for each offense.

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For purposes of this law, each improperly routed 911 call shall constitute a separate offense.

Sections 8. Additional Remedies.

a) In addition to the Sanctions provided in Section 7 above, any wireless telephone service supplier failing to observe the requirements of Section 5 above, shall be liable for personal injury including death and/or property damage caused or exacerbated by reason of said failure.

b) The Chairman of the Board of Supervisors is authorized to pursue any appropriate legal remedy including but not limited to injunction to effectuate the purposes of this local law.

Section 9. **Separability and Saving Provisions.** This local law is separate and apart from any other local law, and each provision hereof is separate from any other provision. If this local law or portion thereof is found to be invalid, no other law or unaffected portion of this law shall be affected thereby and shall remain in full force and effect.

Section 10. **Effective Date.** This local law shall be effective thirty days after it is enacted by the Board of Supervisors.

#24

**RESOLUTION NO. 01-209
(July 10, 2001)**

By Mrs. West, Chairman of the Public Safety Committee:

LOCAL LAW NO. C FOR YEAR 2001 ADOPTED

WHEREAS, There was duly presented and introduced at a meeting of this Board, held on the 12th day of June 2001, a proposed local law designated as Local Law Introductory No. C, Year 2001, entitled, “**A LOCAL LAW ESTABLISHING AND RELATING TO WIRELESS 911 CALL ROUTING BY THE COUNTY OF WYOMING**”; and

WHEREAS, in accordance with the provisions of Resolution No. 01-182, there was a public hearing held by this Board of Supervisors on this 10th day of July 2001, at 2:00 PM, after due notices of said hearing having been posted and published according to the law and said resolution; and

WHEREAS, after holding said public hearing, and the said local law
July 10, 2001

having laid on the desks of the members of this Board of Supervisors at least seven days prior to the final adoption, a majority of this Committee agreed to recommend the enactment and passage of the above mentioned local law, designated as herein above set forth; now therefore

BE IT RESOLVED, That Local Law Introductory No. C, Year 2001, County of Wyoming, New York, as presented to this Board on the 12th day of June, 2001, is hereby adopted, enacted and passed by this Board in its original form and as originally submitted.

Carried: Ayes: 1618

Noes: 0

Absent: 0

**INTRODUCTION OF PROPOSED LOCAL LAW NO. D- YEAR 2001,
COUNTY OF WYOMING, A LOCAL LAW AMENDING LOCAL LAW
NO. 12 FOR THE YEAR 1994**

**BE IT ENACTED by the Board of Supervisors of the County of
Wyoming as follows:**

Section 2 shall be amended as follows:

Section 2: Resolution of Villages:

a. Any village lying within the County of Wyoming may elect each year to have its delinquent Village taxes collected by the County of Wyoming in accordance with Section 1442 of the Real Property Tax Law of the State of New York. In any year in which a village shall make such determination, it shall cause a certified copy of the resolution of the Village Board authorizing such action to be provided to the Wyoming County Treasurer and the Clerk of the Board of Supervisors. Such resolution shall be adopted by the Village Board no earlier than September 1st of each year and shall be applicable to taxes levied in June of that year. The certified copies shall be delivered as set forth above, no later than October 1st of each year.

b. In addition to the foregoing, any village lying within the County of Wyoming may elect to have delinquent village taxes for the years 1994 and prior collected by the County of Wyoming in accordance with Section 1442 of the Real Property Tax Law of the State of New York. Such resolution shall be adopted by the Village Board no earlier than Sept 1, 2001. This provision regarding the payment of delinquent village taxes for the years 1994 and prior shall be operable for village resolutions received by the County in 2001 only.

Section 7. Effective Date. This local law shall become effective upon the filing thereof in the office of the Secretary of State of the State of New York.

#25

RESOLUTION NO. 01-210

Regular Session

Proceedings of the Board of Supervisors
(July 10, 2001)

By Mrs. Humphrey, Chairman of the Finance Committee:

LOCAL LAW NO. D FOR YEAR 2001 ADOPTED

WHEREAS, There was duly presented and introduced at a meeting of this Board, held on the 12th day of June 2001, a proposed local law designated as Local Law Introductory No. D, Year 2001, entitled, **“A LOCAL LAW AMENDING LOCAL LAW NO. 12 FOR THE YEAR 1994 BY THE COUNTY OF WYOMING”**; and

WHEREAS, in accordance with the provisions of Resolution No. 01-183, there was a public hearing held by this Board of Supervisors on this 10th day of July 2001, at 2:00 PM, after due notices of said hearing having been posted and published according to the law and said resolution; and

WHEREAS, after holding said public hearing, and the said local law having laid on the desks of the members of this Board of Supervisors at least seven days prior to the final adoption, a majority of this Committee agreed to recommend the enactment and passage of the above mentioned local law, designated as herein above set forth; now therefore

BE IT RESOLVED, That Local Law Introductory No. D, Year 2001, County of Wyoming, New York, as presented to this Board on the 12th day of June, 2001, is hereby adopted, enacted and passed by this Board in its original form and as originally submitted.

Carried: Ayes: 1618

Noes: 0

Absent: 0

Supervisor Herman, T/Wethersfield moved that the meeting be adjourned at 2:37 PM.

July 10, 2001

REGULAR SESSION

TUESDAY

(August 14, 2001)

2:00 P.M.

The Regular Session of the Board of Supervisors was held at the Wyoming County Fair, in the Youth Building, Town of Pike, Pike, New York with all members present. Also present was County Attorney, Eric T. Dadd and County Administrator, Kevin D. DeFebbo. Chairman Berwanger, T/Arcade 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, Suzanne Aldinger.

C-1. The Clerk of the Board read a letter of appreciation from New York State Governor, George E. Pataki, for the warm reception he received while visiting Wyoming County.

C-2. Reminder: Inter-County of Western New York is being held in Steuben County on Friday, August 17, 2001 at the Snug Harbor Inn & Restaurant, 144 West Lake Road, Route 54A, Hammondsport, NY. The Program is Steuben County Youth Recognition Programs.

Chairman Berwanger, T/Arcade introduced Kevin D. DeFebbo to present the State of the County Address. The County State of Address was presented as follows:

On behalf of Chairman A. D. Berwanger and the Board of Supervisors, I would like to thank the Fair Board for the opportunity to share the "*State of the County Address*" with you today.

The group of men and women assembled here before you represent the **80th SESSION** of the Board of Supervisors.

These individuals proudly present for your consideration the County's accomplishments over the past year and the challenges that lie ahead.

PROPERTY TAX

Research has shown over and over again that taxes can critically affect an area's economic vitality and quality of life.

Given this fact, and the tax burden already placed on County residents by the State of New York, the Board has made the maintenance of *a fair and less onerous taxation policy* one of the Board's top priorities.

Regular Session

The County's 2001 Average Tax Rate (ART) was again held steady at \$5.80 per 1000.

This is the 7th consecutive year that the average tax rate has decreased or been held at the same rate.

Such a practice is **good news for taxpayers** and one that can reap actual savings for some individuals depending on a variety of related tax considerations.

A hypothetical example might be helpful.

If the "average" county home were assessed at \$80,000, and if that assessment value were held the same at \$80,000 from 1994-2001, and if no exemptions and equalization formulae were applied, the COUNTY tax receipts from this one tax parcel would have **dropped** from ***\$715.20 in 1994*** to ***\$464.00 in 2001***.

Such a taxing philosophy has helped the County maintain a very competitive taxation position, earning us the title as **the New York County** with the **lowest reliance** on the **property tax**.

ECONOMIC PROGRESS

Keeping taxes low, however, is not enough to ensure the continued vitality of Wyoming County.

Our residents must have jobs.

During this past year, the Board of Supervisors has partnered with various local governments, business leaders, and our elected State and Federal Representatives to effectuate a number of initiatives to help create jobs.

☐ Micro-enterprise Loan Program

☐ Almor Building Demolition and Fairview Expansion

☐ Job Expansion at Taylor Pohlman

☐ Beaver Hollow Conference Center Expansion

☐ Pioneer Credit Recovery Expansion to Perry Satellite

August 14, 2001

These initiatives have the potential of producing approximately **250** new jobs over the next few years.

POWERED BY THE WIND

The reviews are coming in

“Stunning”

“Poetry of wind”

“Magical”

Although they are a sight of beauty and grace, the ten (10) windmills (actually wind turbines) that sit atop the highest point in Wyoming County, could fuel a whole new undiscovered area of economic activity for our County.

Owned and operated by Western New York Wind Partners, these 213 feet high wind powered electric generators have catapulted Wyoming County into the national energy spotlight.

Given the fact that Wyoming County is home to one of the best “sustainable” wind areas east of the Mississippi, we may have just started to scratch the surface of our potential.

In the coming months, we will be examining how best to position itself to fully capitalize on this resource.

The Board would like to thank the Town of Wethersfield and Supervisor Ron Herman for their efforts on this important project.

STRATEGIC PLAN

Helping Wyoming County realize its potential as a “world class rural community” was the vision and motivation behind the development of the County’s first strategic plan.

Entitled *Target Tomorrow*, this written plan was the culmination of almost two (2) years of work by the Board of Supervisors, development staff, and hundreds of citizen participants from all segments of our community.

Funded in part by a \$60,000 grant from the Economic Development

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Administration (EDA), the strategic planning process produced a number of short and long-term action steps to help us improve our competitive economic position throughout New York State and the nation.

Work is now underway to implement many of these recommendations.

GOVERNMENT CENTER

The Board of Supervisors completed the final part of the Courthouse Campus Master Plan with the rehabilitation of the “old” Courthouse building.

Renamed the *WYOMING COUNTY GOVERNMENT CENTER*, this \$3.5 million project was completed **on time** and at a cost of **\$770,432.40** less than the certified construction estimate of \$4,247,293.00.

The new home of the Board of Supervisors, the County Clerk, the Treasurer, and a number of other departments, stands as a proud symbol of our County Seat.

DMV RELOCATION

Rehabilitation of the old courthouse has also led to the improvement of services in other areas.

The Department of Motor Vehicles was relocated from the basement of the Government Center to privately leased space on Perry Avenue within the Village of Warsaw.

Occupying the former Big M space contiguous to the Warsaw Municipal Lot, this new state of the art facility has greatly improved the convenience and speed of service for those seeking DMV services.

BUSINESS CENTER

On April 14, 2001 the Board of Supervisors dedicated the new

WYOMING COUNTY BUSINESS CENTER

Strategically located half-way between the Villages of Perry and Warsaw, this new facility has become the home of the County’s Planning and Development Department, its IDA program, the Business Education Council, and the Wyoming County Chamber of Commerce.

This partnership of four (4) important business related agencies under one roof fulfills the County’s long- standing vision of providing a competitive

August 14, 2001

one-stop approach to economic development.

GOVERNOR PATAKI VISITS

For the first time since 1979, Wyoming County had the honor to host the standing Governor of our great State.

Governor George Pataki's visit this summer provided Wyoming County with the opportunity to showcase for the Governor and a statewide audience what we already know:

Wyoming County represents the best of rural living in New York State.

B. The Board of Supervisors would like to publicly thank Congressman Thomas Reynolds, and our own Agricultural Commissioner, Nathan Rudgers, for making this historic visit possible.

TOBACCO SECURITIZATION

The Master Settlement Agreement (MSA) with the tobacco industry produced an unexpected and *unsecured* windfall for Wyoming County.

To minimize this risk, the Board of Supervisors participated in the New York State Association of Counties' (NYSAC) securitization pool and received a one-time, lump sum payment of **\$7,628,668.00** to settle its account with Big Tobacco.

These proceeds were applied to the reduction of most of the County's existing debt obligations on the jail and new courthouse.

The resulting application of tobacco funds to debt service has eliminated the County's need to apply levy funds to such debt.

Pursuant to law, a special Wyoming County Securitization Board appointed by the Board of Supervisors has been established to oversee and manage these funds.

CAPITAL IMPROVEMENT PLAN (CIP)

Wyoming County, like its sister counties across the State of New York, has been faced with the same age-old problem.

How to **Pay for** costly capital improvements, **Meet all** State mandates, **Provide** needed services and **keep** taxes low.

There have been few, if any, easy answers.

Normally, not wanting to tax the County into greater disadvantage, and needing to provide basic services and meet state mandates, the County has been forced to let many capital needs go unmet.

Some of this is changing, however. Thanks in large measure to the Tobacco Securitization Settlement, and the cumulative effect of the Board’s fiscal policies, the Board of Supervisors recently created its first Capital Improvement Plan (CIP) and budget.

Although details are still being completed, CIP funds will be used to finance these projects during 2001.

New Dog Control Facility	\$120,000
Removal of Contaminants at the Fire Training Center	\$46,700
Correction of HVAC at South Warsaw Building	\$22,500
911 Center: Battery Back-up System Installation	\$43,500

It is expected that new projects will be prioritized and planned each year.

SERVING EVERYDAY

C. Although these are noteworthy achievements, we cannot claim a successful year unless we have fulfilled our first and most important mission

To provide the most effective public services at the lowest possible cost.

The Board of Supervisors would like to acknowledge the work and commitment of its employees and department heads that work everyday to fulfill this mission.

FUTURE CHALLENGES

The work of the County is never done, nor should it be.

In the coming months and years, the Board of Supervisors will be

focusing on the following issues.

- ☐ Commencing the implementation of the Strategic Plan.
- ☐ Partnering with Cooperative Extension to develop a county agricultural development strategy
- ☐ Examining the maximization of our wind and methane energy potential
- ☐ Re-evaluation and continuation of Better Pavements Program
- ☐ Implementation of GASB 34 regulations
- ☐ Continuing improvements in our budgeting and revenue collection efforts as we deal with the slow down of our sales tax revenue.
- ☐ Dealing with the fiscal demands resulting from Medicaid growth
- ☐ Partnering with the Hospital Board of Managers in its master planning
- ☐ Continuation of the Capital Improvement Plan

CLOSING OFFERINGS

I stand before you today to reaffirm that the State of the County is strong and vibrant.

Our tax burden remains low, our economic vitality is improving, our service obligations are being met, and important actions steps are being taken to position the County for its bright future.

As a democratic institution, the Board of Supervisors believes in open and honest government and accepts the responsibility of leadership that the people have given us.

In the end, all of us, however, have but one responsibility

To do what's best for Wyoming County.

Respectfully submitted,

Kevin D. DeFebbo
County Administrator

August 14, 2001
Pike, New York

Chairman Berwanger called for Resolution Number One by Supervisor Cox, Chairman of the Agriculture Committee, Supervisor Cox presented a Proclamation to the Wyoming County Fair Queen proclaiming Wyoming County Fair Week from August 11th through August 18, 2001.

#1

RESOLUTION NO. 01-211
August 14, 2001

By Mrs. Humphrey, Chairman of the Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2001 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2001 accounts as follows:

PROBATION			
To acct. 01.37.3140.4.41410 software enhancement \$1,300.00 W/ rev. acct 01.04.3141.1515 increased by same amount	\$1,300.00	\$1,300.00	
To acct. 01.37.3140.4.40701 Electronic monitoring \$15,000.00 W/rev. acct. 01.03.3140.1289 increased by same amount	\$15,000.00	\$15,000.00	
PATHWAYS (Social Services)			
To acct. 23.90.6010.4.42258 JD Pins Coord (-\$4,330.00) 23.90.6010.8.89001 Med/Hosp Ins (-\$3,590.00) 23.90.6016.8.89001 Med/Hosp Ins (-\$4,558.00) (-\$12,478.00)	(-\$12,478.00)		
W/rev. acct. 23.10.6010.282390 decreased by (-\$7,920.00) 23.10.6016.282390 decreased by (-\$4,558.00) (-\$12,478.00)		(-\$12,478.00)	

and be it

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

Carried: Ayes: 1618

Noes: 0

Absent: 0

August 14, 2001

**RESOLUTION NO. 01-212
August 14, 2001**

By Mr. Cox, Chairman of the Agriculture Committee:

WYOMING COUNTY FAIR WEEK PROCLAIMED

WHEREAS, The Wyoming County Fair will be held from August 11th through the 18th in the Town of Pike, Pike, N.Y.; and

WHEREAS, The Wyoming County Fair is a tremendous opportunity for residents of Wyoming County to learn and experience exhibits and demonstrations; and

WHEREAS, The Wyoming County Fair focuses on all families, particularly the farm family; and

WHEREAS, The Wyoming County Fair is truly the showcase for our farmers, artisans of all types and the youth of the entire county; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors proclaims the week of August 11th through August 18th in the year 2001 as

“ WYOMING COUNTY FAIR WEEK”

and be it

FURTHER RESOLVED, That this Board does hereby applaud the annual effort produced by the Wyoming County Fair Association.

Carried: Ayes: 1618

Noes: 0

Absent: 0

Supervisor Bush, Chairman of the Audit Committee presented to bills in the amount of Two Million, One Hundred Forty Seven Thousand, Eight Hundred Eight Dollars (2,147,808.00). A voice vote was taken and the bills were approved.

Carried: Ayes: 1687

Noes: 0

Absent: 0

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Chairman Berwanger, proposed to consolidate Resolution Office #'s Two through Fourteen (2-14) for Consent Agenda. There were no objections. A voice vote was taken and the request was granted.

#3

RESOLUTION NO. 01-213**August 14, 2001**

By Mr. Cox, Chairman of the Agriculture Committee:

**JUSTA GOODELL APPOINTED AS THE ANIMAL
SHELTER MANAGER**

BE IT RESOLVED, That Justa Goodell, 90 Park Road, Town of Castile, Castile, New York is hereby appointed as Animal Shelter Manager for the County of Wyoming, effective September 1, 2001, and be it

FURTHER RESOLVED, That the Chairman of this Board execute all documents necessary to apply for and obtain authorization for Justa Goodell to accept applications for licenses for dogs being redeemed of adopted from the Wyoming County Animal Shelter.

Carried: Ayes: 1618

Noes: 0

Absent: 0

#4

RESOLUTION NO. 01-214**August 14, 2001**

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

**AUTHORIZING THE IMPLEMENTATION, AND
FUNDING IN THE FIRST INSTANCE 100% OF THE
FEDERAL-AID AND STATE "MARCHISELLI"
PROGRAM-AID ELIGIBLE COSTS, OF A
TRANSPORTATION FEDERAL-AID PROJECT, AND
APPROPRIATING FUNDS FOR THE WEST
MIDDLEBURY ROAD BRIDGE**

WHEREAS, West Middlebury Road (CR#47) Bridge over Little

August 14, 2001

Tonawanda Creek, Town of Middlebury, Wyoming County, P.I.N. 475283 is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the cost such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

WHEREAS, The County of Wyoming desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of Preliminary Engineering and ROW Incidentals & Acquisitions, and Construction CI&CS.

NOW, THEREFORE, The Chairman, duly convened does hereby

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

RESOLVE, That the Board of Supervisors hereby authorizes the Chairman to pay in the first instance 100% of the federal and non-federal share of the cost of Preliminary Engineering and ROW Incidentals & Acquisitions, and Construction CI&C work for the Project or portions thereof; and it is further

RESOLVED, That the sum of \$935,000.00 is hereby appropriated from the Board of Supervisors and made available to cover the cost of participation in the above phase of the Project; and be it further

RESOLVED, That in the event the full federal and non-federal share cost of the project exceeds the amount appropriated above, the Board of Supervisors shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof, and be it further

RESOLVED, That the Chairman of the Board of Supervisors be and is hereby authorized to execute all necessary agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the Board of Supervisors with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of Project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefor that are not so eligible; and be it

FURTHER RESOLVED, That a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any Agreement in connection with the Project; and be it

FURTHER RESOLVED, This resolution shall take effect immediately.

Carried: Ayes: 1618

Noes: 0

Absent: 0

#5

**RESOLUTION NO. 01-215
August 14, 2001**

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

**AUTHORIZING THE IMPLEMENTATION, AND
FUNDING IN THE FIRST INSTANCE 100% OF THE
FEDERAL-AID AND STATE "MARCHISELLI"
PROGRAM-AID ELIGIBLE COSTS, OF A
TRANSPORTATION FEDERAL-AID PROJECT, AND
APPROPRIATING FUNDS FOR THE ALMETER
(SHELDON TOWN ROAD #11) ROAD BRIDGE**

WHEREAS, Almeter (Sheldon Town Road #11) Road Bridge over East Fork Tonawanda Creek, Town of Sheldon, Wyoming County, P.I.N. 475282 is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the cost such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

WHEREAS, The County of Wyoming desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of Preliminary Engineering and ROW Incidentals & Acquisitions, and Construction CI&CS.

NOW, THEREFORE, The Chairman, duly convened does hereby

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

RESOLVED, That the Board of Supervisors hereby authorizes the Chairman to pay in the first instance 100% of the federal and non-federal share of the cost of Preliminary Engineering and ROW Incidentals & Acquisitions, and Construction CI&C work for the Project or portions thereof; and it is further

RESOLVED, That the sum of \$562,000.00 is hereby appropriated from the Board of Supervisors and made available to cover the cost of participation in
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the above phase of the Project; and be it further

RESOLVED, That in the event the full federal and non-federal share cost of the project exceeds the amount appropriated above, the Board of Supervisors shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof, and be it further

RESOLVED, That the Chairman of the Board of Supervisors be and is hereby authorized to execute all necessary agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the Board of Supervisors with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of Project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefor that are not so eligible; and be it

FURTHER RESOLVED, That a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any Agreement in connection with the Project; and be it

FURTHER RESOLVED, This resolution shall take effect immediately.

Carried: Ayes: 1618

Noes: 0

Absent: 0

#6

**RESOLUTION NO. 01-216
(August 14, 2001)**

By Mr. Miller, Chairman of the Planning Committee:

**CHAIRMAN AUTHORIZED TO SIGN G.L.O.W. REGION
SOLID WASTE MANAGEMENT COMMITTEE
INTERMUNICIPAL COOPERATION CONTRACT**

WHEREAS, The Genesee, Livingston, Orleans and Wyoming Counties ("GLOW") Region Solid Waste Management Project Intermunicipal Cooperation Contract is scheduled to expire on December 31, 2001; and

WHEREAS, The G.L.O.W. Committee has prepared the Seventh Amended and Restated Intermunicipal Cooperation Contract and has

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recommended that this contract be submitted to the four counties for their review and approval, said contract to expire December 31, 2003; now therefore

BE IT RESOLVED, That the Chairman of the Board of Supervisors is hereby authorized and directed to execute said contract on behalf of the County of Wyoming.

Carried: Ayes: 1618

Noes: 0

Absent: 0

#7

RESOLUTION NO. 01-217**August 14, 2001**

By Mr. Miller, Chairman of the Planning Committee:

**CHAIRMAN AUTHORIZED TO SIGN AN AGREEMENT
WITH NYS OFFICE OF TECHNOLOGY ON BEHALF OF
COUNTY DEPARTMENTS UTILIZING GEOGRAPHIC
MAPPING INFORMATION**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign an Cooperative Data Sharing Agreement with the New York State Office for Technology (NYSOFT), for the County to join a public cooperative for digital map data sharing. There is no cost to Wyoming County of said agreement that will be effective until terminated by either party. There is an obligation to share map data with other public agency members of the cooperative in exchange for easy access to state and regional data, currently inaccessible or difficult to access, that can relate to many County government purposes; and be it

FURTHER RESOLVED, That the County Geographic Information System (GIS) Steering Committee and the County Department of Information Technology work together to ensure that access to the cooperative's data is widespread but the procedures are in place to quality control data sent to the cooperative.

Carried: Ayes: 1618

Noes: 0

Absent: 0

#8

RESOLUTION NO. 01-218**(August 14, 2001)**

August 14, 2001

By Mr. Miller, Chairman of the Planning Committee:

**SUPPORTS BILLS S.3080 AND A.5862 RURAL ECONOMIC
DEVELOPMENT REVITALIZATION TO CREATE A
RURAL ECONOMIC DEVELOPMENT REVITALIZATION
PROGRAM**

WHEREAS, Rural communities in New York need sustained assistance to develop the capacity to plan and organize for economic development, to undertake new economic development initiatives, and overcome obstacles to economic development; and

WHEREAS, Although agriculture is considered to be a leading industry in New York, most existing economic development financing programs do not target agriculture, the forest industry, or other businesses well suited to rural areas; and

WHEREAS, Rural revitalization Assistance Grants of up to \$100,000.00 to not-for-profit corporations, public benefit corporations, agricultural cooperative corporations and educational institutions serving rural areas, for value-added agribusiness and small business development; and

WHEREAS, Financial support for the creation of local “Rural Enterprise Extension Services” for up to \$50,000.00 to existing providers of technical assistance services (on a matching basis). Would enable them to hire circuit riders to reach small businesses in rural areas; and

WHEREAS, Agricultural job training assistance. Training could be provided for workers engaged in the production, harvesting and processing of farm products; and

WHEREAS, Grants to establish or expand farmers’ markets to municipal corporations, local development corporations, business improvement districts, not-for-profit corporations, regional marketing authorities and agricultural cooperative (for site preparation, construction, personnel and other costs); and

WHEREAS, Financial assistance to community colleges or boards of cooperative educational services to establish single-tenant entrepreneurship and incubator facilities; and

WHEREAS, Establish an Agricultural Industry Competitive Assistance Program, to provide loans, loan guarantees and interest subsidy grants to agricultural enterprise (wine grape and fruit growers) so they become more competitive in national and international markets; to dairy farms to diversify their business; and to start up new agribusiness or expand/upgrade existing agribusiness; and be it

RESOLVED, Financing of the program described in the legislation would come from existing moneys available to the Empire State Economic Development Fund, currently funded at \$38 million; and be it

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FURTHER RESOLVED, That the Wyoming County Clerk to the Board of Supervisors is authorized and directed to forward certified copies of this resolution to Governor George E. Pataki, Senator Dale Volker, Assemblyman Daniel Burling, New York State Association of Counties, Western New York Inter-County Association and all other deemed necessary and proper.

Carried: Ayes: 1618

Noes: 0

Absent: 0

#9

RESOLUTION NO. 01-219**August 14, 2001**

By Mr. Rogers, Chairman of the Health and Human Services Committee:

**CHAIRMAN/COMMISSIONER OF SOCIAL SERVICES
AUTHORIZED TO SIGN A CONTRACT WITH YWCA OF
GENESEE COUNTY**

BE IT RESOLVED, That the Chairman of this Board/Commissioner of the Wyoming County Department of Social Services, with the approval of the County Attorney, is hereby authorized and directed to sign a contract with the YWCA of Genesee County, 301 North Main Street, Batavia, New York 14020 for the provision of Family Child Care and School Age Registration Services, effective August 1, 2001 through July 31, 2002; in an amount not to exceed Twenty Seven Thousand, Five Hundred Dollars (\$27,500.00).

Carried: Ayes: 1618

Noes: 0

Absent: 0

#10

RESOLUTION NO. 01-220**August 14, 2001**

By Mr. Rogers, Chairman of the Health and Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN AMENDED
CONTRACT WITH SUBURBAN ADULT SERVICES, INC.
ON BEHALF OF THE MENTAL HEALTH DEPARTMENT**

BE IT RESOLVED, That the Chairman of the this Board, with the

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approval of the County Attorney is hereby authorized and directed to sign the amended contract with Suburban Adult Services, Inc., for the provision of vocational services to TANF recipients with mental illness and/or substance abuse for the remainder of the year 2001; not to exceed an additional amount of Eighteen Thousand, Seven Hundred Nine Dollars (\$18,709.00).

Carried: Ayes: 1618

Noes: 0

Absent: 0

#11

RESOLUTION NO. 01-221

August 14, 2001

By Mr. Rogers, Chairman of the Health and Human Services Committee:

**SUPPORTS BILLS S.3242 AND A.7596 CRIMINAL
PROCEDURE LAW 43.03 OF THE MENTAL HEALTH
LAW**

WHEREAS, Under Criminal Procedure Law 43.03 of the Mental Hygiene Law, counties are liable for fifty percent (50%) of the costs of services rendered to patients in state facilities pursuant to court order; and

WHEREAS, Wyoming County is at risk for substantial expenses related to the court ordered placement of certain residents who are patients in state facilities; and

WHEREAS, Such expenses are a significant burden on the taxpayers of Wyoming County; and

WHEREAS, Bills S.3242 and A.7596 currently before the New York State Legislature address this problem by relieving a county of fiscal responsibility except for the first thirty days of confinement; now therefore be it

RESOLVED, That the Wyoming County Board of Supervisors urges the New York State Senate and Assembly to enact Bills S.3242 and A.7596; and be it

FURTHER RESOLVED, That the Wyoming County Clerk to the Board of Supervisors is authorized and directed to forward certified copies of this resolution to Governor George E. Pataki, Senator Dale Volker, Assemblyman Daniel Burling, New York State Association of Counties, the Western New York Inter-County Association and all other deemed necessary

and proper.

Carried: Ayes: 1618

Noes: 0

Absent: 0

#12

RESOLUTION NO. 01-222

August 14, 2001

By Mrs. West, Chairman of the Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
WITH KAPLAN-SCHMIDT ELECTRIC, INC. ON BEHALF
OF THE BUREAU OF FIRE AND CIVIL DEFENSE
DEPARTMENT**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign a contract with Kaplan-Schmidt Electric, Inc., 14 Jet View Drive, Rochester, New York 14624 for Uninterrupted Power Supply (UPS) in the Dispatch Center; in an amount not to exceed Forty Three Thousand, Five Hundred Dollars (\$43,500.00); effective immediately.

Carried: Ayes: 1618

Noes: 0

Absent: 0

#13

RESOLUTION NO. 01-223

August 14, 2001

By Mr. Herman, Chairman of the Human Resource Committee:

**CHAIRMAN AUTHORIZED TO SIGN A LOCAL
GOVERNMENT RECORDS MANAGEMENT
IMPROVEMENT FUND (LGRMIF) GRANT AGREEMENT
WITH NEW YORK STATE ARCHIVES TRAINING AND
GRANTS SUPPORT SERVICES UNIT**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney is hereby authorized and directed to sign the Local Government Records Management Improvement Fund (LGRMIF) Grant with New York State Archives and Records Administration, 9A81 Cultural

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Education Center, Albany, New York 12230 on behalf of the Wyoming County Clerk for a records retention needs assessment; said grant in the amount of Twenty Thousand Dollars (\$20,000.00) effective through June 30, 2002; contingent on the availability of funds.

Carried: Ayes: 1618

Noes: 0

Absent: 0

#14

RESOLUTION NO. 01-224

August 14, 2001

By Mrs. Humphrey, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A LOCAL
GOVERNMENT RECORDS MANAGEMENT
IMPROVEMENT FUND (LGRMIF) GRANT AGREEMENT
WITH NEW YORK STATE ARCHIVES TRAINING AND
GRANTS SUPPORT SERVICES UNIT**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney is hereby authorized and directed to sign the Local Government Records Management Improvement Fund (LGRMIF) Grant with New York State Archives and Records Administration, 9A81 Cultural Education Center, Albany, New York 12230 on behalf of the Wyoming County Computer Services for the purpose of providing county departments, agencies and municipalities with a computer-based information that stores, manipulates, analyzes and maps various data; said grant in the amount of Thirty Six Thousand, Six Hundred Forty Dollars (\$36,640.00) effective through June 30, 2002; contingent on the availability of funds.

Carried: Ayes: 1618

Noes: 0

Absent: 0

Supervisor Rogers, T/Pike abstained from voting on Resolution Office #15 due to a conflict of interest.

#15

RESOLUTION NO. 01-225

August 14, 2001

By Mr. Bush, Acting Chairman of the Health and Human Services Committee:
Regular Session

**MOTOR EQUIPMENT OPERATOR RECLASSIFIED IN
THE DEPARTMENT OF THE OFFICE FOR THE AGING**

WHEREAS, The Wyoming County Civil Service office has adopted a reclassification plan in the Wyoming County Office for the Aging, said survey has been reviewed by the NYS Civil Service Commission; Municipal Service Division; now therefore

BE IT RESOLVED, That the following position shall be reclassified:

One (1) fte. position of Motor Equipment Operator, be reclassified to one (1) fte. Transportation Coordinator, placed on Schedule B, Grade III, Step 3 at \$10.56/hr of the CSEA Agreement, effective July 9, 2001.

Carried: Ayes: 1572 Noes: 0 Abstain: 46; Rogers

Absent:

16

**RESOLUTION NO. 01-226
August 14, 2001**

By Ms. Humphrey, Chairman of the Finance Committee

**BOND RESOLUTION OF THE
COUNTY OF WYOMING, NEW
YORK, DATED AUGUST 14,
2001, FOR THE ISSUANCE AND
SALE OF BONDS OF THE
COUNTY OF WYOMING, NEW
YORK, IN THE AMOUNT OF
\$750,000.00 FOR THE
ACQUISITION OF HOSPITAL
EQUIPMENT FOR THE
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

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authorized to acquire by purchase the following equipment for Wyoming County Community Hospital.

ITEM	Estimated Maximum Cost
Cobra Countertop Shredder, Model K385SS4	\$1,795.00
Cris Software Upgrade to Windows	8,000.00
Laser Mate LM-5 Pressure Seal Mailing System	4,495.00
PC and Printer for Programmer Position in Information Systems Department	2,369.00
(4) PC's to Replace CTR's in Information Systems Department (\$1,798.00 each)	7,190.00
Netware Group Wise 5.5 Collaboration (Server to host WCCH's e-mail)	20,000.00
IBM AS 400 Printer	9,000.00
Firewall Protection for Router	15,780.00
(2) Infant Incubators (\$8,828.00 each)	13,656.00
(2) Resuscitative Warmers (\$9,905.00 each)	19,810.00
(2) Electronic Fetal Monitors with Telemetry (\$27,180.50 each)	54,361.00
Operating Room Table	13,500.00
Tissue Slicar	26,955.00
BTU	18,450.00
Datascope Monitor	6,612.00
Adjustable Work Table	2,065.00
Cobalt Flood Source	2,790.00
Dose Calibrator Reference Source	675.00
Gastroscope	20,690.00
Operating Room Intercom System	8,841.00
(2) Filshie Clip (\$2,485.00 each)	4,970.00
Defibrillator	6,000.00
Embosser with Rapid Registration	28,250.00
Styker Medical (Gynnie OB/GYN exam table)	5,416.00
BCI Capnocode Capnometer	2,090.00
Datascope Passport Monitor	6,600.00
Olympus Equipment fiberopticaryngoscope	1,800.00
Audiology Screening Booth	3,700.00
Pulmonary Function Analyzer	3,300.00
Off-site Computer (lap top)	1,400.00
Neurfax EEG 1100A Digital System	26,900.00
Sonos 4500 Upgrade Echound Imagine System	131,156.00
(2) Sports Art 3200 Treadmill with Handrails (\$2,396.00 each)	4,792.00
Sci-Fit SX1000 Elliptical Walker	2,796.00

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(2) Quinton 20/20 Holter Cassette Recorder (\$1,152.55 each)	2,305.00
(4) Tennsco Shelving Units from Creative Office Systems (\$450.00 each)	
Tennsco Shelving Unit from Creative Office Systems	360.30
Respirator Fit Tester	9,500.00
Robcoupe Blender	2,500.00
Pharmacy Packaging System	7,000.00
(2) Tray Delivery Carts (\$1,934.00 each)	3,868.00
Patch Parking Lot Holes	5,000.00
(2) Courier Trucks (\$17,000.00 each)	34,000.00
Surveillance System Software	13,000.00
Boiler Burner Controls	6,066.00
Sign Machine	7,500.00
(2) Hydraulic Cylinders (\$5,000.00 each)	10,000.00
Refrigerant Recovery Unit and Air Balance Hood	3,800.00
(10) Handheld Radios (\$230.00 each)	2,300.00
Test Med Air System	3,000.00
Lawn Tractor	7,500.00
Elevator Door Edges	9,000.00
New Plow Truck	25,881.00
Preventive Maintenance Software	13,000.00
Roofs for emergency room, dietary and miscellaneous	70,000.00
(4) Suction Machines for Aqua, Peach, Plum and Blue (\$734.00 each)	2,936.00
(4) Stretchers/Gurneys for Aqua, Peach, Plum and Blue (\$720.00 each)	2,880.00
(2) Wheelchair Scales for Aqua and Plum (\$700.00 each)	
(2) A.E.D. Portable Defibrillators for Aqua and Peach (\$2,100.00 each)	
Tub/bath System for Peach	

The estimated maximum cost of the acquisition of such equipment is the sum of \$750,000.00 and said amount is hereby appropriated therefore. The plan of financing involves the issuance of \$750,000.00 in serial bonds of the County of Wyoming to finance the appropriation, and the levy and collection of taxes upon all the taxable real property in the County in an amount sufficient to pay the principal of and interest of said bonds.

Section 2. Serial bonds of said County of Wyoming in the principal amount of \$750,000.00 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

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hereinabove set forth in Section 1 for each item or items to be acquired, such period of probable usefulness being the period of five (5) years. Also, set forth for each item is the maximum estimated cost of each item or items.

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

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

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

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

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

Section 8. This resolution shall take effect immediately.

Carried:

Ayes: 1687

Noes: 0

Absent: 0

Supervisor Herman, T/Wethersfield moved that the meeting be adjourned at
3:00 p.m.

SPECIAL SESSION

WEDNESDAY

(September 12, 2001)

11:00 AM

The Special Session of the Wyoming County Board of Supervisors was held at the Wyoming County Government Center, in the Supervisor's Chambers, 143 North Main Street, Warsaw, NY with all members present except for Supervisor Gozelski, Town of Castile, Supervisor Bush, Town of Gainesville, Supervisors Totslie, Town of Genesee Falls, Supervisor Brunner, Town of Java, Supervisors Knab, Town of Sheldon and Supervisor Miller, Town of Warsaw. County Attorney Eric T. Dadd and County Administrator Kevin D. Defebbo were absent. Chairman Berwanger called the meeting to order and led the Pledge of Allegiance to the Flag.

Chairman Berwanger thanked everyone for attending on such short notice due to the unforeseen events that occurred on September 11, 2001, "Attack on America". The United States of America sustained a serious of viciously timed terrorist attacks on New York City and Washington, D.C. when four hijacked American Airlines and United Airlines jets deliberately and calculatingly crashed into the Twin Towers of the World Trade Center in New York City, the Pentagon in Washington, D.C., and in western Pennsylvania. Thousands of innocent people including the people who were in those facilities at the time of the attack, the passengers and crew of the airplanes involved, and the many heroic individuals who responded to assist them in this horrific disaster including firefighters, emergency services personnel, and law enforcement personnel were injured or perished in these incomprehensible tragedies.

The Board of Supervisors condemn the cowardly and deadly acts of these terrorists and expressed their deepest sympathy and offer their prayers for the victims of these tragedies and offer their heartfelt condolences to their families and loved ones.

There were no communications read.

Supervisor Agan, Acting Chairman of the Audit Committee presented the bills in the amount of Two Million, Two Hundred Eighteen Thousand, Forty One Dollars, Seventy Three Cents (\$2,218,041.73). A voice vote was taken and the bills were approved.

Carried: Ayes: 963

Noes: 0

Absent: 655;
Castile (127),
Gainesville (96),

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Genesee Falls (20),
Java (93),
Sheldon (106),
Warsaw (213)

Supervisor Brunner, T/Java entered the meeting at 11:06 a.m.

#1

**RESOLUTION NO. 01-227
(September 12, 2001)**

By Mrs. Humphrey, Chairman of the Finance Committee:

DATE OF SEPTEMBER 2001 REGULAR SESSION SET

WHEREAS, the Rules of Procedure of the Board of Supervisors has been suspended by unanimous consent for the purpose recited in this resolution; now therefore

BE IT RESOLVED, That the Regular Session of the Wyoming County Board of Supervisors will be held on Tues., September 18, 2001 at 2:00 PM at the Wyoming County Government Center, 143 North Main Street, Warsaw, NY; contingent upon the availability of the Supervisors.

Carried: Ayes: 1056 Noes: 0 Absent: 562; Castile (127), Gainesville (96), Genesee Falls (20), Sheldon (106), Warsaw (213)

Supervisor Herman, T/Wethersfield moved that the meeting be adjourned at 11:14 A.M.

September 12, 2001

REGULAR SESSION

TUESDAY

(September 18, 2001)

2:00 PM

The Regular Session of the Board of Supervisors was held at the Wyoming County Government Center, Supervisors Chambers, 143 North Main Street, Town of Warsaw, Warsaw, New York with all members present except for Supervisor Kushner, Town of Eagle and Supervisor Rogers, Town of Pike. Also present was County Attorney, Eric T. Dadd and County Administrator, Kevin D. DeFebbo. Chairman Berwanger, T/Arcade called the meeting to order and led the Pledge of Allegiance to the Flag.

The Chairman of the Board asked everyone to remain standing for a moment of silence for all the victims of the terrorist attacks on America. Supervisor West said a prayer for the victims and all emergency personnel.

Chairman Berwanger stated that there were five ambulances from Wyoming County sent to New York City for assistance at Ground Zero (Ground Zero is where the terrorists flew two planes into the Twin Towers of the World Trade Center on September 11, 2001) to relieve emergency crews. Personnel teams were also sent with each ambulance. These teams will serve on a 24 shift. They left on Monday, September 17, 2001. Over 200 volunteers signed up to be placed on the emergency relief list. There is a possibility that another relief team will be sent in the near future. The following is a list of the ambulances and teams that responded to the scene:

Cowlesville Vol. Ambulance
Cowlesville 8

- 1) Ken Larson - EMT
- 2) Angela Downs - EMT
- 3) Mike Magrum - EMT
- 4) Lynnette Strzelec - EMT
- 5) Gina Caltagilone - EMT

Strykersville Vol. Ambulance
Strykersville 8

- 1) Burt Farrant - EMT
- 2) Dale Hartz - EMT
- 3) Chris George - EMT
- 4) Bob McCubbin - EMT

Warsaw Vol. Rescue
WA 5

- 1) Bill Wilkinson - Driver

Gainesville Vol. Ambulance
Gainesville 8

- 1) Mike Horton - EMT
- 2) Garry Hume - EMT
- 3) Monty Buckley - EMT
- 4) Bob Zuidema - EMT

Perry Vol. Ambulance
PA 11

- 1) Mark Cali - EMT
- 2) Annete Cwikinski - EMT
- 3) Gail Bearsley - EMT
- 4) Ian Mitar - EMT

- 2) Mary Solamone - EMT
- 3) Betsy Osterman - EMT
- 4) Kim Dupart - EMT
- 5) Kathleen Kuchler-Rivers - EMT

The following communications were read and filed with the Clerk of the Board, Suzanne Aldinger.

C-1. The following is a editorial that was written for a Canadian Newspaper that was sent to the Clerk of the Board, it is worth sharing:

America: The Good Neighbor

A This Canadian thinks it is time to speak up for the Americans as the most generous and possibly the least appreciated people on all the earth. Germany, Japan and, to a lesser extent, Britain and Italy were lifted out of the debris of war by the Americans who poured in billions of dollars and forgave other billions in debts.

None of these countries is today paying even the interest on its remaining debts to the United State. When France was in danger of collapsing in 1956, it was the Americans who propped it up, and their reward was to be insulted and swindled on the streets of Paris. I was there. I saw it.

When earthquakes hit distant cities, it is the United States that hurries in to help. This spring, 59 American communities were flattened by tornadoes. Nobody helped. The Marshall Plan and the Truman Policy pumped billions of dollars into discouraged countries. Now newspapers in those countries are writing about the decadent, war mongering Americans.

I=d like to see just one of those countries that is gloating over the erosion of the United States dollar build its own airplane. Does any other country in the world have a plane to equal the Boeing Jumbo Jet, the Lockheed Tri-Star, or the Douglas DC 10?

If so, why don=t they fly them? Why do all the International lines except Russia fly American Planes? Why does no other land on earth even consider putting a man or woman on the moon? You talk about Japanese technocracy, and you get radios. You talk about German technocracy, and you get automobiles. You talk about American technocracy, and you find men on the moon - not once, but several times - and safely home again.

You talk about scandals, and the Americans put theirs right in the store window for everybody to look at. Even their draft-dodgers are not pursued and hounded.

They are here on our streets, and most of them, unless they are breaking Canadian laws, are getting American dollars from ma and pa at home to spend here.

When the railways of France, Germany and India were breaking down through age, it was the Americans who rebuilt them. When the Pennsylvania Railroad and the New York Central went broke, nobody loaned them an old caboose. Both are still broke.

I can name you 5000 times when the Americans raced to the help of other people in trouble. Can you name me even one time when someone else raced to the Americans in trouble? I don't think there was outside help even during the San Fransisco earthquake.

Our neighbors have faced it alone, and I'm one Canadian who is damed tired of hearing them get kicked around. They will come out of this thing with their flag high. And when they do, they are entitled to thumb their nose at the lands that are gloating over their present troubles. I hope Canada is not one of those.@

Stand proud, America! Wear it Proudly!!

C-2. Another E-Mail was received in the office of the Board of Supervisors regarding the Flag as follows:

AMERICANS, show your colors !!! From September 11, 2001 until Thanksgiving, FLY your American flags in support of your country ! We=re the best in the world and need to unite and show the world what our country means to us....these victims did not die in vain.....maybe this event will bring much needed cohesiveness to our country. Please share this with everyone you know because our beautiful flag will serve to show the world that we are, indeed, the United States !

C-3. Reminder: On Saturday, September 22, 2001, the New Farm at 1990 Route 19, Wyoming will be hosting AA Salute to Our Veterans@ of Wyoming and Genesee Counties (and any other veteran of the area) to honor all of our men and women who have served our country in one of the greatest ways possible.

Chairman Berwanger, asked for permission to deviate from the agenda and have Resolution office # UC 25 to the full Board for it=s adoption. A voice vote was taken. There were no objections. Resolution office # UC25 was presented as follows:

**RESOLUTION NO. 01-228
(September 18, 2001)**

By All Members of the Wyoming County Board of Supervisors:

**OUR DEEPEST SYMPATHY AND PRAYERS TO THE
VICTIMS AND THEIR FAMILIES OF THE HEINOUS
SEPTEMBER 11, 2001 TERRORIST ATTACKS ON NEW
YORK CITY AND WASHINGTON, D.C. OFFERED**

WHEREAS, On Tuesday, September 11, 2001, the United States of America sustained a series of viciously timed terrorist attacks on New York City and Washington, D.C. when four hijacked American Airlines and United Airlines jets deliberately and calculatingly crashed into the Twin Towers of the World Trade Center in New York City, the Pentagon in Washington, D.C., and in western Pennsylvania; and

WHEREAS, Thousands of innocent people including the people who were in those facilities at the time of the attack, the passengers and crew of the airplanes involved, and the many heroic individuals who responded to assist them in this horrific disaster including firefighters, emergency services personnel, and law enforcement personnel were injured or perished in these incomprehensible tragedies; and

WHEREAS, The members of this body firmly believe that the great democracy of the United States of America is much stronger than barbaric terrorists who senselessly threaten and destroy the lives of innocent people and that the people of this great nation will survive and overcome this meaningless and inconceivable tragedy and grow to become even stronger in their faith and resolve; and

WHEREAS, It is the firm belief and conviction of this body that the democracies of the world must come together to defeat and eradicate mass terrorism, which has, indeed, become the new evil of our world, and work together to protect and preserve human life; and

WHEREAS, This appalling and shocking tragedy has, indeed, deeply touched the lives of each and every one of us in some way; now therefore

BE IT RESOLVED, That the Board of Supervisors of the County of

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Wyoming speaking on behalf of all Wyoming County residents hereby condemn the cowardly and deadly acts of these terrorists and express their deepest sympathy and offer their prayers for the victims of these tragedies and offer their heartfelt condolences to their families and loved ones; and be it

FURTHER RESOLVED, That the Clerk of the Wyoming County Board of Supervisors shall forward a copy of this resolution to the President of the United States of America, the Governor of New York State, and the Mayor of the City of New York.

CARRIED: Ayes: 1523 Noes: 0 Absent: 95; (49) Kushner, (46) Rogers

#1

**RESOLUTION NO. 01-229
(September 18, 2001)**

By Mrs. Humphrey, Chairman of the Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2001 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2001 accounts as follows:

YOUTH BUREAU			
To acct. 01.45.7310.4.42434 Stars for Tomorrow w/rev acct 01.03.7310.1289 inc. by same amount.	\$5,000.00	\$5,000.00	\$5,000.00
MENTAL HEALTH			
To acct. 01.38.4310.4.41801 Misc. Govt. Charges From any funds available	\$11,627.00	\$11,627.00	\$11,627.00
PROBATION			
To acct. 01.37.3140.1.10101 Personal Services From any funds available	\$6,000.00	\$6,000.00	\$6,000.00
COUNTY ATTORNEY			
To acct 01.34.1420.1.10001 Salaries Fixed (S/D/I) 01.34.1420.8.83001 FICA 01.34.1420.8.85001 Medicare w/rev acct 01.03.1420.1289 inc. by same amount	\$7,475.00 463.50 <u>108.50</u> \$8,047.00	\$8,047.00	\$8,047.00
TREASURER			
To acct. 01.48.8030.4.40915 Solid Waste	(-\$1,483.68)		

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w/rev acct. 01.04.8030.2130 reduced by same amt.		(-\$1,483.68)	(-\$1,483.68)
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and be it

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

CARRIED: Ayes: 1523 Noes: 0 Absent: 95; (49) Kushner, (46) Rogers

#2

**RESOLUTION NO. 01-230
(September 18, 2001)**

By Mrs. Humphrey, Chairman of the Finance Committee:

FUNDS TRANSFERRED TO VARIOUS 2001 ACCOUNTS

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

YOUTH BUREAU			
From acct 01.45.7310.1.10101 Salaries (CSEA) To acct. 01.45.7310.4.42436 Alternative Services	\$5,237.97	\$5,237.97	\$5,237.97
MENTAL HEALTH			
From acct 01.38.4250.8.80001 Worker=s Comp 01.38.4250.4.42306 Misc. Other 01.38.4250.4.40107 Liability Insurance 01.38.4250.4.40106 Malpractice To acct 01.38.4250.8.82002 Disability Insurance 01.38.4250.8.89001 Med/Hosp. Insurance	\$87.00 \$2,000.00 275.00 600.00 \$2,962.00	\$87.00 2,875.00 \$2,962.00	\$2,962.00
From acct 01.38.4310.8.80001 Worker=s Comp 01.38.4310.4.42306 Misc. Other 01.38.4310.4.41510 Educational Materials 01.38.4310.4.41101 Paper 01.38.4310.4.40808 Mowing & Gen. Maint. 01.38.4310.4.40917 BRC To acct 01.38.4310.8.82001 Disability Insurance 01.38.4310.8.89001 Med/Hosp. Insurance	\$96.00 1,000.00 \$1,400.00 200.00 200.00 500.00 \$3,396.00	\$96.00 3,300.00 \$3,396.00	\$3,396.00
COUNTY CLERK			
From acct 01.34.1410.4.42444 Motor Vehicle Grant 01.34.1411.4.40304 Temp Employment To acct. 01.34.1411.4.42444 Motor Vehicle Grant 01.34.1410.4.40304 Temp Employment	\$113.49 2,000.00 \$2,113.49	\$113.49 2,000.00	

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		\$2,113.49	\$2,113.49
DISTRICT ATTORNEY			
From acct 01.32.1168.1.10604 Bonus Award (salary)	\$10,000.00		
01.32.1168.8.81001 Retirement	30.00		
01.32.1168.8.83001 FICA	620.00		
01.32.1168.8.85001 Medicare	<u>145.00</u>		
	\$10,795.00		
To acct 01.32.1168.4.40305 Other (ADA Salary)		\$10,795.00	\$10,795.00
COUNTY ATTORNEY			
From acct 01.34.1421.1.10001 Salaries Fixed (D/S/I)	\$8,500.00		
01.34.1421.8.83001 FICA	527.00		
01.34.1421.8.85001 Medicare	<u>123.25</u>		
	\$9,150.25		
To acct 01.34.1421.4.40305 Other (Assigned Counsel)		\$8,047.00	
01.34.1421.4.41201 Postage		300.00	
01.34.1421.4.42305 Assigned Counsel Program		<u>803.25</u>	
		\$9,150.25	\$9,150.25

CARRIED: Ayes: 1523 Noes: 0 Absent: 95; (49) Kushner, (46) Rogers

Chairman Berwanger, proposed to consolidate Resolution office #s three through 17 (3-17) for Consent Agenda. There were no objections. A voice vote was taken and the request was granted.

#3

RESOLUTION NO. 01-231 (September 18, 2001)

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

SUPERINTENDENT OF HIGHWAYS AUTHORIZED TO EXTEND THE AGREEMENT WITH TOWNS AND VILLAGES; RE: A LUMP SUM INDEXING

WHEREAS, The public interest demands the snow removal and the control of ice on all county roads, with the County to bear the entire cost in accordance with Section 135a of the Highway Law; and

WHEREAS, The County is desirous of extending agreements with several Towns and Villages of the County for the removal of snow and for control of ice on county roads; now therefore

BE IT RESOLVED, That the County of Wyoming authorizes the Superintendent of Highways to extend the Agreement with the various Towns
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and Villages for the purpose of removing snow and the control of ice on county roads for the winter season of 2001/2002 and 2002/2003. Payment to be made to the Towns and Villages by the County from County Snow Funds as determined by using the AIndexed Lump Sum@ methodology.; and be it

FURTHER RESOLVED, That the opening and the treating of county roads be done in such a manner as the County Superintendent shall direct. The County Superintendent of Highways for Wyoming County shall be in charge of all work done on county roads; and be it

FURTHER RESOLVED, the records of such work done on county roads shall be done in the manner directed by the County Superintendent of Highways.

CARRIED: Ayes: 1523 Noes: 0 Absent: 95; (49) Kushner, (46) Rogers

#4

**RESOLUTION NO. 01-232
(September 18, 2001)**

By Mr. Miller, Chairman of the Planning Committee:

**CHAIRMAN AUTHORIZED TO SIGN
2001-2002 SNOWMOBILE GRANT APPLICATION**

BE IT RESOLVED, That the Chairman of this Board is hereby authorized and directed to file an application for participation in the Snowmobile Trail Grant Program for the State's fiscal year 2001-2002; and be it

FURTHER RESOLVED, That the Chairman of this Board, with approval of the County Attorney, is hereby authorized and directed to enter into an agreement with the State of New York to receive the (funds available through the Snowmobile Trail Grant Program) above noted funds.

CARRIED: Ayes: 1523 Noes: 0 Absent: 95; (49) Kushner, (46) Rogers

#5

**RESOLUTION NO. 01-233
(September 18, 2001)**

By Mr. Rogers, Chairman of the Health and Human Services Committee:

CHAIRMAN AUTHORIZED TO SIGN A CONTRACT

September 18, 2001

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WITH RUTH WALLACE ON BEHALF OF OFA

225

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 a contract with Ruth B. Wallace, 3410 Main Street, Bliss, NY for the provision of HEAP Assistance for the elderly effective October 1, 2001 through March 31, 2002; for a total not to exceed Two Thousand, Five Hundred Twenty Five Dollars (\$2,525.00).

CARRIED: Ayes: 1523 Noes: 0 Absent: 95; (49) Kushner, (46) Rogers

#6

RESOLUTION NO. 01-234
(September 18, 2001)

By Mr. Rogers, Chairman of the Health and Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN CONTRACT FOR
WRAP PROGRAM**

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 a contract with Dan Perkins, 101 West Court St., Warsaw, NY 14569, Coordinator for WRAP (Weatherization Referral Assistance Program), effective from October 1, 2001 through September 30, 2002, payment shall be Thirty Two Thousand, Five Hundred Eighty Four Dollars (\$32,584.00) annually, plus One Hundred Dollars (\$100.00) per month towards liability insurance and reimbursement for mileage accrued while doing Office for the Aging business at the current Wyoming County rate per mile.

CARRIED: Ayes: 1523 Noes: 0 Absent: 95; (49) Kushner, (46) Rogers

#7

RESOLUTION NO. 01-235
(September 18, 2001)

By Mr. Rogers, Chairman of the Health and Human Services Committee:

**CHAIRMAN/COMMISSIONER OF SOCIAL SERVICES
AUTHORIZED TO SIGN A CONTRACT WITH PUBLIC**

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HEALTH DEPARTMENT

BE IT RESOLVED, That the Chairman of this Board/Commissioner of Wyoming County Social Services, with the approval of the County Attorney, is hereby authorized and directed to sign a contract with the Wyoming County Public Health Department for the purpose of coordination of County's Personal Care delivery system effective January 1, 2001 through December 31, 2001; amount not to exceed Thirty Thousand Dollars (\$30,000.00).

CARRIED: Ayes: 1523 Noes: 0 Absent: 95; (49) Kushner, (46) Rogers

#8

RESOLUTION NO. 01-236
(September 18, 2001)

By Mr. Rogers, Chairman of the Health and Human Services Committee:

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

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

Village Audiology, 164 Washington Avenue, Batavia, New York, for audiology evaluation services for Early Intervention for the period of 09/11/2001 through 12/31/2002; said amount per the language of the contract.

Village Audiology, 164 Washington Avenue, Batavia, New York, for audiology evaluation services for Preschool Special Education for the period of 09/11/2001 through 12/31/2002; said amount per the language of the contract.

Hearing-Impaired Instructional Services, LLC for Early Intervention, 162 Highland Drive, Williamsville, NY 14221 for the provision of speech therapy for the period of 09/11/2001 through 12/31/2002; said amount per the language of the contract.

CARRIED: Ayes: 1523 Noes: 0 Absent: 95; (49) Kushner, (46) Rogers

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**RESOLUTION NO. 01-237
(September 18, 2001)**

By Mr. Rogers, Chairman of the Health and Human Services Committee:

**RESOLUTION NO. 00-263 AMENDED, RE: 2001 NEW AND
RENEWAL CONTRACTS ON BEHALF OF MENTAL
HEALTH**

BE IT RESOLVED, that Resolution No.00-263, passed by this Board on November 13, 2000 are hereby amended to reflect changes and additions in amounts due to additional Reinvestment Funds as follows:

3) ARA INC. RENEWAL CONTRACTS FOR THE PERIOD OF
JANUARY 1, 2001 THROUGH DECEMBER 31, 2001:

L. NYS Era Grant (WOW Employment-6 month) (\$4,339.00) +
\$1,446=\$5,785.00

5) MENTAL HEALTH ASSOCIATION OF ROCHESTER/MONROE
COUNTY, INC.

A. Contract with the Mental Health Association of Rochester/Monroe
County to manage: (ONE CONTRACT FOR \$166,041) + \$5,060 + **\$1,103.00**=
\$172,204.00

1. Consumer Run Thrift Store (\$38,326) +**\$1,103.00** =
\$39,429.00

CARRIED: Ayes: 1523 Noes: 0 Absent: 95; (49) Kushner, (46) Rogers

#10

**RESOLUTION NO. 01-238
(September 18, 2001)**

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By Mr. Rogers, Chairman of the Health and Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN LETTER OF
AGREEMENT WITH SUSAN STANDISH-WALLACE**

BE IT RESOLVED, That with the approval of the County Attorney, the Chairman of this Board of Supervisors is hereby authorized and directed to sign a Letter of Agreement with Susan Standish-Wallace, 163 Liberty Street, Town of Warsaw, Warsaw, New York 14569, for the purpose of partial reimbursement of an educational degree, in accordance with the Wyoming County Employee Policy adopted by this Board in 1997 and the language of said agreement.

CARRIED: Ayes: 1523 Noes: 0 Absent: 95; (49) Kushner, (46) Rogers

#11

**RESOLUTION NO. 01-239
(September 18, 2001)**

By Mr. Rogers, Chairman of the Health and Human Services Committee:

**CHAIRMAN/COMMISSIONER AUTHORIZED TO SIGN
MEMORANDUM OF UNDERSTANDING WITH NEW
YORK STATE OFFICE OF FAMILY AND CHILDREN
SERVICES (OFCS)**

BE IT RESOLVED, That the Chairman of this Board/Commissioner of Wyoming County Social Services, with the approval of the County Attorney, is hereby authorized and directed to sign a contract with the New York State Office of Family and Children Services for the purpose of registration and inspection of child care vendors in Wyoming County effective August 1, 2001 through July 31, 2002; amount not to exceed Forty Four Thousand, One Hundred Fifty Six Dollars (\$44,156.00).

CARRIED: Ayes: 1523 Noes: 0 Absent: 95; (49) Kushner, (46) Rogers

#12

**RESOLUTION NO. 01-240
(September 18, 2001)**

September 18, 2001

By Mrs. Humphrey, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN GIS COMPUTER
SYSTEM AGREEMENT**

WHEREAS, Request for Proposals (RFPs) have been received for the purpose of providing a needs assessment and conceptual design for a Geographical Information System (GIS) in Wyoming County; and

WHEREAS, These RFPs have been reviewed by the Finance Committee of this Board and the Geographical Information System (GIS) Steering Committee; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors, authorizes the Geographical Information System (GIS) Steering Committee to accept the qualified RFP and establish a contract with such vendor; and be it

FURTHER RESOLVED; That the Chairman of the Board is hereby authorized and directed, with the approval of the County Attorney, to sign a contract with said qualified vendor, for the purpose of a GIS needs assessment and conceptual design; amount not to exceed Thirty Six Thousand, Six Hundred Forty Dollars (\$36,640.00).

CARRIED: Ayes: 1523 Noes: 0 Absent: 95; (49) Kushner, (46) Rogers

#13

**RESOLUTION NO. 01-241
(September 18, 2001)**

By Mrs. West, Chairman of the Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN LETTER OF
AGREEMENT WITH NYS DIVISION OF PROBATION**

BE IT RESOLVED, That with the approval of the County Attorney and on behalf of the Wyoming County Department of Probation, the Chairman of this Board is hereby authorized and directed to sign a Letter of Approval with the New York State Department of Probation and Correctional Alternatives, for the purpose of allocating funds to support the Intensive Supervision Program in the amount of Eight Thousand, Two Hundred Dollars (\$8,200.00) for the period of January 1, 2001 through December 31, 2001.

CARRIED: Ayes: 1523 Noes: 0 Absent: 95; (49) Kushner, (46) Rogers

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**RESOLUTION NO. 01-242
(September 18, 2001)**

By Mrs. West, Chairman of the Public Safety Committee:

**CHAIRMAN AUTHORIZED TO SIGN
P.I.N.S ADJUSTED SERVICES PLAN FOR 2001-2002**

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 the year 2001-2002.

CARRIED: Ayes: 1523 Noes: 0 Absent: 95; (49) Kushner, (46) Rogers

#15

**RESOLUTION NO. 01-243
(September 18, 2001)**

By Mrs. West, Chairman of the Public Safety Committee:

**CONDITIONAL RELEASE COMMISSION MEMBER
REAPPOINTED**

BE IT RESOLVED, That John Beresh, 54 Perry Avenue, Town of Warsaw, Warsaw, NY is hereby reappointed by the Chairman of this Board to the Conditional Release Commission to a four year term, said term to expire September 30, 2005.

CARRIED: Ayes: 1523 Noes: 0 Absent: 95; (49) Kushner, (46) Rogers

#16

RESOLUTION NO. 01-244

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By Mrs. Humphrey, Chairman of Finance Committee:

**R. DEAN REAPPOINTED REAL PROPERTY TAX
DIRECTOR**

BE IT RESOLVED, That Richard L. Dean, 25 Pickett Street, Town of Castile, Castile, New York 14427, is hereby appointed as Director of Real Property Tax Service for a term of six years, said term to expire September 30, 2007.

CARRIED: Ayes: 1523 Noes: 0 Absent: 95; (49) Kushner, (46) Rogers

#17

RESOLUTION NO. 01-245
(September 18, 2001)

By Mrs. Humphrey, Chairman of the Finance Committee:

**MEMBERS APPOINTED TO THE WYOMING COUNTY
COMMUNITY HOSPITAL BOARD OF MANAGERS**

BE IT RESOLVED, That Eric Slocum, 57 East Main Street, Town of Arcade, Arcade, New York 14009 is hereby appointed to a five (5) year term on the Wyoming County Community Hospital Board of Managers, said term to expire September 30, 2006; and be it

FURTHER RESOLVED, That Michael J. Kelly, 38 Park Street, Town of Warsaw, Warsaw, New York 14569 is hereby appointed to a five (5) year term on the Wyoming County Community Hospital Board of Managers, said term to expire September 30, 2006.

CARRIED: Ayes: 1523 Noes: 0 Absent: 95; (49) Kushner, (46) Rogers

#18

RESOLUTION NO. 01-246
(September 18, 2001)

By Mr. Miller, Chairman of the Planning Committee:

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FINDING TO MODIFY AGRICULTURAL DISTRICT
NO. 5 APPROVED

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

WHEREAS, The review process was initiated with a 30-day review process and this Board directed the County Agricultural and Farmland Protection Board and the County Planning Board to prepare reports including their recommendations to continue, terminate or modify the District No. 5; and

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

WHEREAS, This Board has reviewed the Review Plan and the Environmental Assessment Form; and

WHEREAS, This Board must make a finding whether the District should be continued, terminated or modified, now therefore

BE IT RESOLVED, That this Board determines that no unique circumstances exist which increase the likelihood of environmental significance and the proposed modification of Wyoming County Agricultural District No. 5 will not have a significant adverse environmental impact; and be it

FURTHER RESOLVED, That this Board does hereby make the finding Wyoming County Agricultural District No. 5 should be modified as recommended by the County Agricultural and Farmland Protection Board and the County Planning Board by adding One Thousand, Three Hundred and Thirty Seven (1,337) acres and by removing Two Thousand, One Hundred and Fourteen (2,114) acres; and be it

FURTHER RESOLVED, That the copies of the Review Plan including a map of the District showing the proposed modifications and the reports and recommendations of the Wyoming County Agricultural and Farmland Protection Board and the Wyoming County Planning Board be forwarded to the Commissioner of Agriculture and Markets for recertification as required by the New York State Agriculture and Markets Law.

CARRIED: Ayes: 1523 Noes: 0 Absent: 95; (49) Kushner, (46) Rogers

September 18, 2001

**RESOLUTION NO. 01-247
(September 18, 2001)**

By Mr. Miller, Chairman of the Planning Committee:

**2002 G.L.O.W. REGION SOLID WASTE
MANAGEMENT COMMITTEE BUDGET APPROVED**

WHEREAS, The counties of Genesee, Livingston, Orleans and Wyoming, pursuant to the Intermunicipal Cooperation Contract, did create the GLOW Region Solid Waste Management Committee to perform certain duties and responsibilities on behalf of the Counties in furtherance of studying, administering developing, and implementing an integrated solid waste management project for the benefit of the counties; and

WHEREAS, The G.L.O.W. Region Solid Waste Management Committee has prepared a Tentative 2002 Administrative Budget and has recommended that this budget be submitted to the four counties for their review and approval; and

WHEREAS, Wyoming County=s contribution in the year 2002 is proposed to be \$18,000; now therefore

BE IT RESOLVED, That this Board of Supervisors does hereby approve the Tentative 2002 Administrative Budget, as submitted, and the Wyoming County per capita contribution in the amount of \$18,000.

CARRIED: Ayes: 1523 Noes: 0 Absent: 95; (49) Kushner, (46) Rogers

#20

**RESOLUTION NO. 01-248
(September 18, 2001)**

By Mr. Rogers, Chairman of the Health and Human Services Committee:

**ADMINISTRATIVE ASSISTANT FOR FISCAL
OPERATION RECLASSIFIED IN THE DEPARTMENT OF
THE SOCIAL SERVICES**

WHEREAS, The Wyoming County Personnel Officer has adopted a
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reclassification plan for the Wyoming County Department of Social Services on August 6, 2001; now therefore

BE IT RESOLVED, That the position of Administrative Assistant for Fiscal Operations be reclassified as Fiscal Director, placed on salary schedule S, Step 2 at Forty One Thousand, Eight Hundred Fourteen Dollars (\$41,814.00) annually, effective September 18, 2001.

CARRIED: Ayes: 1523 Noes: 0 Absent: 95; (49) Kushner, (46) Rogers

#21

**RESOLUTION NO. 01-249
(September 18, 2001)**

By Mrs. West, Chairman of the Public Safety Committee:

**POSITION IN THE WYOMING COUNTY
SHERIFF'S DEPARTMENT RECLASSIFIED**

WHEREAS, The Wyoming County Personnel Officer adopted a reclassification plan in the Wyoming County Sheriff=s Department on August 6, 2001; now therefore

BE IT RESOLVED, That one (1) fte. position of Deputy Sheriff in the office of the Sheriff=s Department, be reclassified to Deputy Sheriff Forensics Technician, to be placed in the Deputy Sheriff=s Association=s (DSA), Salary Schedule on Grade 6 Step 5, effective September 18, 2001.

CARRIED: Ayes: 1523 Noes: 0 Absent: 95; (49) Kushner, (46) Rogers

#22

**RESOLUTION NO. 01-250
(September 18, 2001)**

By Mrs. West, Chairman of the Public Safety Committee:

**ONE (1) POSITION OF PROBATION OFFICER TRAINEE
CREATED IN PROBATION OFFICE**

BE IT RESOLVED, That there is hereby created one (1) position of
September 18, 2001

Probation Officer Trainee, ft., in the Wyoming County Probation Department; said position to be placed on Schedule A, Grade 13, of the CSEA Agreement, effective November 1, 2001.

CARRIED: Ayes: 1523 Noes: 0 Absent: 95; (49) Kushner, (46) Rogers

By Mrs. Humphrey, Chairman of the Finance Committee:

**INCREASING THE RATE OF TAXES ON SALES AND USES OF
TANGIBLE PERSONAL PROPERTY AND OF CERTAIN SERVICES,
AND ON OCCUPANCY OF HOTEL ROOMS AND AMUSEMENT
CHARGES, PURSUANT TO ARTICLE 29 OF THE TAX LAW OF THE
STATE OF NEW YORK**

BE IT ENACTED by the Wyoming County Board of Supervisors as follows:

SECTION 1. The first sentence of section two of Resolution No. 80-284, as enacted November 25, 1980, as amended, is amended to read as follows:

SECTION 2. Imposition of sales tax.

On and after March 1, 1981, there is hereby imposed and there shall be paid a tax of three percent upon, and for the period commencing December 1, 1992 and ending November 30, 2003, there is hereby imposed and there shall be paid an additional tax of one percent upon:

SECTION 2. Subdivision (f) of section three of Resolution No. 80-284 as enacted in nineteen hundred eighty, as amended, is amended to read as follows:

(f) With respect to the additional tax of one percent imposed for the period commencing December 1, 1992 and ending November 30, 2003, 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 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, 2003, the tax shall be at the rate of four percent, and on and after December 1, 2003, the tax shall be at the rate of three percent, of the consideration given or contracted to be given for such property, or for the use of such property, including any charges for shipping or delivery as described in paragraph three of subdivision (b) of section one, but excluding any credit for tangible personal property accepted in part payment and intended for resale.

(c) For purposes of subclause (I) of clause (B) of subdivision (a) of this section, for the period commencing December 1, 1992 and ending November 30, 2003, the tax shall be at the rate of four percent, and on and after December 1, 2003, 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, 2003, the tax shall be at the rate of four percent, and on and after December 1, 2003, 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, 2003, the tax shall be at the rate of four percent, and on and after December 1, 2003, 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, 2003, the tax shall be at the rate of four percent, and on and after December 1, 2003, 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

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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, 2003.

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, 2003, in respect to the use of property used by the purchaser in this County prior to December 1, 1992.

SECTION 6. This enactment shall take effect on December 1, 2001.

CARRIED: Ayes: 1523 Noes: 0 Absent: 95; (49) Kushner, (46) Rogers

UC#24

**RESOLUTION NO. 01-252
(September 18, 2001)**

By Mrs. Humphrey, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN AN AGREEMENT
FRONTIER COMMUNICATIONS, INC. OF ROCHESTER**

BE IT RESOLVED, That the Chairman of the Wyoming County Board of Supervisors, with the approval of the County Attorney, is hereby authorized and directed to sign an agreement with Frontier Communications, Inc. of Rochester, Rochester, New York for the purpose of Frontier Value Plus Services for all
September 18, 2001

departments in Wyoming County in an amount not to exceed the established Monthly Minimum Usage Guarantee (MUG) of \$7,500.00 per month for the period of three (3) years effective September 18, 2001 through September 10, 2004.

CARRIED: Ayes: 1523 Noes: 0 Absent: 95; (49) Kushner, (46) Rogers

A motion was made at 2:48 PM by Supervisor Humphrey, T/Perry to enter into Executive Session for the purpose of discussing the medical, financial, credit or employment history of a particular person or corporation, or matter leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person (s) or corporation. Seconded by Supervisor Herman, T/Wethersfield. Carried. Motion made by Supervisor Herman, T/Wethersfield at 3:43 PM to adjourn Executive Session, seconded by Supervisor Bush, T/Gainesville. Carried. No action taken, business resumed.

Supervisor Herman, T/Wetehrsfield moved that the meeting be adjourned at 3:45 PM.

**REGULAR SESSION
(October 9, 2001)****TUESDAY****2:00 PM**

The Regular Session of the Board of Supervisors was held at the Wyoming County Government Center, Supervisors Chambers, 143 North Main Street, Town of Warsaw, Warsaw, New York with all members. Also present was County Attorney, Eric T. Dadd and County Administrator, Kevin D. DeFebbo. Chairman Berwanger, T/Arcade 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, Suzanne Aldinger.

C-1. Reminder: Inter-County of Western New York is being held in Schuyler County on Friday October 19, 2001 at the Glen Motor Inn, Montage Restaurant , 3380 Route 14, Watkins Glen, NY. The program will be "Schuyler County Drug Courts", presented by Mr. Ronald Alexander, Director of Probation.

Chairman Berwanger, T/Arcade, asked for permission to deviate from the Agenda and have the County Administrator, Kevin D. DeFebbo, address the Board with a draft presentation of the 2002 Budget. The following message was communicated to the Board by the County Administrator:

2002 ADMINISTRATIVE BUDGET MESSAGE

Budget Team

Kevin D. DeFebbo, County Administrator
John B. Edwards, County Treasurer
Paula A. Parker, Director of Reimbursements
Beth Pond, Deputy County Treasurer

ACKNOWLEDGEMENTS

On behalf of Chairman A. D. Berwanger, Finance Chairman Anne Humphrey and the Board of Supervisors, I am honored to present the *2002 Administrative Budget Recommendation*.

I would like to thank the budget team of John Edwards, Beth Pond, and

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Paula Parker for the many hours they contributed to this recommendation. Special acknowledgement also goes out to Madonna Barber and Cheryl Mayer for their help in creating and distributing the reports before you.

FOCUS AND GOALS

The 2002 budget was developed to provide a baseline budget document for the Board Committees to utilize in their budget deliberations.

To this end, the budget team's recommendation focused on the development of a baseline budget that was

- ☐ Complete and comprehensive.
- ☐ Accurate and realistic in the whole, as well as from a departmental or agency perspective.
- ☐ A true reflection of the County's actual cost to provide basic services.

It was also our intent to provide the Board of Supervisors with a future budget plan that took into account all aspects of our finances including existing union contracts, debt repayment obligations, health and workers compensation issues, and revenue projections and enhancements.

A PLAN TO GUIDE THE UNKNOWN

It is critical for us to acknowledge and understand that this recommendation is being presented at a time in which the very ramparts of our finances could be under siege from forces outside our control.

The September 11th terrorist attack on the World Trade Towers has and will continue to affect New York State's economy and political priorities.

D. As a subdivision of the State, Wyoming County will not be immune from these significant changes.

Although it is too early at this time to assess the true impact on the County, **it appears likely** that our *sales tax revenues will not increase as they have*, and our *State reimbursement claims or payments could be delayed*.

The duration and severity of this impact is the unknown.

The challenge before us will be to assess this impact accurately, and to make those adjustments necessary to provide basic services and maintain fiscal solvency.

This budget recommendation, however, attempts to navigate through

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these uncertainties by providing a plan that is both balanced and flexible, allowing for maximum maneuverability.

DIRECTIONS AND DOCUMENTS

By way of following the budget recommendation, today's presentation will be supported by these documents.

- 1) **BRC (ACS) Summary.** This is a report of the general fund budget by department, organized though the major spending categories of

Point 1 - Personnel

Point 2 - Capital

Point 4 - Contractual and Commodities

Point 8 - Benefits

- 2) **Budget Worksheet Summary (Appendix 1).** This is a condensed report of the general fund organized by department that compared "requested" versus "recommended".
- 3) **Fund Summary (Appendix 2).** This is a report of the overall county budget organized by funds.
- 4) **Budget Balancing Strategies (Appendix 3).** This is a summary report of those actions recommended by the budget team to balance the budget taking into consideration new serial debt for the Courthouse and Curriers Road. A two (2) year perspective has been offered to account for the larger 2nd year serial bond payment.
- 5) **Average Tax Rate (Appendix 4).** This is a report that identifies the impact of the budget team's recommendation on the average tax rate.
- 6) **Budget Recap (Appendix 5).** This is a report that identifies the source of the department/agency requests as compared to the Budget Team.

SUM AND SUBSTANCE: The Big Picture

The 2002 Administrative budget provides for a spending plan of \$38,280,629, a 2% or \$832,681 increase over the approved 2001 plan. The hospital budget was not included.

As always, our primary concern was the effect such a spending plan would have on the levy. To this end, the budget team received total departmental and agency *levy* requests of **\$10,803,540**, exclusive of all debt obligations.

After correcting for errors and deletions, this represented a **\$1,707,040 or 4.66%** increase over the 2001 Levy.

Although this levy increase can be attributed to almost all departments, the Sheriff, the Jail, the Highway and the Treasurer (revenue adjustment) accounted for 70% of the total.

In addition to these agency and departmental requests, the 2002 budget required the County to make a required *Bond Anticipation Note (BAN)* payment of approximately \$1,275,000. This payment was needed to cover the 2002 payment on the Curriers Road and Courthouse projects.

After numerous meetings, the Board of Supervisors agreed that the BANs should be combined and serialized into one (1) 10 year serial bond.

Subsequently, the budget team's handling of the debt issue focused on incorporating the serial bond into any recommendations on the budget.

The projected 1st year serial payment was calculated at \$390,447.

Taken as a whole, departmental requests AND the serialized bond payment produced a levy deficit **of \$2,097,487 over the 2001 approved levy.**

In order to reduce this deficit and to develop a balanced, cost effective spending plan, the budget team **has proposed** these cuts and adjustments.

1) **BUDGET CUTS.** It is important to note that, as directed by the Finance Committee, the budget team focused on the development of a "realistic, workable budget" for each department. Depending on the need and accuracy of each departmental request, revenues or expenditures were either added or cut.

Furthermore, in order to sustain our ability to respond to unknown problems beyond our control, the budget team has recommended that the salaries of all management and management support officials contained in Salary Schedules I, D, and S should be **frozen at 2001 levels.** Such a freeze could result in a saving of approximately \$100,000.

This spending plan still provides for performance step allowances and the previously approved three (3) year incremental upgrades.

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Taken as a whole, we trimmed **\$348,483** from these departmental and agency requests.

We have also proposed that the following adjustments be adopted to erase the remainder of the deficit.

- 2) **SALES TAX ADJUSTMENT.** We recommended that the amount of sales tax revenue to be included in the budget plan should be increased from \$10,700,000 this year to \$11,100,00 in 2002. This increase was projected to maintain a \$600,000 to \$700,000 cushion between actual versus budget receipts.
3. **REDUCE CONTINGENCY.** The budget team recommended that the contingency line be reduced from \$582,000 in 2001 to \$300,000 for next year. Much of this decision was made possible by the addition of \$400,000 in the highway's regular snow account, rather than rely on a contingency line as we have this year.
4. **BAN PROCEEDS APPLIED.** As a result of the return realized by the Treasurer on our existing BANS, approximately \$60,000 was available and has been applied to amortize part of the refinancing costs associated with serialization.
5. **APPLY CAPITAL IMPROVEMENT (CIP) FUNDS.** Given the connection of the CIP to the repayment of the Curriers Road, the committee recommends and has included the transfer of \$84,000 from the 2002 project CIP budget.
- 6) **TRANSFER OF GENERAL FUNDS TO CIP DEFERRED.** All things being equal, it was originally projected that the County would transfer approximately **\$200,000** per year to the CIP from the general fund. Sadly, these are not "equal" times. Given the debt demands of the two BANS, the team has recommended that that transfer be deferred to such a point that our financial condition has improved. Even without the addition of the \$200,000 transfer to the CIP this year, the CIP fund is projected to have a modest balance needed to finance capital projects. The Board will need to meet later this year to finalize the CIP budget plan.
- 7) **TRANSFER FROM RISK RETENTION.** Our workers compensation program has done an excellent job of reducing the cost of workers compensation to all members. In order to maintain this fine record, the Workers Compensation Executive Committee has recommended that the plan NOT apply a dividend/rebate to pool members for 2002. This has resulted in higher premiums to all pool members.
The Budget Team has recommended that the Board transfer approximately

\$75,000 from the risk retention fund to cover this increase and part of the cost of providing workers compensation insurance for fireman.

Future use of this fund for this purpose will have to be examined in future years.

8) **FUND BALANCE INCREASE.** The Team has also recommended that the fund balance utilized to supplement the budget be increased from **\$1,300,000 in 2001** to **\$1,600,000 in 2002**. This revised figure, however, is still approximately \$200,000 less than the fund balance adopted in the FY 2000 budget.

9) **LEVY INCREASE.** A modest levy increase of **3.52%** has been recommended to raise approximately **\$277,254** in much needed additional revenue.

The average county tax rate would go from \$5.80 per thousand to \$5.92 per thousand. For a home assessed at \$100,000, the average tax increase would be \$12.00 per year.

With the exception of fiscal years 2000 and 2001, it should be noted that the projected county average is still at its lowest, modern level.

If these adjustments and cuts are accepted as proposed by the budget team, the overall budget would be brought into **balance** and reflect these changes from the approved 2001 budget.

Personal Services	4.29%
Capital	-12.09%
Contractual expenses	- 0.13%
Fringe benefits	6.391%
Transfers (highway)	14.38%

OVERALL	2.74%
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THE MICRO VIEW

In order to fully understand what this recommendation **does or does not** provide for, it is important to examine the budget from a closer perspective.

This budget plan

- ☐ Does **not** support the **creation** of any new positions not already created in prior years.

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- ☐ Provides for no layoffs or reductions in force at this time.
 - ☐ Cuts all capital expenditures, with the exception of Sheriff vehicles (**5 left in**), and a modest amount for computer and DSS equipment.
 - ☐ Trims all contractual and commodity items to reflect projected actual costs.
 - ☐ Reflects the Board's desire to serialize its existing BAN debt, hereby reducing our projected debt payment next year.
 - ☐ Provides for the continued support of all existing **contract agencies** at 2001 levels.
 - ☐ Adjusts all .8 benefit allowances to the correct calculations.
 - ☐ Provides for a projected 15% across the board allowance for health insurance premium increases.
 - ☐ Reflects no levy contribution to the Wyoming County Health System for the 11th straight year.
 - ☐ Provides for sufficient resources to continue those services now provided by the County.
 - ☐ Provides, however, for no new programs or initiatives.
 - ☐ Provides for the continuation of our Pathways and Transitions initiatives at the 2001 level.
 - ☐ Provides for an increased level of funding for the assigned counsel program.
 - ☐ Provides for sufficient funding to honor those labor contracts already approved before FY 2002.
 - ☐ Maintains the County's contribution to the Perry/Warsaw Airport.

AREAS TO WATCH

No budget can completely provide for all the financial exigencies that can occur during any one year.

The best that one can hope for is that the adopted budget plan is as accurate and flexible as possible given the known facts.

The budget team's budget recommendation was developed with those two goals in mind.

It was our hope that accurate information contained herein will provide the Board with the flexibility it needs to address the many issues facing the County in 2002.

Aside from the potential impact that the WTC terrorist event could have, the County faces many challenges more of our own making.

These include

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- ☐ The increasing cost of Medicaid and the effect such will have on the County levy.
- ☐ The loss of jail revenue as a result of the continued growth of our resident jail population, and the concomitant affect this will have on our need to board prisoners outside the County or to expand the jail.
- ☐ The apparent stagnation of our sales tax and the affect such a problem will have on our fund balance.

We will need to address these problems in order to secure our immediate financial future.

CLOSINGS

On behalf of the Budget Team, I would like to thank the Board for the opportunity to provide this recommendation.

We stand ready to assist the committees as they hold budget hearings and work to finalize their general, highway, hospital and CIP budgets.

#1

RESOLUTION NO. 01-253 (October 9, 2001)

By Mrs. Humphrey, Chairman of the Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2001 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2001 accounts as follows:

YOUTH BUREAU			
To acct. 01.38.4059.2.20401 Misc. Equipment w/rev acct. 01.12.4059.445102 inc. by same amt	\$5,000.00	\$5,000.00	\$5,000.00
To acct. 01.45.7310.4.43001 ICP Grant Expense w/rev acct 01.11.7310.382001 inc. by same amt	\$19,964.83	\$19,964.83	\$19,964.83
PATHWAYS			
To acct. 23.94.7310.4.40301 Professional Services 23.94.7310.4.42462 ICP Expenses w/rev acct. 23.10.7310.282394 inc. by same amt.	\$8,750.00 11,214.83 \$19,964.83	\$19,964.83	\$19,964.83
MENTAL HEALTH			

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To acct. 01.38.4310.4.41801 Misc. Govt. Charges From any funds available	\$1,803.48	\$1,803.48	\$1,803.48
FIRE & BUILDING CODES			
To acct. 01.37.3620.2.20201 Computer Equipment w/rev acct. 01.11.3620.3089 inc. by same amount	\$1,513.85	\$1,513.85	\$1,513.85
SHERIFF			
To acct 01.37.3110.1.10301 Overtime w/rev acct 01.11.3110.308901 inc. by same amt.	\$18,531.24	\$18,531.24	\$18,531.24
To acct. 01.37.3110.8.83001 FICA w/rev acct. 01.11.3110.308901 inc. by same amt.	\$1,244.11	\$1,244.11	\$1,244.11
To acct. 01.37.3110.8.85001 Medicare w/rev acct. 01.11.3110.308901 inc. by same amt.	\$290.96	\$290.96	\$290.96
BOARD OF SUPERVISORS			
To acct. 01.31.1010.4.42306 Misc. Other w/rev acct. 01.08.1010.2665 inc. by same amt.	\$6,272.00	\$6,272.00	\$6,272.00

and be it

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

Carried: Ayes: 1618

Noes: 0

Absent: 0

#2

RESOLUTION NO. 01-254
(October 9, 2001)

By Mrs. Humphrey, Chairman of the Finance Committee:

FUNDS TRANSFERRED TO VARIOUS 2001 ACCOUNTS

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

SOCIAL SERVICES			
From acct. 01.40.6119.4.42253 Child Care To acct. 01.40.6101.4.42248 Medical Asst.	\$25,000.00	\$25,000.00	\$25,000.00
From acct. 01.40.6123.4.42263 Juvenile Delinquent To acct. 01.40.6140.4.42267 Safety Net	\$15,000.00	\$15,000.00	\$15,000.00
HIGHWAY			

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From acct. 04.13.5110.5031 Interfund Revenue 04.53.5110.4.41904 Bituminous Products	\$194,716.00 <u>\$194,716.00</u> <u>\$389,432.00</u>		
To acct. 04.13.5142.5031 Interfund Revenue 04.53.5142.4.41804 Pay Towns/Villages		\$194,716.00 <u>\$194,716.00</u> <u>\$389,432.00</u>	\$389,432.00
GENERAL FUND			
From acct. 01.52.9901.9.99001 Lowman To acct. 01.52.9901.9.99002 County Snow Removal	\$194,716.00	\$194,716.00	\$194,716.00

Carried: Ayes: 1618

Noes: 0

Absent: 0

Supervisor Bush, Chairman of the Audit Committee presented the bills in the amount of Two Million, Seven Hundred Twenty Five Thousand, Four Hundred Ninety Two Dollar, Eight Cents (\$2,725,492.08). A voice vote was taken and the bills were approved.

Carried: Ayes: 1618

Noes: 0

Absent: 0

#3

**RESOLUTION NO. 01-255
(October 9, 2001)**

By Mr. Rogers, Chairman of the Health and Human Services Committee:

**DOMESTIC VIOLENCE AWARENESS MONTH
PROCLAIMED**

WHEREAS, Violence against women and children remains a prevalent and serious social problem, with millions of women and children throughout our nation plagued by the terror of family violence each year; and

WHEREAS, Family violence is a crime that is not confined to any group or groups of people, but rather transcends race, religion, ethnicity, economic stature and other social categories, and which continues to be supported by societal indifference; and

WHEREAS, The crime of domestic violence violates an individual's

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privacy, dignity, security and humanity, through the systematic use of physical, emotional, sexual, psychological and economic control and abuse; and

WHEREAS, The impact of domestic violence is wide ranging, directly affecting women and children as well as society as a whole and although it is battered women themselves who have been in the forefront of efforts to bring peace and equality to the home, we must act together, as a whole society if we are to end domestic violence;

NOW THEREFORE, In recognition of the important work done by domestic violence programs, the Wyoming County Board of Supervisors, does hereby proclaim the month of October 2001 as

“DOMESTIC VIOLENCE AWARENESS MONTH”

and be it

FURTHER RESOLVED, That all citizens are urged to actively participate in the scheduled activities and programs sponsored by Wyoming County Victim Services to work toward the elimination of personal and institutional violence against women.

Carried: Ayes: 1618

Noes: 0

Absent: 0

Chairman Berwanger, T/Arcade, proposed to consolidate Resolution Office #'s four through thirteen (4-13) for Consent Agenda. Supervisor Humphrey, T/Perry asked that Resolution Office #8 be withheld from consent agenda until she could get some clarification on that resolution. There was not objections. A voice vote was taken and Resolution Office #'s four through seven (4-7) and nine through thirteen (9-13) was granted.

#4

RESOLUTION NO. 01-256
(October 9, 2001)

By Mr. Rogers, Chairman of the Health and Human Services Committee:

CHAIRMAN/COMMISSIONER OF SOCIAL SERVICES
AUTHORIZED TO SIGN AN AGREEMENT WITH
PATRICIA A. JONES ON BEHALF OF THE
DEPARTMENT OF SOCIAL SERVICES

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BE IT RESOLVED, That the Chairman of the this Board, with the approval of the County Attorney is hereby authorized and directed to sign an agreement with Patricia A. Jones, 120 Main Street, Attica, New York for the provision of court ordered counseling, effective June 18, 2001 through December 31, 2001; amount not to exceed Four Thousand, Five Hundred Dollars (\$4,500.00).

Carried: Ayes: 1618

Noes: 0

Absent: 0

#5

**RESOLUTION NO. 01-257
(October 9, 2001)**

By Mr. Rogers, Chairman of the Health and Human Services Committee:

**CHAIRMAN/COMMISSIONER OF SOCIAL SERVICES
AUTHORIZED TO SIGN AN AGREEMENT WITH OAK
ORCHARD LEGAL SERVICES, INC.ON BEHALF OF THE
DEPARTMENT OF SOCIAL SERVICES**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney is hereby authorized and directed to sign an agreement with Oak Orchard Legal Services, Inc., 5073 Clinton Street, Batavia, New York 14020 to assist Safety Net Assistance and Family Assistance Clients in the Supplemental Income Application and eligibility determination process, effective January 1, 2001 through December 31, 2002; amount not to exceed Five

Thousand Dollars (\$5,000.00) annually.

Carried: Ayes: 1618

Noes: 0

Absent: 0

#6

**RESOLUTION NO. 01-258
(October 9, 2001)**

By Mr. Rogers, Chairman of the Health and Human Services Committee:

**RESOLUTION NO. 01-104 AMENDED RE: THE
ROCHESTER-GENESEE REGIONAL TRANSPORTATION**

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AUTHORITY ON BEHALF OF THE DEPARTMENT OF
SOCIAL SERVICES

BE IT RESOLVED, That Resolution No. 01-104, passed by this Board of Supervisors with the Rochester-Genesee Regional Transportation Authority, on April 10, 2001, is hereby amended to increase the total amount not to exceed from Nineteen Thousand, Two Hundred Dollars (\$19,200.00) to Twenty Four Thousand Dollars (\$24,000.00) for the provision of bus passes for TANF recipients to engage in work activities.

Carried: Ayes: 1618

Noes: 0

Absent: 0

#7

RESOLUTION NO. 01-259
(October 9, 2001)

By Mr. Herman, Chairman of the Human Resources Committee:

CHAIRMAN AUTHORIZED TO SIGN AN AMENDED
CONTRACT 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 and on behalf of the Wyoming County Weights and Measures Director, is hereby authorized and directed to sign a amended contract (#C010119) with the New York State Department of Agriculture and Markets, Bureau of Weights and Measures in accordance with the Agriculture and Markets Law Section 179, for the inspection, screening and sampling of petroleum products within Wyoming County, said contract to be for the period of April 1, 2000 through March 31, 2001 in the amount of Three Thousand, Eighty Two Dollars (\$3,082.00), and for the period of April 1, 2001 through March 31, 2002 in the amount of Three Thousand, One Hundred Sixty Dollars (\$3,160.00) contingent on the approval of the Attorney General and the New York State Comptroller.

Carried: Ayes: 1618

Noes: 0

Absent: 0

Chairman Berwanger, T/Arcade, declared a five minute recess for the purpose of getting information regarding Resolution Office #8 for Supervisor Humphrey, T/Perry. Supervisor Humphrey's questions were answered to her satisfaction; business resumed.

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**RESOLUTION NO. 01-260
(October 9, 2001)**

By Mrs. West, Chairman of the Public Safety Committee:

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

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign (2) renewal contracts (C708542) with Chautauqua County for the Southern Tier Drug Enforcement Program, effective April 1, 2001 through March 31, 2002, in the amount of Fifteen Thousand, Eight Hundred Twenty Three Dollars (\$15,823.00) for additional deputies and not to exceed Sixty One Thousand, Seven Hundred Sixty Two Dollars (\$61,762.00) to reimburse the municipalities for personnel services, equipment, and expenses during the contract period, contingent on the availability of funding.

Carried: Ayes: 1618 Noes: 0 Absent: 0

#9

**RESOLUTION NO. 01-261
(October 9, 2001)**

By Mrs. West, Chairman of the Public Safety Committee:

COURT SECURITY SERVICES CONTRACT APPROVED

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to execute a contract (C200223) with the New York State Unified Court System for deputy sheriff services as court security for the period April 1, 2001 through March 31, 2002, in the amount of One Hundred Forty Eight Thousand, Six Hundred Dollars (\$148,600.00) renewable annually.

Carried: Ayes: 1618 Noes: 0 Absent: 0

RESOLUTION NO. 01-262
(October 9, 2001)

By Mr. Cox, Chairman of the Agriculture Committee

ORDER OF PROTECTION FOR DEER APPROVED

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

BE IT RESOLVED, That this Board hereby orders and requires that all dogs in the County of Wyoming shall be securely confined for the period of November 1, 2001 through April 1, 2002, under Article 7, Section 122 of the New York State Agriculture and Markets Law; and be it

FURTHER RESOLVED, That notice of this Order has been given publication in the following newspapers of general circulation within the County of Wyoming:

Arcade Herald, Arcade, NY

Daily News, 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: 1618

Noes: 0

Absent: 0

#11

RESOLUTION NO. 01-263
(October 9, 2001)

October 09, 2001

By Mr. Miller, Chairman of the Planning Committee

**MEMBER APPOINTED TO MICROENTERPRISE
LOAN REVIEW COMMITTEE**

WHEREAS, Wyoming County has received Federal grant assistance in the amount of Four Hundred Twenty Two Thousand, Three Hundred Fifty Dollars (\$422,350.00) from the United States Department of Housing and Urban Development (HUD) through the Community Development Block Grant (CDBG) Program for the purpose of establishing and implementing a Microenterprise Assistance Program; and

WHEREAS, A Microenterprise Loan Fund will provide loans of up to Twenty Five Thousand Dollars (\$25,000.00) for approved applicants to assist in the establishment and expansion of microenterprise business activity within Wyoming County; and

WHEREAS, The Wyoming County IDA will be providing partial matching loan funding for approved microenterprise applicants; and will have responsibility for administering all aspects of the Microenterprise Loan Fund on behalf of Wyoming County; and be it

RESOLVED, That James M. Pierce, 7304 Northwoods Road, Town of Arcade, Arcade, New York 14009 is hereby appointed to the Microenterprise Loan Review Committee for a term to expire October 1, 2003.

Carried: Ayes: 1618

Noes: 0

Absent: 0

#12

**RESOLUTION NO. 01-264
(October 9, 2001)**

By Mr. Rogers, Chairman of the Health and Human Services Committee:

VETERANS' SERVICE DIRECTOR APPOINTED

BE IT RESOLVED, That Frank E. Hollister, 42 South Avenue, Town of Warsaw, Warsaw, NY, 14569, is hereby reappointed Veterans' Service Agency Director, pt, for a two year term, said term to expire November 14,

Regular Session

2003.

Carried: Ayes: 1618

Noes: 0

Absent: 0

#13

**RESOLUTION NO. 01-265
(October 9, 2001)**

By Mrs. Humphrey, Chairman of the Finance Committee:

**APPROVE CORRECTION OF ERROR IN THE TOWN OF
WETHERSFIELD**

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 Wethersfield
Tax Map #5645000 119.-1-25.12
ASSESSED TO: Richard and Dora Cummins
PARCEL LOCATION: 3993 Mote Road
ERROR: Clerical (on school levy 2001 Town & Co.)
AUTHORITY: RPTL 550.2(h)
CORRECTION: Refund amount \$1,708.54

Carried: Ayes: 1618

Noes: 0

Absent: 0

#14

**RESOLUTION NO. 01-266
(October 9, 2001)**

By Mr. Miller, Chairman of the Planning Committee

October 09, 2001

**ALTERNATE MEMBER POSITIONS CREATED ON THE
WYOMING COUNTY PLANNING BOARD**

WHEREAS, The Wyoming County Board of Supervisors has determined that the creation of two alternate member positions on the Wyoming County Planning Board (WCPB) will be beneficial to the Planning Board and to Wyoming County, now therefore

BE IT RESOLVED, That Resolution No. 64-178 Establishing the Planning Board for the County of Wyoming and subsequent amendments authorized by Resolution of the Board of Supervisors under Article 12-B of New York State General Municipal Law, as well as the Membership Section of the WCPB By-Laws, are hereby amended by the following:

The Wyoming County Planning Board shall have two (2) at-large alternate members. The two at-large members shall be appointed by resolution of the Board of Supervisors to one-year terms beginning on January 1st and expiring on December 31st of each year. Alternate members shall be designated as Alternate No. 1 and Alternate No. 2. In the absence of one or more regular members of the County Planning Board from a regular or special Planning Board meeting, one or more alternate members shall be empowered to vote in place of an absent regular Planning Board member, and be counted for purposes of quorum.

Carried: Ayes: 1618

Noes: 0

Absent: 0

#15

**RESOLUTION NO. 01-267
(October 9, 2001)**

By Mr. Miller, Chairman of the Planning Committee

Regular Session

Proceedings of the Board of Supervisors
CLERK OF THE BOARD DIRECTED TO PUBLISH
NOTICE OF 30-DAY PUBLIC REVIEW OF
AGRICULTURAL DISTRICT #2

WHEREAS, The State of New York Department of Agriculture and Markets has notified this Board that Agricultural District No. 2 in the Towns of Gainesville, Wethersfield, Eagle, Pike and Warsaw is due for an eight year review; now therefore

BE IT RESOLVED, That the Clerk of the Board of Supervisors is directed to publish a notice in a newspaper having general circulation within the area of Agricultural District No. 2, that notice be posted in at least five conspicuous places within the district, and that notice also be sent to the affected municipalities in the District; and be it

FURTHER RESOLVED, That after this 30 day period, this Board of Supervisors hereby directs the Clerk to refer Agricultural District No. 2 to the Wyoming County Agricultural and Farmland Protection Board and the Wyoming County Planning Board for their respective recommendations, and be it

FURTHER RESOLVED, That a certified copy of this resolution be sent to Wyoming County Planning and Development.

Carried: Ayes: 1618

Noes: 0

Absent: 0

#16

RESOLUTION NO. 01-268
(October 9, 2001)

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

CREATE ONE POSITION OF BUILDING MAINTENANCE
MECHANIC AND ABOLISH ONE POSITION OF SENIOR
BUILDING MAINTENANCE MECHANIC

BE IT RESOLVED, That there is hereby created one (1) position of Building Maintenance Mechanic, fte. in the Department of Buildings and Grounds, said position to be placed on Schedule B, Grade 8 of the CSEA

October 09, 2001

Agreement, and be it

FURTHER RESOLVED, That one (1) position of Senior Building Maintenance Mechanic, fte. Schedule B, Grade 10 of the CSEA Agreement shall be abolished in the Department of Buildings and Grounds contingent on the retirement of the incumbent Senior Building Maintenance Mechanic.

Carried: Ayes: 1618

Noes: 0

Absent: 0

#17

**RESOLUTION NO. 01-269
(October 9, 2001)**

By Mrs. West, Chairman of the Public Safety Committee:

**CREATE ONE POSITION OF DEPUTY SHERIFF AND
ABOLISH ONE POSITION OF DEPUTY SHERIFF
INVESTIGATOR**

BE IT RESOLVED, That there is hereby created one (1) position of Deputy Sheriff, fte., within the Wyoming County Sheriff's Department. Said position to be placed on Grade 4, Cadet Step of the Deputy Sheriff's Association's salary schedule; and be it

FURTHER RESOLVED, That one (1) position of Deputy Sheriff Investigator within the Wyoming County Sheriff's Department is hereby abolished effective immediately.

Carried: Ayes: 1618

Noes: 0

Absent: 0

#18

**RESOLUTION NO. 01-270
(October 9, 2001)**

By Mr. Rogers, Chairman of the Health and Human Services Committee:

**CONTRACTUAL SERVICES MANAGER RECLASSIFIED
IN THE DEPARTMENT OF SOCIAL SERVICES**

Regular Session

Proceedings of the Board of Supervisors

BE IT RESOLVED, That in the Department of Social Services, one (1) position of Contractual Services Manager, fte., is hereby reclassified to Principal Social Services Program Specialist, to be placed on Schedule A, Grade 15 of the CSEA Agreement effective immediately.

Carried: Ayes: 1618

Noes: 0

Absent: 0

#19

**RESOLUTION NO. 01-271
(October 9, 2001)**

By Mrs. Humphrey, Chairman of the Finance Committee:

**NEW YORK STATE RETIREMENT PAYMENT
AUTHORIZED**

BE IT RESOLVED, That the County Treasurer is hereby authorized and directed to pay the Town of Genesee Falls one payment in an amount not to exceed Seventeen Thousand, Four Hundred Thirty Nine Dollars (\$17,439.00) for New York State Retirement payment from the risk retention fund.

Carried: Ayes: 873

Noes: 725; Attica (164), Bennington (127), Castile (127), Covington (54), Middlebury (64), Orangeville (48), Sheldon (106), Wethersfield (35)

Abstain: 20; Genesee Falls Absent: 0

Supervisor Herman, T/Wethersfield, moved that the meeting be adjourned at 3:28 PM.

October 09, 2001

REGULAR SESSION

TUESDAY

(November 13, 2001)

2:00 PM

The Regular Session of the Wyoming County Board of Supervisors was held at the Wyoming County Government Center, in the Board of Supervisors Chambers, 143 North Main Street, Warsaw, New York with all members present except Anne Humphrey, T/Perry and Suzanne West, T/Orangeville. Also present was County Attorney, Eric T. Dadd and County Administrator, Kevin D. DeFebbo. Chairman Berwanger, T/Arcade 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, Suzanne Aldinger.

C-1. A thank you note from Mayor Guiliani, New York City Mayor, for our support and sympathy regarding the 9/11 attack on America was read by the Clerk of the Board.

C-2. The Clerk also received and read a thank you note sent from the White House regarding the resolution passed by this Board of Supervisors expressing our sympathy and support for the terrorism attack on America in September of 2001.

C-3. Reminder: Inter-County of Western New York is being held in Wyoming County on November 16, 2001 at Pioneer Credit Recovery in Arcade, New York. The program consist of a Tour of Pioneer Credit Recovery. Lunch will be served at the V.F.W. in Arcade after the tour. Registration will be at 9:30 AM. RSVP's need to be in November 14, 2001.

#1

RESOLUTION NO. 01-272

(November 13, 2001)

By Mr. Bush, Acting Chairman of the Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2001 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2001 accounts as follows:

CIVIL SERVICE			
---------------	--	--	--

Regular Session

Proceedings of the Board of Supervisors

To acct. 01.34.1430.8.84001 Unemployment Insurance From any funds available	\$3,025.00	\$3,025.00	\$3,025.00
SHERIFF			
To acct. 01.37.3110.4.41306 Uniforms From any funds available	\$6,220.90	\$6,220.90	\$6,220.90
To acct. 01.37.3110.8.81001 Retirement From any funds available	\$101,615.00	\$101,615.00	\$101,615.00
SOCIAL SERVICES			
To acct. 23.90.1420.4.40301 Professional Services w/rev acct 23.10.1420.282390 inc by same amt.	\$2,000.00	\$2,000.00	\$2,000.00
MENTAL HEALTH			
To acct. 01.38.4324.4.40301 Prof Contract Srvc 01.38.4324.4.40402 Conf/Conv 01.38.4324.4.40406 Employee Mileage 01.38.4324.4.41202 Printing 01.38.4324.4.41201 Postage 01.38.4324.4.41010 Misc. Office Supplies 01.38.4324.4.41510 Education Materials 01.38.4324.4.42306 Misc. Other Expense W/ State Rev. Acct. 01.11.4324.4.349001 inc by same amt.	\$10,342.00 \$8,000.00 \$1,000.00 \$500.00 \$3,000.00 \$2,000.00 \$7,100.00 <u>\$6,200.00</u> \$38,142.00	\$38,142.00	\$38,142.00
To acct. 01.38.4310.4.42416 Supported Employ W/rev acct 01.11.4310.3490 inc by same amount	\$1,130.00	\$1,130.00	\$1,130.00
HIGHWAY			
To acct. 01.52.9901.9.99003 Prov for construction From any funds available	\$14,000.00	\$14,000.00	\$14,000.00
To acct. 04.53.5112.4.40940 HBRR Contract w/rev acct 04.11.5112.3089 increased by 04.12.5112.4089 increased by 04.13.5112.5031 increased by	\$280,000.00	\$42,000.00 \$224,000.00 <u>\$14,000.00</u> \$280,000.00	\$280,000.00
BUILDINGS AND GROUNDS			
To acct. 01.34.1620.1.10102 Temporary 01.34.1620.8.81001 Retirement 01.34.1620.8.83001 FICA 01.34.1620.8.85001 Medicare W/rev acct. 01.03.1620.1289 inc by same amount	\$4,996.72 \$78.03 \$313.27 <u>\$73.26</u> \$5,461.28	\$5,461.28	\$5,461.28
PLANNING AND DEVELOPMENT			
To acct 01.42.6421.4.40601 Rent w/rev acct. 01.03.6421.1289 inc by same amount	\$1,216.66	\$1,216.66	\$1,216.66
COUNTY ATTORNEY			
To acct 01.34.1421.42305 assigned counsel From any funds available	\$22,000.00	\$22,000.00	\$22,000.00

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To acct. 01.34.1420.4.42301 books, publications From any funds available	\$1,800.00	\$1,800.00	
PLANNING/GRANTSMAN			
To acct. 01.48.8020.4.40301 Professional Services From any funds available	\$16,516.77	\$16,516.77	\$16,516.77
TREASURER			
To acct. 01.51.9731.7.70002 Serial Bond Interest From any funds available	\$40,612.52	\$40,612.52	\$40,612.52
To acct. 01.40.6102.4.42250 MMIS w/rev acct 01.09.6102.2772 inc by same amount	\$4,857,287.00	\$4,857,287.00	\$4,857,287.00
PROBATION			
To acct. 01.37.3140.4.43004 Pathways Juvenile Officer w/rev acct 01.12.3140.431001 inc by same amount	\$8,381.50	\$8,381.50	\$8,381.50
PATHWAYS			
To acct. 23.92.3140.4.40301 Juvenile Officer w/rev acct 23.10.3140.282392 inc by same amount	\$8,381.50	\$8,381.50	\$8,381.50
TRANSITIONS			
To acct. 24.93.4050.4.40401 Training/Education w/rev acct. 24.10.4050.282493 decrease, by same amt.	(-\$2,525.00)	(-\$2,525.00)	(-\$2,525.00)

and be it

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

Carried: Ayes: 1356

Noes: 0

Absent: 262;
West (48),
Humphrey (214)

#2

RESOLUTION NO. 01-273
(November 13, 2001)

By Mr. Bush, Acting Chairman of the Finance Committee:

FUNDS TRANSFERRED TO VARIOUS 2001 ACCOUNTS

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

Regular Session

COMPUTER SERVICES			
From acct. 01.34.1681.4.41402 Computers 01.34.1681.4.41410 Software	\$2,533.50 <u>\$12,593.48</u> \$15,126.98		
To acct. 01.34.1681.2.20201 Cmpst Equipment		\$15,126.98	\$15,126.98
SHERIFF			
From acct. 01.37.3110.2.23001 Cars 01.37.3110.2.20501 law enforce Sfty	\$7,345.00 <u>\$2,655.00</u> \$10,000.00		
To acct. 01.37.3110.4.40508 Private Auto Repair		\$10,000.00	\$10,000.00
From acct 01.37.3110.1.10102 Full Time To acct 01.37.3110.4.41803 Pay to Other Counties & Municipals	\$10,555.42	\$10,555.42	\$10,555.42
EMERGENCY SERVICES			
From acct. 01.37.3989.4.42102 Safety Expense To acct 01.37.3989.2.20501 Law Enforcement Safety Equipment	\$5,082.00	\$5,082.00	\$5,082.00
YOUTH BUREAU			
From acct. 01.45.7310.4.42436 Alternative Services To acct. 01.45.7310.2.20201 Computer Equipment 01.45.7310.2.20202 Printers	\$1,748.00	\$1,449.00 299.00 <u>\$1,748.00</u>	\$1,748.00
SOCIAL SERVICES			
From acct. 01.39.6030.4.42256 Cont. Managed Care To acct. 01.39.6030.2.20201 Managed Care-CPU's	\$11,432.10	\$11,432.10	\$11,432.10
MENTAL HEALTH			
From acct. 01.38.4325.4.40301 Prof Srvcs Contract To acct 01.38.4325.4.41510 Education Materials	\$6,000.00	\$6,000.00	\$6,000.00
REAL PROPERTY TAX			
From acct. 01.33.1355.4.40907 tax mapping 01.33.1355.4.41801 Pay to other Govt. 01.33.1355.4.42301 Books 01.33.1355.4.41410 Software 01.33.1355.1.10001 Salaries S/D/I 01.33.1355.1.10602 Ins. Repudiation 01.33.1355.2.20001 Furniture To acct 01.33.1355.2.20201 Computer Equip 01.33.1355.1.10101 Full Time CSEA 01.33.1355.8.81001 Retirement 01.33.1355.8.89001 Medical/Hospitalization	\$2,000.00 \$1,000.00 \$400.00 \$516.00 \$244.76 \$137.50 <u>\$173.40</u> \$4,471.66 \$3,916.00 \$44.91 \$281.61 <u>\$229.14</u> \$4,471.66		

Carried: Ayes: 1356

Noes: 0

Absent: 262;
West (48),

October 09, 2001

Humphrey (214)

Supervisor Bush, Chairman of the Audit Committee presented the bills in the amount of Two Million, Two Hundred Sixty Two Thousand, Seven Hundred Eighty Dollars Forty Five Cents (\$2,262,780.45). A voice vote was taken and the bills were approved.

Carried: Ayes: 1356 Noes: 0 Absent: 262;
West (48),
Humphrey (214)

Chairman Berwanger, proposed to consolidate Resolution office #'s three through seventeen (3-17) for Consent Agenda. Supervisor Rogers objected to resolution office #13 to be considered for Consent Agenda stating it was not passed unanimously in committee. Chairman Berwanger agreed and pulled resolution office #13 to be voted on separately. A voice vote was taken and the request was granted. (After further investigation Resolution office # 13 was passed unanimously in committee.)

#3

RESOLUTION NO. 01-274
(November 13, 2001)

By Mr. Rogers, Chairman of the Health and Human Services Committee:

**WYOMING COUNTY AND WESTERN NEW YORK
PROGRAM FOR BIO-TERRORISM PREPAREDNESS**

WHEREAS, A new threat has overtaken the civilized world, and local governments are the first responders to disasters, many times providing the first and last chance for life-saving action, and

WHEREAS, among the potential dangers associated with these internal guerrilla-style attacks is the lethal are of bio-terrorism, which is the insidious use of viral and bacterial agents as weapons of war which cannot be managed or contained in conventional ways, and

WHEREAS, it is imperative that Wyoming County take a threat of bio-terrorism seriously, and that it begins to establish a strong and effective program to prevent and prepare for response in bio-terrorism events which would threaten the health and lives of our local citizens, now, therefore be it

Proceedings of the Board of Supervisors

RESOLVED, That the Wyoming County Board of Supervisors directs it Wyoming County Health Department and the Wyoming County Office of Emergency Services to immediately assess our status and ability to respond to a bio-terrorism attack, and prepare plans to develop a program that would provide appropriate actions to protect the lives and health of our citizens, and be it further

RESOLVED, That the Wyoming County Board of Supervisors believes that the most effective way to address this issue is with a regional approach, and that Wyoming County respectfully requests the establishment of a Western New York Bio-Terrorism Task Force, consisting of representatives from Wyoming, Niagara, Erie, Monroe, Chautauqua, Orleans, Genesee and Cattaraugus counties, for the purposes of sharing information, coordinating local efforts, and advocating for the resources necessary to get the job done, and be it

FURTHER RESOLVED, That copies of this resolution be forwarded to the aforementioned counties, with our county health officials to attend a meeting for the participation in such a task force by the various counties.

Carried: Ayes: 1356

Noes: 0

Absent: 262;

West (48),

Humphrey (214)

#4

**RESOLUTION NO. 01-275
(November 13, 2001)**

By Mr. Rogers, Chairman of the Health and Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN RESOURCE
ALLOCATION PACKAGE ON BEHALF OF THE YOUTH
BUREAU**

BE IT RESOLVED, That the Chairman of this Board of Supervisors is hereby authorized and directed, with the approval of the County Attorney, and on behalf of the Wyoming County Youth Bureau to sign the Resource Allocation Package and all related contracts with the NYS Office of Children and Family Services for the period of January 1, 2002 through December 31, 2002.

Carried: Ayes: 1356

Noes: 0

Absent: 262;

West (48),

Humphrey (214)

October 09, 2001

By Mr. Rogers, Chairman of the Health and Human Services Committee:

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney and on behalf of the Youth Bureau, is hereby authorized and directed to sign a contract with Carla M. Jennitti, 251 South Grove Street, East Aurora, NY 14052, for the purpose of pre-school education teacher of the deaf, for the period of October 15, 2001 through June 30, 2002, said amount per the language of the contract.

#6

By Mr. Rogers, Chairman of the Health and Human Services Committee:

BE IT RESOLVED, That the Chairman of this Board/Commissioner of the Wyoming County Department of Social Services, with the approval of the County Attorney and on behalf of the Department of Social Services is hereby authorized and directed to sign the following contracts/agreements:

Regular Session

1. Weatherization Referral and Packaging Program (WRAP), with Wyoming County Office for the Aging; amount not to exceed Thirty Nine Thousand, Two Hundred Sixteen Dollars (\$39,216.00); effective October 1, 2001 through September 30, 2002.

2. Home Energy Assistance Program, (aged 60 and over) with Wyoming County Office for the Aging; amount not to exceed Ten Thousand Dollars (\$10,000.00); effective October 1, 2001 through September 30, 2002.

3. JOBS Program; NYS Department of Labor, Albany, NY; for the provision of employment services; amount not to exceed Seventeen Thousand Dollars (\$17,000.00), effective October 1, 2001 through September 30, 2002.

4. ADT National Account Program, 535 Summit Point Drive, Suite 1, Henrietta, NY 14467; for the purpose of installation and monitoring of a Fire Alarm System; amount not to exceed Fifteen Thousand, Four Hundred Eighty Nine Dollars (\$15,489.00) through December 31, 2003, following with annual monitoring service not to exceed One Thousand, Nine Hundred Thirty Two Dollars (\$1,932.00) per year.

5. Cognos Corporation; 1595 Spring Hill Road, Suite 110, Vienna, VA 22182; for the purchase of computer equipment, software and on site services for the "Sidney on SQL Quick Start"; amount not to exceed Thirty Eight Thousand, Six Hundred Forty Two Dollars (\$38,642.00); effective immediately.

6. Dennis Cohen, 3099 Main Street, Caledonia, NY 14423, for the purpose of legal services, for the period of January 1, 2001 through June 30, 2002, amount not to exceed Twelve Thousand Dollars (\$12,000.00).

Carried: Ayes: 1356

Noes: 0

Absent: 262;
West (48),
Humphrey (214)

#7

**RESOLUTION NO. 01-278
(November 13, 2001)**

By Mr. Rogers, Chairman of the Health and Human Services Committee:

**RESOLUTION NO. 01-166 AMENDED RE: CONTRACT
WITH RITA SERGEL ON BEHALF OF THE MENTAL**

October 09, 2001

Proceedings of the Board of Supervisors
HEALTH DEPARTMENT

269

BE IT RESOLVED, That Resolution No. 01-166, passed by this Board of Supervisors with Rita Sergel, 405 Hatfield Road, Warsaw, NY, on June 12, 2001, is hereby amended to increase the total amount not to exceed from Four Thousand Dollars (\$4,000.00) to Five Thousand Dollars (\$5,000.00) for the provision of a Parent Advocate for Coordinated Children's Services through December 31, 2001.

Carried: Ayes: 1356

Noes: 0

Absent: 262;

West (48),

Humphrey (214)

#8

RESOLUTION NO. 01-279
(November 13, 2001)

By Mr. Rogers, Chairman of the Health and Human Services Committee:

RESOLUTION NO. 00-293 AND RESOLUTION NO. 01-84
AMENDED RE: CHANGES/ADDITIONS IN
REINVESTMENT FUNDS ON BEHALF OF THE DEPT. OF
MENTAL HEALTH

BE IT RESOLVED, That Resolution No. 00-293, passed by this Board of Supervisors on December 12, 2000, and Resolution No. 01-84 passed by this Board of Supervisors on March 13, 2001 is hereby amended to reflect changes and additions in amounts due to additional Reinvestment Funds as follows:

2) Suburban Adult Services, Inc. renewal contracts for the period of January 1, 2001 through December 31, 2001:

B. Supported Employment (one contract for \$45, 341.00 +
\$1,130.00 = \$46,471.00) -

Reinvestment Funds **\$36,421.00**; Ongoing Integrated
Supported Employment Funds - \$8,920.00 +
\$1,130.00 = \$10,050.00

Carried: Ayes: 1356

Noes: 0

Absent: 262;

West (48),

Humphrey (214)

Regular Session

**RESOLUTION NO. 01-280
(November 13, 2001)**

By Mr. Rogers, Chairman of the Health and Human Services Committee:

**RESOLUTION NO. 00-263 AND RESOLUTION NO. 01-237
AMENDED RE: NEW AND RENEWAL CONTRACTS ON
BEHALF OF MENTAL HEALTH**

BE IT RESOLVED, That Resolution No. 00-263, passed by this Board of Supervisors on November 13, 2000, and Resolution No. 01-237 passed by this Board of Supervisors on September 18, 2001 is hereby amended to reflect changes and additions in amounts due to additional Reinvestment Funds as follows:

3) Ara, Inc. renewal contracts for the period of January 1, 2001 through December 31, 2001:

L. Nys Era Grant (Wow Employment-6 Months) **increase contract period through December 31, 2001** (\$4,339).

5) MENTAL HEALTH ASSOCIATION OF ROCHESTER/MONROE COUNTY, INC.

A. Contract with the Mental Health Association of Rochester/Monroe County to manage:

(ONE CONTRACT FOR \$166,041) + \$5,060 + \$1,103.00 + **\$2, 206.00** = \$174,410.00

Carried: Ayes: 1356

Noes: 0

Absent: 262;
West (48),
Humphrey (214)

#10

RESOLUTION NO. 01-281

October 09, 2001

271

CHAIRMAN AUTHORIZE TO SIGN 2002 STOP DWI PLAN

FURTHER RESOLVED, That the Chairman of this Board and the STOP-DWI Coordinator are hereby authorized and directed to sign the 2002 Plan and submit the STOP-DWI Program to the State of New York for approval and immediate implementation.

#11

By Mr. Knab, Acting Chairman of the Public Safety Committee:

BE IT RESOLVED, That the Chairman of this Board of Supervisors, on behalf of the County of Wyoming, is hereby authorized and directed, to sign the Local Emergency Management Assistance Participation Agreement for Federal Fiscal Year (FFY) 2002 which covers the period from October 1, 2001 through September 30, 2002; the tentative EMA allocation for use by the Bureau of Fire/Civil Defense of Wyoming County for budgeting purposes is estimated at Thirteen Thousand, Eight Hundred Ninety Six Dollars (\$13,896.00).

#12

Proceedings of the Board of Supervisors
RESOLUTION NO. 01-283
(November 13, 2001)

By Mr. Knab, Acting Chairman of the Public Safety Committee:

**CHAIRMAN AUTHORIZE TO SIGN A CONTRACT WITH
SINCLAIR PHARMACY ON BEHALF OF THE WYOMING
COUNTY SHERIFF'S DEPARTMENT**

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 and directed to sign a contract with Sinclair Pharmacy, 75 North Main Street, Warsaw, NY 14569, for the provision of pharmaceutical services for the Wyoming County Jail, for the period of November 13, 2001 through November 12, 2002, said amount per the language of the contract.

Carried: Ayes: 1356

Noes: 0

Absent: 262;

West (48),

Humphrey (214)

#14

RESOLUTION NO. 01-284
(November 13, 2001)

By Mr. Miller, Chairman of the Planning Committee

**CHAIRMAN AUTHORIZED TO EXECUTE UNIFIED
PLANNING WORK PROGRAM FUNDING APPLICATION
PROPOSAL**

WHEREAS, That the County of Wyoming is interested in doing an inventory of scenic and historic routes and resources, identifying preservation strategies and potential transportation improvements, and creating tourism route information to promote economic benefits for the County; and

WHEREAS, That the Chairman of this Board, is hereby authorized and directed to sign a cover letter for the proposal for federal funding to be submitted to the Genesee Transportation Council; and be it

RESOLVED That if funding is secured, a cash match of less than 10% of

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FURTHER RESOLVED, That the County Planning Board will act as the lead agency for the planning project and will work with the County Tourism Agency, the Arts Council and other organizations if funding is secured.

Carried: Ayes: 1356 Noes: 0 Absent: 262;
West (48),
Humphrey (214)

#15

By Mr. Bush, Acting Chairman of the Finance Committee

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 an agreement with Independent Health Benefits Corporation and Community Blue to accept the experience rates as presented for the period of January 1, 2002 through December 31, 2002 in accordance with Section 52.40 (c) (2) (vii) of the New York State Insurance Department Regulations.

Carried: Ayes: 1356 Noes: 0 Absent: 262;
West (48),
Humphrey (214)

#16

By Mr. Cox, Chairman of the Agriculture Committee:

Regular Session

Proceedings of the Board of Supervisors**E. DOMINESEY REAPPOINTED THE RC & D BOARD**

BE IT RESOLVED, That Earl Dominesey , 3288 Route 77, Town of Sheldon, Varysburg, NY 14167, is hereby reappointed to the Resource Conservation and Development Council for a three year term, said term to expire September 30, 2004.

Carried: Ayes: 1356

Noes: 0

Absent: 262;

West (48),

Humphrey (214)

#17

RESOLUTION NO. 01-287

(November 13, 2001)

By Mr. Miller, Chairman of the Planning Committee:

**MEMBERS APPOINTED TO THE WORKFORCE
INVESTMENT BOARD**

BE IT RESOLVED, That the following member is hereby appointed to the Work Force Investment Board, for a term of two (2) years, said terms to expire December, 31, 2003:

Private Sector

Norbert Fuest
7304 Northwoods Road
Town of Arcade
Arcade, NY 14009

and be it

FURTHER RESOLVED, That the following members are hereby reappointed to the Workforce Investment Board for a term of three (3) years, said term to expire December 31, 2004:

Business Development Corporation

James Pierce
6470 Route 20A, Suite #2

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Private Sector

Carried: Ayes: 1356

Noes: 0

Absent: 262;
West (48),
Lumpfrey (214)

#13

RESOLUTION NO. 01-288
(November 13, 2001)

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

**AUTHORIZING THE IMPLEMENTATION, AND
FUNDING IN THE FIRST INSTANCE 100% OF THE
FEDERAL-AID AND STATE “MARCHISELLI”
PROGRAM-AID ELIGIBLE COSTS, OF A
TRANSPORTATION FEDERAL-AID PROJECT, AND
APPROPRIATING FUNDS THEREFOR**

WHEREAS, A Project for the rehabilitate Whiskey Bridge over the Genesee River, P.I.N. 4752.58 ("the Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

WHEREAS, The Board of Supervisors desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of Construction, Construction Inspection and Construction Supervision.

NOW, THEREFORE, The Board of Supervisors, duly convened does hereby

RESOLVE, that the Board of Supervisors hereby approves the above-subject project; and it is hereby further

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RESOLVED, That the Board of Supervisors hereby authorizes the Highway Superintendent to pay the first instance 100% of the federal and non-federal share of the cost of Construction, Construction Inspection and Construction Supervision work for the Project or portions thereof; and be it further

RESOLVED, That the sum One Million, Two Hundred Thirty One Thousand Dollars (\$1,231,000.00) is hereby appropriated from Wyoming County and made available to cover the cost of participation in the Construction, Construction Inspection and Construction Supervision of the Project; and be it further

RESOLVED, That in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Board of Supervisors shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof, and be it further

RESOLVED, That the highway Superintendent of the Board of Supervisors be and is hereby authorized to execute all necessary Agreements, certifications and reimbursement request for Federal Aid and/or Marchiselli Aid on behalf of the Board of Supervisors with the New York State Department of Transportation in connection with the advancement or approval of the project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefor that are not so eligible, and be it further

RESOLVED, That a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and be it

FURTHER RESOLVED, This resolution shall take effect immediately.

Carried: Ayes: 1356

Noes: 0

Absent: 262;

West (48),

Humphrey (214)

#18

**RESOLUTION NO. 01-289
(November 13, 2001)**

October 09, 2001

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

**TEMPORARY POSITION OF CLEANER IN THE
BUILDING AND GROUNDS DEPARTMENT CREATED**

BE IT RESOLVED, That there is hereby created one (1) temporary, fte, position of Cleaner in the Buildings and Grounds Department, said position to be placed in Schedule B, Grade 2 of the CSEA Agreement for a period not to exceed three (3) months.

Carried: Ayes: 1356

Noes: 0

Absent: 262;

West (48),

Humphrey (214)

#19

**RESOLUTION NO. 01-290
(November 13, 2001)**

By Mr. Bush, Acting Chairman of the Finance Committee:

2002 EQUALIZATION TABLE PRESENTED

BE IT RESOLVED, That the 2002 Equalization Table is hereby presented,
and be it

FURTHER RESOLVED, that its adoption be tabled for at least one day.

Carried: Ayes: 1356

Noes: 0

Absent: 262;

West (48),

Humphrey (214)

#20

**RESOLUTION NO. 01-291
(November 13, 2001)**

By Mr. Bush, Acting Chairman of the Finance Committee:

2002 TOWN BALANCES APPROVED

Regular Session

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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 2001 Tax Rolls of the respective towns:

TOWN	DEBIT	CREDIT
ARCADE	\$340.90	0.00
ATTICA	\$165.67	0.00
BENNINGTON	\$0.00	0.00
CASTILE	\$1,339.28	0.00
COVINGTON	\$748.88	0.00
EAGLE	\$416.34	0.00
GAINESVILLE	\$2,085.21	0.00
GENESEE FALLS	\$804.54	0.00
JAVA	\$0.00	0.00
MIDDLEBURY	\$1,919.82	0.00
ORANGEVILLE	\$1,117.14	0.00
PERRY	\$2,953.06	0.00
PIKE	\$1,033.91	0.00
SHELDON	\$0.00	0.00
WARSAW	\$5,165.09	0.00
WETHERSFIELD	<u>\$629.01</u>	<u>0.00</u>
	18,718.85	0.00

Dated: November 13, 2001

Carried: Ayes: 1356

Noes: 0

Absent: 262;
West (48),
Humphrey (214)

October 09, 2001

RESOLUTION NO. 01-292
(November 13, 2001)

Mr. Bush, Acting Chairman of the Finance Committee, presented the **SEMI-ANNUAL MORTGAGE TAX REPORT** for the period of April 1, 2001 through September 30, 2001 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 \$287,629.58 to the several tax districts of Wyoming County, in accordance with the report filed with the Clerk of the Board of Supervisors, as follows:

TAX DISTRICTS	MORTGAGE TAX DISTRIBUTED	VILLAGE	TOWN
Arcade	\$30,799.35	\$7,928.76	\$22,870.59
Attica	\$29,438.09	\$7,664.47	\$21,773.62
Bennington	\$31,041.75	\$0.00	\$31,041.75
Castile	\$27,299.25	\$1,966.19	\$23,686.14
Perry Village		\$1,646.92	
Covington	\$14,392.13	\$0.00	\$14,392.13
Eagle	\$6,185.08	\$0.00	\$6,185.08
Gainesville	\$12,265.26	\$488.39	\$10,151.57
Slvr Sprngs Village		\$1,625.30	
Genesee Falls	\$3,681.74	\$0.00	\$3,681.74
Java	\$17,043.71	\$0.00	\$17,043.71
Middlebury	\$9,032.69	\$798.28	\$8,234.41

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Orangeville	\$7,752.89	\$0.00	\$7,752.89
Perry	\$30,711.32	\$7,254.99	\$23,456.33
Pike	\$11,677.25	\$715.19	\$10,962.06
Sheldon	\$15,937.61	\$0.00	\$15,937.61
Warsaw	\$34,895.86	\$9,423.88	\$25,471.98
Wethersfield	\$5,475.60	\$0.00	\$5,475.60
TOTAL	\$287,629.58	\$39,512.37	\$248,117.21
GRAND TOTAL			\$287,629.58

Let This Be Your Warrant for Such Payment: \$287,629.58

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the Board of Supervisors this 13th day of November 2001.

s/ Suzanne Aldinger, Clerk, Board of Supervisors

Carried: Ayes: 1356

Noes: 0

Absent: 262;

West (48),

Humphrey (214)

#22

RESOLUTION NO. 01-293
(November 13, 2001)

By Mr. Bush, Acting Chairman of the Finance Committee:

**2002 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 2002, are as follows:

PARTICIPANTS	ESTIMATED COST
Co. of Wyoming	\$910,095.00
<u>Towns</u>	

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Arcade	\$19,636.00
Attica	\$14,274.00
Bennington	\$14,806.00
Castile	\$14,472.00
Covington	\$10,106.00
Eagle	\$11,211.00
Gainesville	\$9,297.00
Genesee Falls	\$8,509.00
Java	\$10,338.00
Middlebury	\$14,493.00
Orangeville	\$9,007.00
Perry	\$11,941.00
Pike	\$9,489.00
Sheldon	\$15,200.00
Warsaw	\$16,388.00
Wethersfield	<u>\$7,778.00</u>
Town and County Totals	\$1,107,040.00

and be it

FURTHER RESOLVED, That the Clerk of this Board is hereby authorized and directed to apportion the total sum of such estimated costs of Workers' Compensation Insurance to each of the above mentioned participants in these respective amounts and to levy the same against the taxable property of each respective municipality.

Wyoming County Workers' Compensation Insurance, estimated costs for villages:

PARTICIPANTS	ESTIMATED COSTS
Arcade	\$39,041.00
Attica	\$29,188.00

Castile	\$3,294.00
Gainesville	\$28.00
Perry	\$31,749.00
Pike	\$243.00
Silver Springs	\$7,059.00
Warsaw	\$66,279.00
Wyoming	\$2,548.00
Total, Villages	179,429.00

Wyoming County Workers' Compensation Insurance estimated costs for participating School Districts:

Attica	\$76,561.00
Pioneer	\$126,765.00
Warsaw	\$61,759.00
Wyoming	\$16,407.00
Perry	<u>\$72,999.00</u>
Total, Schools	354,491.00
Community Action	10,031.00
GRAND TOTALS:	\$1,650,991.00

Carried: Ayes: 1356 Noes: 0 Absent: 262;
West (48),
Humphrey (214)

#23

RESOLUTION NO. 01-294
(November 13, 2001)

By Mr. Bush, Acting Chairman of the Finance Committee:

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APPROVES PROPERTY AUCTION SALES

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WHEREAS, the County has acquired the right to transfer the following properties pursuant to a Judgment of Foreclosure under Article 11 of the Real Property Tax Law, and

WHEREAS, the Finance Committee of the Board has obtained an offer to purchase said properties and recommends the acceptance thereof, namely:

Missing parcel numbers were withdrawn.

- PARCEL #27 EARL & KATHLEEN R. MEKELBURG, 1186 Seneca Street, Buffalo, NY 14210 has offered \$1870 for property located in the Town of Arcade, Genesee Road, Tax Map #172.-1-23.
- PARCEL #75 WALTER SCHMIDT, JR. 13356 Clinton St, Alden, NY 14004, has offered \$11,220 for property located in the Town of Bennington, Tooley Road, Tax Map #42.-1-44.
- PARCEL #81 LOUIS M. BRETON, 2033 Clinton Street, Attica, NY 14011, has offered \$38,500 for property located in the Town of Bennington, 1428 Clinton Street, Tax Map #17.-1-34
- PARCEL #88 FELICIA DEAN, 148 Main Street, Mt. Morris, NY 14510, has offered \$5,170 for property located in the Town of Castile, 1 Park Road, East, Tax Map #147.7-2-3.
- PARCEL #90 EDWARD F. GEBEL, 4347 Rt 98, North Java, NY 14113, has offered \$220 for property located in the Town of Castile, 3 South Main Street, Tax Map #147.7-1-15.
- PARCEL #164 KENNETH A. FISHER, 739 Welch Rd, Java Center, NY 14082, has offered \$7,260 for property located in the Town of Gainesville, 1418 East Street, Tax Map #133.16-1-44.
- PARCEL # 170 EDWARD F. GEBEL, 4347 Rt 98, North Java, NY 14113 has offered \$2,310 for property located in the Town of Gainesville, 190 North Main Street, Tax Map #122.16-1-48.1.

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- PARCEL #221 KENNETH FILIPIAK, 3435 Rt 98, North Java, NY 14113 has offered \$11,110 for property located in the Town of Java, Route 98, Tax Map #105.3-2-22.1.
- PARCEL #225 C. SCOTT ELLIOTT & CHRISTENE A. CONRAD, PO Box 164, Arcade, NY 14009 has offered \$3,300 for property located in the Town of Java, Java Lake Road, Tax Map #140.-2-26.
- PARCEL #237 IRVINE & ANNA NUTTY, 1029 Gulf Road, Attica, NY 14011, has offered \$4,290 for property located in the Town of Middlebury, 736 Dale Road, Tax Map #21.-2-24.
- PARCEL #238 GEORGE & CARRIE LUDWIG, 5079-4 Reiter Road, East Aurora, NY 14052, has offered \$1,210 for property located in the Town of Middlebury, Saltvale Road, Tax Map #49.-1-17.12.
- PARCEL #257 SHARON MAURATIS, 37 Hurd Street, Castile, NY 14427, has offered \$550 for property located in the Town of Orangeville, Centerline Road, Tax Map #82.-2-18.
- PARCEL #258 M. DOUGLAS A. LIPUMA, 2943 Gulf Road, Varysburg, NY 14167, has offered \$2,200 for property located in the Town of Orangeville, Gulf Road, Tax Map #82.-1-81.
- PARCEL #259 ROY J. KIRCHMEYER, 936 Curriers Road, Arcade, NY 14009, has offered \$3,080 for property located in the Town of Orangeville, Syler Road, Tax Map #82.-1-80.
- PARCEL #268 SHARON MAURATIS, 37 Hurd, Street #4, Castile, NY 14427, has offered \$1,210 for property located in the Town of Perry, 70 Dolbeer Street, Tax Map #100.11-3-36.
- PARCEL #269 WAYNE HURLBURT & TODD BRANT, 18 Clark Street, Perry, NY 14530, has offered \$8,800 for property located in the Town of Perry, 12 Bradford Street, Tax Map #100.11-2-30.
- PARCEL #271 FELICIA DEAN, 148 Main Street, Mt. Morris, NY 14510, has offered \$8,800 for property located in the Town of Perry, 17

- PARCEL #275 WAYNE HURLBURG & TODD BRANT, 18 Clark Street, Perry, NY 14530, has offered \$17,050 for property located in the Town of Perry, 21 Bradford Street, Tax Map #100.11-2-44.
- PARCEL #1003 JOHN J. MALONEY III, 49 Water Street, Perry, NY 14530, has offered \$1,100 for property located in the Town of Perry, 56 Water Street, Tax Map #100.8-2-42.
- PARCEL #315 SHARON MAURATIS, 37 Hurd Street #4, Castile, NY 14427, has offered \$550 for property located in the Town of Pike, Lamont Road, Tax Map #158.-1-65.13.
- PARCEL #343 SHARON MAURATIS, 37 Hurd Street #4, Castile, NY 14427, has offered \$8,800 for property located in the Town of Warsaw, 160 Center Street, Tax Map #85.11-3-64.
- PARCEL #349 EDWARD F. GEBEL, 4347 Rt 98, North Java, NY 14113, has offered \$440 for property located in the Town of Warsaw, W. Buffalo Street, Tax Map #85.7-5-5.
- PARCEL #216, 219, 1000, 1001, & 1002 Java Lake lots sold as a group.
E. JOHN P. & PATRICIA K. MCGEE, 155 Oliver Place, Hamburg, NY 14075, has offered \$1,210 for properties located in the Town of Java, #140.8-7-74, #140.8-7-73, #140.8-3-27, #140.8-5-43 and #140.8-6-32.

Now, therefore, be it

RESOLVED, That the above are hereby approved and accepted and the County Treasurer, in the name of the County, is hereby authorized to execute and deliver a referee deed to the purchaser, providing payment of said purchase price is received by him on or before December 7, 2001.

Carried: Ayes: 1356 Noes: 0 Absent: 262;
West (48),
Humphrey (214)

#24

**DATE OF PUBLIC HEARING FOR 2002 TENTATIVE
COUNTY BUDGET SET**

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

Carried: Ayes: 1356 Noes: 0 Absent: 262;
West (48),
Humphrey (214)

#UC 25

RESOLUTION NO. 01-296
(November 13, 2001)

CHAIRMAN AUTHORIZED TO SIGN A CONTRACT FOR SALE OF TIMBER

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BE IT RESOLVED, That the Wyoming County Administrator, with the approval of the of the Agriculture Committee, and on behalf of the County of Wyoming, is authorized to advertise for bids for the removal of 177.3 MBF and 28 cord of fuel wood from the county forest; and be it

FURTHER RESOLVED, That the County Administrator, with the approval of the Agriculture Committee, be authorized to award said bid to said responsible bidder; and be it

FURTHER 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 with Maple Valley Hardwoods, Freedom, New York, for the removal of timber from the county forest, the amount of said contract to be paid at signing of same.

Carried: Ayes: 1356

Noes: 0

Absent: 262;

West (48),

Humphrey (214)

Supervisor Herman, T/Wethersfield moved that the meeting be adjourned at
3:10 PM

**BUDGET SESSION
(December 6, 2001)****Thursday****1:30 PM**

The Budget Session of the Wyoming County Board of Supervisors was held in the Supervisor's Chambers, Government Center, 143 North Main Street, Warsaw, New York with all members present. Also present was County Administrator, Kevin D. DeFebbo. Chairman Berwanger, T/Arcade called the meeting to order and led the Pledge of Allegiance to the Flag.

There were no communications.

Chairman Berwanger, T/Arcade, declared the Public Hearing opened in regards to the 2002 Wyoming County Budget. Chairman Berwanger introduced Wyoming County Budget Officer/County Administrator Kevin D. DeFebbo. Mr. DeFebbo presented the 2002 Wyoming County Budget as follows:

2002 BUDGET MESSAGE

County of Wyoming

On behalf of Chairman A. D. Berwanger and the Wyoming County Board of Supervisors, I am honored to present the TENTATIVE 2002 BUDGET.

The spending plan before you today represents thousands of hours of work by our department heads, management staff, and the committees of the Board of Supervisors.

It is important for us to acknowledge that this recommendation is being presented for public review during a time when County finances are under siege from forces outside the control of this Board.

The September 11th terrorist event will continue to affect New York State's economic stability.

As a subdivision and service partner of the State government, Wyoming County will not be immune from these events.

It appears likely that our sales tax revenues will not increase as they have in the past and our State reimbursement claims or payments could be delayed. There is also a strong likelihood that the State may also rescind past funding commitments to the counties on some programs altogether.

December 06, 2001

Although we are starting to see the first signs of this event, it is too early to assess the true impact on the County's ability to provide services and to pay for such services.

The Board of Supervisors' tentative 2002 budget, however, was developed to guide the County through these difficult and uncertain times, providing a blueprint that is both reasonable and flexible given the unknown.

This year, more than ever, the approved budget must be viewed by our department heads, employees, and contract agencies as an “**interim**” budgeting document that will be carefully watched, managed, and amended by the Board as new facts and conditions are made known during the coming year.

The proposed budget contains total appropriations of **\$83,833,597**.

This represents a decrease of approximately **\$1,666,301** from the 2001 budget.

It should be noted that this figure reflects our suspension of Marchiselli financed bridge building projects planned for 2002.

It is equally important to note that this appropriation was realized despite more than a **\$1,000,000** increase in *health insurance, retirement, and workers compensation costs*.

Significant declines in investment returns have forced new retirement costs onto the County.

In FY 2002, it is expected that the County's retirement cost alone will increase by **\$600,000** or **700%**, as our retirement contribution goes from .05% in 2001 to 4% in 2002.

This total appropriation also contains an expenditure of **\$440,872** to cover the serial bond debt cost on the Government Center and the Curriers Road Projects.

Finally, it should be noted that the budget reflects a **\$200,000** increase for State mandated Medicaid costs.

The news from our revenue side is equally challenging.

Our baseline **estimated** revenues **not derived** from special funds, bond proceeds, applied levy or fund balances has also **decreased** **\$1,547,343**, totaling **\$73,377,314** for the coming year.

Much of this decline can be traced to the general decrease in state reimbursements, abolishment of the **CHIPS** program, and the unavailability of one-time bond proceeds from the Government Center project. The suspension of Marchiselli bridge reimbursement is also reflected in this decrease.

The battle to balance *decreased revenues and increased costs* was difficult requiring some very tough choices as well as some creative solutions.

Utilizing the structure of the budget process as it flowed from the department heads, to the budget team, to the standing committee, the Finance Committee has proposed the following changes to bring the budget into right order.

F. SPENDING CUTS. In addition to the cuts made by the budget team and the standing committees, the Finance Committee has also proposed approximately \$400,000 more in cuts during the budget reconciliation process. These include

G.

- H. ☐ An additional 2% across the board cut to all County Departments
- I. ☐ Suspension of management's salary step system
- J. ☐ Freezing the salaries of all elected and appointed management officials including the Board of Supervisors
- K. ☐ Cutting the County's contribution to the Perry-Warsaw Airport
- L. ☐ Reducing the County's contribution to Mercy Flight
- . ☐ Eliminating the temporary clerical pool
- . ☐ Reducing the number of new sheriff vehicles.

BAN(Bond Anticipation Note) REFINANCING. The County's two (2) existing BANS on the Government Center and the Curriers Road are proposed to be refinanced into a (15) fifteen year serial bond. \$60,000 realized from the BAN proceeds will also be brought into the budget to help offset this debt.

SALES TAX. Due to new trending information received recently, the sales tax figure was revised downward from \$11.1M to \$10.8M.

FUND BALANCE. The fund balance will be adjusted downward to \$1.45M from the original budget team's recommendation of \$1.6M.

M. OTHER FUNDS. Other special funds will also be brought into the budget to help cover specific cost increases experienced this

year.
N.

- ☐ **Risk Retention.** \$75,000 will be allocated to cover Firemen Compensation.
- ☐ **CIP.** \$84,000 will be allocated to cover serial bond debt on Curriers Road.
- ☐ **Timber Sale.** Approximately \$175,000 net revenue from a proposed County timber sale on Sodom Road will be used for general costs and contingency.

PROPERTY TAX. A 5% increase in the real property tax levy is proposed. This will produce an additional \$393,237 in revenue.

The County's Average Tax Rate will increase from \$5.80 per 1000 in 2001 to \$6.00 per 1000.

It is expected that a homeowner assessed at \$100,000 would pay approximately \$20.00 more a year as a result of this increase.

It should be noted that this represents the first increase in the Average County Tax Rate (ACTR) in eight (8) years.

There is little change in the allocation of the total budget to major budget centers, with the majority of spending allocated for

Hospital	44%	
Social Services		14%
Highway		10%
Health		7%
Public Safety		6%
All others		19%

For the 11th year, the budget does not contain a subsidy to the Wyoming County Community Health System.

Looking at the budget plan from a closer perspective, it

- ☐ Does not support the creation of any new positions.
- ☐ Provides for no layoffs or reductions in workforce of regular, full-time employees at this time.
- ☐ Contains no capital equipment purchases, except sheriff vehicles

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and a modest amount for DSS and the Information Technology Departments (\$11,000).

- ☐ Provides for the continued support of all existing contract agencies at 2001 levels.
- ☐ Eliminates the Stream Maintenance Program and CAFO subsidy programs.
- ☐ Provides no funding for new programs or initiatives.
- ☐ Provides for sufficient funding to honor those labor contracts already in force at this time.
- ☐ Provides for increased funding for the assigned counsel program.
- ☐ Increases the amount available for County Snow from \$1.1M in 2001 to \$1,470,297 next year,

And, finally, and most importantly, the 2002 Budget provides sufficient funds to continue those County services either mandated or deemed a priority by the Board of Supervisors.

No budget can provide for each and every exigency that may occur. This is especially the case this year as uncertain national and state events have made the job of budgeting extremely difficult.

There are a number of unknown challenges on the horizon that could test the tenets of this thesis.

These include

- ☐ Sales Tax Revenue. Our sales tax revenues have grown more than 5% a year. This growth was used to pay the cost of various unfunded mandates passed on to the County by the State, and to finance some much needed improvements. Our sales tax revenue will not grow, but more likely decline.
- ☐ Medicaid. The cost of providing Medicaid coverage is expected to climb significantly with the coming on line of the Family Health Plus Program. Depending on the growth of this program, we may or may not have sufficient revenues to cover program expenses.

- Wyoming County Community Health System. The hospital again has not requested a subsidy from the County. However, their reimbursements are under continual assault from the federal and state governments, as well as from their insurance payers. If the hospital were to need a subsidy as it has in the distant past, the County's whole financial picture would be radically changed.
- Budgetary constraint and control. There is no room in this budget for additional appropriations.

If any one of these pressure points were to come to fruition, the County's only option to meet these challenges would be through personnel and service cutbacks.

The Board of Supervisors asks its employees, both union and management, as well as its department heads and contract agencies to do all they can to provide the best services at the lowest possible cost.

This is more than just a slogan; it is the key to the County's financial future during the coming year and in years to come.

We look forward to the challenges of 2002, and doing the work of the people that this budget makes possible.

Kevin Damien DeFebbo
Budget Director
December 6, 2002
Warsaw, New York

Chairman Berwanger, T/Arcade, asked for any questions or comments at this time.

One constituent asked why the hospital takes 44% of our budget. It was explained to the constituent that the hospital budget by law has to be placed under our budget, however, there is no tax levy given to the hospital at all.

Another constituent asked why the County doesn't hold a Count Lottery like New York State Lotto. Supervisor Humphrey, Chairman of the Finance Committee, explained the gentleman that New York State Legislation does not provide for Counties to run their own lottery games. She will however consider it in Finance Committee and see if that was a possibility in the future.

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A constituent asked what County roads were scheduled to be reconstructed in 2002. It was explained to her by Supervisor Agan, Chairman of the Public Works Committee, that there were no roads scheduled to be reconstructed or built in 2002. Only minor repairs will be made to the roads due to the loss of funding by New York State. It was also explained that the County had lost \$200,000.00 in funding that was anticipated for this FY 2001.

It was asked why Wyoming County Transit received new and bigger buses. With all the monetary problems why was Wyoming County buying newer and bigger buses, when it seems that smaller vehicles or vans would probably do the job. Supervisor Humphrey, Chairman of the Finance Committee, explained that the County does not fund Wyoming County Transit System. This is supported by the Rochester Genesee Regional Transportation System and NYSDOT. The only money Wyoming County Transit System receives by the County is a one time contractual support payment of \$20,200.00.

Supervisor Herman, stated at this time that he is not in support of this budget at this time. Mr. Herman feels that we need to look at the budget as a two year budget not a one year budget, because of not knowing what will happen not only on a state level but also on a federal level. He also stated that this budget does not allow for any roads to be done in 2002 and feels that we can not let our roads deteriorate. Mr. Herman believes that there needs to be a higher tax increase, and that we should not be passing a budget knowing we will be amending it in the future.

One constituent asked why the Board of Elections has a increase in revenues from 2001 if there has been a budget cut. It was explained to him that the revenues coming in for 2002 is higher than that of 2001, due to election cost in each town and village. Each Town and village is billed for their election costs based on the number of registered voters in that town and village, whether or not if they voted. Also primary expenses are charged to each town and village. With a higher amount of registered voters the higher the cost and vice versa.

It was also asked why the salary lines in the Board of Elections budget was cut. It was explained to him by Mrs. Humphrey, Chairman of the Finance Committee, that if this budget is passed as presented it will cut two full time positions to part time.

Supervisor Bush, T/Gainesville, addressed the Board with the following message:

I was going to vote no on the proposed budget but feel that it is in the best interest of the County to vote for it. There are a couple of things like the cut in and proposed changes in staffing at the Board of Elections and the

freezing of waes for DSI that I don't agree with and will continue to oppose during the year.

I think all 16 of us will agree that the budget isn't perfect but it is a tool that we can work with. A lot of tie and hard work have gone into this by the budget team, the finance committee and our Department Heads. I thin we also understand that the next couple of years are going to be tough years. With State cut backs we will need to all work hard to make this budget work

I feel that by not passing this budget we will end up looking like our State Representatives in Albany.

We have all been impacted greatly by the tragic events of September 11th and I feel that we all need t work together to get through this tough time in our Nations History. Thank you.

Chairman Berwanger, T/Arcade, asked if there were any other comments of questions regarding the 2002 County Budget. Hearing no further comments Chairman Berwanger declared the public hearing closed.

Supervisor Herman, T/Wethersfield moved to adjourn the meeting at 2:07 PM.

REGULAR SESSION**TUESDAY****(December 11, 2001)****2:00 PM**

The Regular Session of the Wyoming County Board of Supervisors was held at the Wyoming County Government Center, in the Board of Supervisors Chambers, 143 North Main Street, Warsaw, New York with all members present except the Supervisor West, T/Orangeville. Also present was County Attorney, Eric T. Dadd and County Administrator, Kevin D. DeFebbo. Chairman Berwanger, T/Arcade called the meeting to order and led the Pledge of Allegiance to the Flag.

There were no communications.

#1

RESOLUTION NO. 01-297**(December 11, 2001)**

By Mrs. Humphrey, Chairman of the Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2001 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2001 accounts as follows:

COMPUTER SERVICES			
To acct. 01.34.1460.4.42404 GIS w/rev. acct 01.11.1460.306002 inc. by same amt	\$12,340.00	\$12,340.00	\$12,340.00
SHERIFF'S DEPARTMENT			
To acct. 01.37.3110.8.81001 Retirement From any funds available	-(\$68,308.66)	-(\$68,308.66)	
To acct. 01.37.3110.1.10301 Overtime w/rev acct. 01.11.3110.308901 inc by same amt	\$3,130.94	\$3,130.94	
To. Acct. 01.37.3110.4.40508 Private auto repair w/rev acct. 01.08.3110.2680 inc. by same amt	\$6,377.09	\$6,377.09	
To acct. 01.37.3110.4.41306 Uniforms w/rev acct. 01.12.3110.438901 inc. by same amt	\$2,425.73	\$2,425.73	-(\$56,374.90)
COUNTY ATTORNEY			
To acct. 01.34.1421.4.42305 assigned counsel From any funds available	\$4,000.00	\$4,000.00	\$4,000.00

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DISTRICT ATTORNEY			
To acct. 01.32.1165.4.41303 Court Steno's From any funds available	\$2,624.47	\$2,624.47	
To acct. 01.32.1165.1.10601 unused benefit time 01.32.1165.1.10602 insurance repudiation From any funds available	\$10,935.14 <u>985.00</u> \$11,920.14	\$11,920.14	
To acct. 01.32.1165.4.40007 Telephone basic 01.32.1165.4.40008 Tele-long distance 01.32.1165.4.40009 cellular 01.32.1165.4.40107 liability 01.32.1165.4.40201 dues 01.32.1165.4.40603 postage 01.32.1165.4.40707 notary 01.32.1165.4.41010 misc. office supply 01.32.1165.4.41101 paper 01.32.1165.4.41202 printing 01.32.1165.4.41303 steno 01.32.1165.4.41310 DA prosecution 01.32.1165.4.41701 physicals 01.32.1165.4.41705 drug/alcohol testing 01.32.1165.4.42301 books/subscriptions From any funds available	\$2,000.00 750.00 700.00 5.00 270.00 750.86 120.00 200.00 100.00 350.00 2,000.00 2,000.00 50.00 55.00 <u>1,000.00</u> \$10,350.86	\$10,350.86	\$24,895.47

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: 1570 Noes: 0 Absent: 48; Orangeville

#2

RESOLUTION NO. 01-298 **(December 11, 2001)**

By Mrs. Humphrey, Chairman of the Finance Committee:

FUNDS TRANSFERRED TO VARIOUS 2001 ACCOUNTS

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

MENTAL HEALTH			
From acct. 01.384324.4.40402 Conf. & Conv. 01.38.4324.4.42441 Misc MH Program To acct 01.38.4324.4.40926 ARA, Inc.	\$2,500.00 <u>7,500.00</u> \$10,000.00	\$10,000.00	
From acct. 01.38.4220.4.40301 prof services cntret To acct. 01.38.4220.4.41510 educ materials	\$6,000.00	\$6,000.00	\$16,000.00

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Carried: Ayes: 1570

Noes: 0

Absent: 48; Orangeville

Supervisor Bush, Chairman of the Audit Committee presented the bills in the amount of One Million, Seven Hundred Ninety Thousand, Nine Hundred Eighty Three Dollars. Eleven Cents (\$1,790,983.11). A voice vote was taken and the bills were approved.

Carried: Ayes: 1570

Noes: 0

Absent: 48; Orangeville

Chairman Berwanger, T/Arcade, introduced Sheriff Ely. Sheriff Ely went on to introduce the Juvenile Officer, Kenneth Weaver. Officer Weaver informed the Board of Supervisors of his position and duties and the Juvenile Officer. Also what agencies he works with in this position along with the positive outcome of having a juvenile officer in the county.

Chairman Berwanger, T/Arcade, proposed to consolidate Resolution Office #'s Three (3) through Twenty Eight (28) for Consent Agenda. A voice vote was taken and the request was granted.

Public Defender, Norm Effman asked Chairman Berwanger if he could make a comment before continuing on with the meeting. Chairman Berwanger granted his request. Mr. Effman address the Board regarding the DATA Day Program with the following:

This is a personal plea to the members of the Wyoming County Board of Supervisors to reconsider a proposed budget cut which, perhaps unknowingly, completely eliminates Wyoming County's day reporting alternative to incarceration program.

In March of 1997, funds became available to Wyoming County to establish a defender-based advocacy program for an alternative to incarceration program. The basic focus of the program was to create community based services as an alternative to incarceration for individuals facing criminal charges in Wyoming County. The focus group is non-violent offenders with multiple needs, that is individuals with various problems, such as:

- Lack of Education
- Lack of Employment Skills
- Mental Health Problems
- Anger Management Problems
- Substance and Alcohol Abuse Problems.

With the cooperation and urging of the Probation Department and the District Attorney's Office, as well as our local Judges and Magistrates, a program was designed which would bring Wyoming County a "day reporting" program for individuals on probation or referred to the program directly from local courts. The program targeted individuals in 18 to 25 years of age group with multiple needs who could be treated in a community rather than a jail setting.

The program was thought of as a "last resort" for individuals to gain access to treatment who would otherwise be incarcerated. The specific target of this program would be individuals who are not in school and who are unemployed. The initial state grant was \$15,000.00 and required local matching funds.

The effort to coordinate local mental health, substance abuse and other providers took literally years to accomplish. Some of the difficulties which had to be overcome included the examination of the "site" to see if it conformed to various state requirements so that providers could offer their services at a central location managed by the Public Defenders's office rather than at their own sites. The thought was to conduct the program much like a high school, where those receiving services would have to report on a daily basis and attend various programs throughout the day. The individual's progress would be monitored by the providers and the coordinator of the program would transmit the information to the individual's probation officer and/or Judge.

State budget cuts over the last several years have reduced the state grant to \$11,800.00; thus, the county matching funds were also reduced to \$11,800.00.

Over the last several years the program has experienced a number of successes. Individuals without high school diplomas have received their GED. Young men and women who were entering the revolving door of the justice system because of alcohol or substance abuse have become productive members of the community and the cycle of violence has been avoided through the use of anger management programs benefitting the client, his or her family, and the community.

With little or no discussion with the criminal justice community, the proposed 2002 budget eliminates the \$11,800.00 matching funds from the county necessary to maintain the program. The impact to the Public Defender's Office is, of course, not \$11,800.00 but, with loss of state funds \$23,600.00. The economic reality is that the total cost of this program, under \$24,000.00, is recouped by diverting one individual from incarceration in Wyoming County

Jail for a period of nine months.

I can assure you that without this alternative to incarceration, more than one individual who would have benefitted from these programs will be incarceration rather than helped through supervision in the community.

This “Unkindest Cut Of All” eliminates a program that took years to develop, eliminates a program which provides an opportunity for positive changes in the lives of hundreds of local residents, and eliminates a program relied on by all members of the criminal justice community to stop the cycle of crime.

If one were to look at only the economic aspect of this “budget cut”, it represents a poor choice, sacrificing long term gains for a short-sighted goal of applying a band-aid to our budget crisis. Not only will we be rejecting \$11,800.00 of state aid, but we will ultimately pay more from our tax levy in jail costs than the \$11,800.00 saved by this budget cut.

I urge you to restore the \$11,800.00 necessary for local matching funds to enable our day reporting program to continue. Thank you.

Chairman Berwanger thanked Mr. Effman and asked if there were any other comments in regards to Resolution Office #'s Three (3) through Twenty Eight (28). At that time Supervisor Rogers asked to make a comment in regards to Resolution Office # Eleven (11) pertaining to a contract with Mrs Grugel.

Supervisor Rogers, T/Pike stated that the last few months the Pathways Public Relation Committee has worked on getting a County resource guide of service agencies. All members of the Board were given a draft of the resource guide to be placed in the Wyoming County Chamber of Commerce business directory. There will be 28 pages dedicated to the resource guide including a cover page, summary page and index. Also a cross reference guide to direct to people as to were to go or call. This is funded by a state grant.

Supervisor Agan, T/Attica, spoke on behlaf of Supervisor West, T/Organgeville at the request of Supervisor West, regarding Resolution Office # 15. This is a matching grant renewable for five years at a total amount of \$250,000.00 or \$50,000.00 a year in collaboration with Mental Health and Probation. This grant is to assist Juvenile Delinquents. Supervisor Agan stated if there were any questions regarding the grant he would be happy to answer them. There were no questions asked.

The Chairman then asked the Clerk of the Board, Suzanne Aldinger to

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read the titles of Consent Agenda Resolution Office #'s Three (3) through Twenty Eight (28) and were approved as follows.

#3

**RESOLUTION NO. 01-299
(December 11, 2001)**

By Mr. Miller, Chairman of the Planning Committee:

**CHAIRMAN AUTHORIZED TO SIGN AGREEMENTS
WITH VARIOUS MUNICIPALITIES JOINING COUNTY
SOLID WASTE PROGRAM**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign inter-municipal agreements with the Villages of Wyoming, Silver Springs, and the Towns of Middlebury, Gainesville and Genesee Falls for their participation in the County's curbside collection program for solid waste and recyclable materials; effective January 1, 2002 through December 31, 2002.

Carried: Ayes: 1570

Noes: 0

Absent: 48; Orangeville

#4

**RESOLUTION NO. 01-300
(December 1, 2001)**

By Mr. Rogers, Chairman of the Health and Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN 2002 RENEWAL
CONTRACTS ON BEHALF OF MENTAL HEALTH**

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BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney and on behalf of the Department of Mental Health, is hereby authorized and directed to sign the following contracts for FY2002:

1) Livingston/Wyoming ARC, renewal for sheltered workshop program for the mentally ill population for period January 1, 2002 through December 31, 2002 (\$53,458).

2) Suburban Adult Services, Inc. Renewal contracts for the period of January 1, 2002 through December 31, 2002:

A. Sheltered workshop program for the Mentally Retarded/Developmental Disabled population (\$39,224).

B. Supportive employment (one contract for \$47,601) -
Reinvestment funds -\$36,421; ongoing integrated supported employment funds - \$11,180

C. NYS ERA Grant (wow employment) - \$37,418

3) ARA, Inc. renewal contracts for the period of January 1, 2002 through December 31, 2002:

One contract for Mental Health Services (\$394,219)

A. Mental Health Clinic and Crisis (\$55,500)

B. CSS funding (\$10,150)

C. Adult Case Management/SPOE/SPOA (\$64,568)

D. Child & Youth ICM & Wrap around funds (3 ICMS) - (\$84,797)

E. RIV-POEMS (\$102,647)

F. RIV-Mica Coordination, tx. & Case Management (\$23,556)

G. RIV-Geriatric Outreach (\$27,231)

H. RIV-Juvenile Justice/Mental Health (\$12,362)

I. NYS ERA Grant (wow employment) (\$8,678)

J. Telemedicine Grant (\$4,730)

One contract for CSS programs (\$39,589)

A. CCS Programs Continuing Day tx., CSS Case Management, CSS transportation) (\$39,589)

One contract for Alcohol, Substance Abuse and Men's group (\$339.605)

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A. Alcohol Treatment/Education & Substance Abuse tx.
(\$339,605)

4) Wyoming County Community Hospital - renewal contracts for the period of January 1, 2002 through December 31, 2002

A. Renewal contract to provide staffing to do the PAO Screenings for Psychiatric Admissions (\$20,300).

B. Jail based Mental Health services in the jail - (\$63,208)

C. Mica/Homeless - Case Management (\$10,277)

D. RIV-Crisis Outreach Program (\$62,423)

E. Telemedicine Grant (\$4,730)

5) Chautauqua County Mental Health Department - renewal contract for Telemedicine Grant for the period of January 1, 2002 through December 31, 2002 (\$4,730)

6) Mental Health Association of Rochester/Monroe County, Inc. renewal contracts for the period of January 1, 2002 through December 31, 2002

A. Contract with the Mental Health Association of Rochester/Monroe county to manage: (One contract for \$193,847)

1. Consumer run thrift store (\$41,635)

2. RIV-Drop-In Center (\$20,300)

3. Com. Perf. - Transportation Program (\$41,690)

4. Mica & Psycho Social Club (\$76,027)

5. Peer Advocacy (\$9,135)

6. Prep (\$5,060.00)

7) Hillside Children's Center renewal/new contracts, for the period of January 1, 2002 through December 31, 2002 to provide:

A. RIV - Crisis Respite for Adolescents (\$16,567)

B. RIV - Glow Family Support (\$5,887)

C. RIV - HBCIS (\$9,467)

8) Living Opportunities of Depaul renewal contracts for the period of January 1, 2002 through December 31, 2002 for:

A. RIV - temporary supportive housing (\$9,419)

B. RIV - four bed treatment apartments(\$4,276)

(There is also \$9,653 which is paid directly to LODP through Medicaid, for the state share of Medicaid, of Wyoming County reinvestment money. Do not include amount in total for four bed

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treatment apartments contract but acknowledge the amount as being paid directly to them as revenue.)

C. Supported housing (20 slots) (\$139,496)

9) CCSI of Rochester contract for the period of January 1, 2002 through December 31, 2002:

A. Service Coordination (\$101,899)

B. Grant-Dual Diagnosis Coordination (\$58,483)

C. Coordinated Childrens Services Initiative (\$28,100)

D. Performance Measurements (\$15,934)

E. Contract with CSSI to provide an individual for SNP (\$13,140)

10) Contract with Letchworth central school for services rendered by James Swatt, Program Coordinator for Substance Abuse Program. Services rendered in Letchworth Central School. Letchworth Central School to pay Wyoming County Mental Health Dept. (\$5,000)

11) Contract with an individual to work with the SNP Advisory Group (\$11,520)

A. PREP (Psychiatric Rehabilitation Empowerment Project) (\$5,526)

12) Parent Advocates for CCSI program (\$18,120)

Carried: Ayes: 1570

Noes: 0

Absent: 48; Orangeville:

#5

RESOLUTION NO. 01-301
(December 11, 2001)

By Mr. Rogers, Chairman of the Health and Human Services Committee:

RESOLUTION NO. 00-263 AND RESOLUTION NO. 00-293
AMENDED RE: NEW AND RENEWAL CONTRACTS ON
BEHALF OF MENTAL HEALTH

BE IT RESOLVED, That Resolution No. 00-263, passed by this Board of Supervisors on November 13, 2000, and Resolution No. 00-293 passed by this Board of Supervisors on December 12, 2000 is hereby amended to reflect changes and additions in amounts due to additional Reinvestment Funds as follows:

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3) ARA INC. RENEWAL CONTRACTS FOR THE PERIOD OF JANUARY 1, 2001 THROUGH DECEMBER 31, 2001:

A. Mental Health Clinic & Crisis (\$46,000.00) + \$9,500 + **\$10,000** = \$65,000.00

(Sexual Abuse Consultation & Evaluation)

Carried: Ayes: 1570 Noes: 0 Absent: 48; Orangeville

#6

**RESOLUTION NO. 01-302
(December 11, 2001)**

By Mr. Rogers, Chairman of the Health and Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN ANNUAL
IMPLEMENTATION PLAN ON BEHALF OF THE OFFICE
FOR THE AGING**

BE IT RESOLVED, That with the approval of the County Attorney and on behalf of the Wyoming County Office for the Aging, the Chairman of this Board is authorized and directed to sign the Wyoming County Office for the Aging Annual Implementation Plan for the period of April 1, 2002 through March 31, 2003, contingent on the available of funding.

Carried: Ayes: 1570 Noes: 0 Absent: 48; Orangeville

#7

**RESOLUTION NO. 01-303
(December 11, 2001)**

By Mr. Rogers, Chairman of the Health and Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
WITH FAMILY SERVICES OF ROCHESTER ON BEHALF
OF THE OFFICE FOR THE AGING**

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BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney and on behalf of the Office for the Aging, is hereby authorized and directed to sign renewal contracts with Family Services of Rochester, New York, for the provision of Legal Services for the Elderly; effective 01/01/2002 through 12/31/20021 for a total amount not to exceed Seven Thousand Dollars (\$7,000.00).

Carried: Ayes: 1570 Noes: 0 Absent: 48; Orangeville

#8

**RESOLUTION NO. 01-304
(December 11, 2001)**

By Mr. Rogers, Chairman of the Health and Human Services Committee:

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

BE IT RESOLVED, That the Chairman of this Board/Commissioner of the Wyoming County Department of Social Services, with the approval of the County Attorney and on behalf of the Department of Social Services is hereby authorized and directed to sign the following contracts:

1. Brian Walton, 654 Route 19A, Portageville, NY 14536; for the provision TOPS office space; amount not to exceed Eight Thousand, Two Hundred Fifty Dollars (\$8,250.00), effective January 1, 2002 through December 31, 2002.

2. Michael J. Hendry Cleaning Services, 12 East Court Street, Warsaw, NY 14569; for the provision of cleaning services for the TOPS office; effective December 1, 2001 through December 31, 2002; amount not to exceed Four Thousand, Six Hundred Thirty One Dollars, Seventy One Cents (\$4,631.71).

3. Gary Davis, 3233 Hazelmere Avenue, Machias, New York, 14101; for the provision Enhanced Drug and Alcohol Case Management services; effective January 1, 2002 through December 31, 2002; amount not to exceed Thirty Seven Thousand Dollars (\$37,000.00).

4. Eric T. Dadd, County Attorney, 11 Exchange Street, P.O. Box 238,

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Attica, NY 14011; for the provision of legal services where a conflict of interest appears; effective January 1, 2001 through December 31, 2001; amount not to exceed Four Thousand, Three Hundred Forty Dollars (\$4,340.00).

Carried: Ayes: 1570 Noes: 0 Absent: 48; Orangeville

#9

**RESOLUTION NO. 01-305
(December 11, 2001)**

By Mr. Rogers, Chairman of the Health and Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
WITH FREED MAXICK & BATTAGLIA ON BEHALF OF
THE PUBLIC HEALTH DEPARTMENT**

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 and directed to sign a contract with Freed Maxick and Battaglia, PC, 800 Liberty Building, Buffalo, NY 14202 for the provision of Healthcare Audit and Consulting Services; effective January 1, 2001 through December 31, 2001; amount not to exceed Fourteen Thousand, Four Hundred Dollars (\$14,400.00).

Carried: Ayes: 1570 Noes: 0 Absent: 48; Orangeville

#10

**RESOLUTION NO. 01-306
(December 11, 2001)**

By Mr. Rogers, Chairman of the Health and Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN A MEMORANDUM
OF UNDERSTANDING WITH WYOMING COUNTY
COMMUNITY ACTION ON BEHALF OF THE WYOMING
COUNTY YOUTH BUREAU**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney and on behalf of the Wyoming County Youth Bureau is

hereby authorized and directed to sign a memorandum of understanding with

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Wyoming County Community Action, 6470 Route 20A, Suite 1, Perry, NY 14530 for the provision of Outcome Training; effective September 15, 2001 through December 31, 2001; amount not to exceed Two Thousand Dollars (\$2,000.00).

Carried: Ayes: 1570 Noes: 0 Absent: 48; Orangeville

#11

**RESOLUTION NO. 01-307
(December 11, 2001)**

By Mr. Rogers, Chairman of the Health and Human Services Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
WITH SHARON GRUGEL ON BEHALF OF PATHWAYS**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney and on behalf of Pathways (Youth Bureau ICP), is hereby authorized and directed to sign a contract with Sharon Grugel, 6470 Route 20A, Suite 3, Perry, NY 14530 for compiling information of all County Departments, Community based organizations, services and Pathways information for publication in the Wyoming County Chamber of Commerce 2002 Business Directory and Buyers Guide; effective December 1, 2001 through December 31, 2001; amount not to exceed Three Thousand Dollars (\$3,000.00).

Carried: Ayes: 1570 Noes: 0 Absent: 48; Orangeville

#12

**RESOLUTION NO. 01-308
(December 11, 2001)**

By Mr. Herman, Chairman of the Human Resource Committee:

**CHAIRMAN AUTHORIZED TO SIGN LEASE
AGREEMENTS ON BEHALF OF THE COUNTY CLERK**

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

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1. Crossroads Land Office, 25 East Main Street, Suite 200, Rochester, NY 14614; for the provision office space in the County Clerk's office; effective January 1, 2002 through December 31, 2002; amount not to exceed One Thousand, Two Hundred Dollars (\$1,200.00).

2. Wyoming Abstract Company, 220 East Main Street, Batavia, NY 14020; for the provision of office space in the County Clerk's office; effective January 1, 2002 through December 31, 2002; amount not to exceed One Thousand, Five Hundred Dollars (\$1,500.00).

Carried: Ayes: 1570 Noes: 0 Absent: 48; Orangeville

#13

**RESOLUTION NO. 01-309
(December 11, 2001)**

By Mrs. Humphrey, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
WITH SOFTWARE CORPORATION INTERNATIONAL
ON BEHALF OF THE DEPARTMENT OF COMPUTER
SERVICES**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney and on behalf of the Department of Computer Services is hereby authorized and directed to sign a contract with Software Corporation International, P.O. Box 2786, Toledo, Ohio 43606-0786 for the purpose of Document Imaging/Management System as per language of the contract; amount not to exceed Eighty Four Thousand, Three Hundred Seventy Five Dollars (\$84,375.00) plus reasonable and customary travel, lodging, and meal expenses.

Carried: Ayes: 1570 Noes: 0 Absent: 48; Orangeville

#14

**RESOLUTION NO. 01-310
(December 11, 2001)**

By Mrs. Humphrey, Chairman of the Finance Committee:

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CHAIRMAN AUTHORIZED TO SIGN A
MEMORANDUM OF UNDERSTANDING WITH
WYOMING COUNTY CHAMBER OF COMMERCE

BE IT RESOLVED, That the Chairman of this Board of Supervisors, with the approval of the County Attorney, and on behalf of Pathways, is hereby authorized and directed to sign a Memorandum of Understanding with the Wyoming County Chamber of Commerce, 6470 Route 20A, Perry, New York, for the purpose of advertising services in the 2002 Business Directory and Buyer's Guide at a cost to Pathways not to exceed Seven Thousand Dollars (\$7,000.00) payable by December 31, 2001.

Carried: Ayes: 1570 Noes: 0 Absent: 48; Orangeville

#15

RESOLUTION NO. 01-311
(December 11, 2001)

By Mrs. West, Chairman of the Public Safety Committee:

CHAIRMAN AUTHORIZED TO SIGN
MENTAL HEALTH/JUVENILE JUSTICE GRANT
APPLICATION

BE IT RESOLVED, That with the approval of the County Attorney and on behalf of the Wyoming County Probation Department, the Chairman of this Board is hereby authorized and directed to sign the Mental Health/Juvenile Justice (MH/JJ) Diversion Project Grant Application with the NYS Office of Children & Family Services.

Carried: Ayes: 1570 Noes: 0 Absent: 48; Orangeville

#16

RESOLUTION NO. 01-312
(December 11, 2001)

By Mr. Miller, Chairman of the Planning Committee:

R. TINDELL REAPPOINTED DIRECTOR OF ECONOMIC
DEVELOPMENT

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BE IT RESOLVED, That Richard L. Tindell, 56 Mt. View Avenue, Town of Warsaw, New York 14569, is hereby reappointed Director of Planning and Development for a two (2) year term, said term to expire December 31, 2003.

Carried: Ayes: 1570 Noes: 0 Absent: 48; Orangeville

#17

**RESOLUTION NO. 01-313
(December 11, 2001)**

By Mr. Miller, Chairman of the Planning Committee:

**MEMBERS APPOINTED TO THE
WYOMING COUNTY PLANNING BOARD**

BE IT RESOLVED, That the following members are reappointed to the Wyoming County Planning Board for a three year term to expire December 31, 2004

TOWN	REPRESENTATIVE	ADDRESS
Town of Java	Karen Wilson	997 Chaffee Road, Arcade, NY
Town of Gainesville	Leslie Shearing	5648 Hardys Rd., Gainesville, NY
Town of Middlebury	Douglas Wolcott	1247 Dale Road, Dale, NY
Town of Orangeville	Suzanne West	3215 Buffalo Road, Varysburg, NY

and be it;

FURTHER RESOLVED, That the following alternate at large members are appointed to the Wyoming County Planning Board for a one year term to expire December 31, 2002

ALTERNATE	REPRESENTATIVE	ADDRESS
Alternate #1	Douglas Post	100 West Main St., Attica, NY
Alternate #2	David Reckahn	5094 Jordan Rd., Gainesville, NY

Regular Session

Carried: Ayes: 1570 Noes: 0 Absent: 48; Orangeville

#18

**RESOLUTION NO. 01-314
(December 11, 2001)**

By Mr. Miller. Chairman of the Planning Committee:

**MEMBERS APPOINTED TO THE WORKFORCE
INVESTMENT BOARD**

BE IT RESOLVED, That the following members are hereby appointed to the Work Force Investment Board, each for a term of two years, said terms to expire November 8, 2003:

Private Sector

Kevin Zeches

Community Services Block Grant/HUD E&T

Rita White

Community Based Organization

Martin D. Mucher

Local Education Entity

Sharon Grugel

Carried: Ayes: 1570 Noes: 0 Absent: 48; Orangeville

#19

**RESOLUTION NO. 01-315
(December 11, 2001)**

December 11, 2001

By Mr. Cox, Chairman of the Agriculture Committee:

J. YOUNGERS REAPPOINTED TO RC&D COUNCIL

BE IT RESOLVED, That James Youngers, 7004 East Arcade Road, Town of Arcade, Arcade, NY 14009, is hereby reappointed to the Resource Conservation and Development Council for a term of three (3) years, said term to expire December 31, 2004.

Carried: Ayes: 1570 Noes: 0 Absent: 48; Orangeville

#20

**RESOLUTION NO. 01-316
(December 11, 2001)**

By Mr. Cox, Chairman of the Agriculture Committee:

**D. HEIBY REAPPOINTED TO
SOIL AND WATER CONSERVATION DISTRICT BOARD**

BE IT RESOLVED, That Darryl Heiby, 12 Orchard Street, Town of Perry, Perry, NY 14530, is hereby reappointed to the Soil and Water Conservation District Board for a term of three (3) years, said term to expire December 31, 2004.

Carried: Ayes: 1570 Noes: 0 Absent: 48; Orangeville

#21

**RESOLUTION NO. 01-317
(December 11, 2001)**

By Mr. Cox, Chairman of the Agriculture Committee:

**MEMBERS REAPPOINTED TO THE REGION 9-FISH
AND WILDLIFE MANAGEMENT BOARD**

Regular Session

Proceedings of the Board of Supervisors

BE IT RESOLVED, That the following members are reappointed to the Region 9-Fish and Wildlife Management Board for a term of two (2) years, said term to expire December 31, 2003:

Walter Hallbauer, Box 96, Town of Java, Java Village, NY 14083 -
Sportsman Representative

Edward Hulme, 3313 Royce Road, Town of Orangeville, Varysburg, New
York 14167 - Land Owner Representative.

Carried: Ayes: 1570 Noes: 0 Absent: 48; Orangeville

#22

**RESOLUTION NO. 01-318
(December 11, 2001)**

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

**D. HALSTEAD REAPPOINTED BUILDINGS AND
GROUNDS SUPERINTENDENT**

BE IT RESOLVED, That Dennis Halstead, 6841 West View Drive, Town
of Perry, Perry, New York, 14530, is hereby reappointed Buildings and Grounds
Superintendent of the County of Wyoming for a two (2) year term; said term to
expire December 31, 2003.

Carried: Ayes: 1570 Noes: 0 Absent: 48; Orangeville

#23

**RESOLUTION NO. 01-319
(December 11, 2001)**

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

**MEMBERS APPOINTED/REAPPOINTED TO THE
TRAFFIC SAFETY BOARD**

December 11, 2001

Proceedings of the Board of Supervisors

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BE IT RESOLVED, That the following members are hereby reappointed to the Traffic Safety Board, each for a term of three (3) years, said terms to expire as follows:

TOWN	REPRESENTATIVE	TERM
Town of Orangeville Appointment	James Daniel 4286 Liberty Street Warsaw, NY 14569	11/10/2001 through 11/10/ 2004
Town of Perry Reappointment	James Wright 2462 Simmons Road Perry, 14530	11/10/2001 through 11/10/ 2004
Town of Sheldon Reappointment	Michael Kehl 878 Route 20A Strykersville, NY 14145	11/10/2001 through 11/10/ 2004
Town of Warsaw Reappointment	Shirley Humphrey 3459 Truesdell Road Warsaw, NY 14569	11/10/2001 through 11/10/ 2004

Carried: Ayes: 1570 Noes: 0 Absent: 48; Orangeville

#24

**RESOLUTION NO. 01-320
(December 11, 2001)**

By Mr. Rogers, Chairman of the Health and Human Services Committee:

**VARIOUS MEMBERS APPOINTED/REAPPOINTED
TO THE OFA ADVISORY COUNCIL**

BE IT RESOLVED, That the following persons are hereby appointed/reappointed to the Office for the Aging Advisory Board for a three (3) year term, said terms to expire December 31, 2004:

Rita Simmons - T./Genesee Falls
6610 Pike St., P.O. Box 313
Portageville, NY 14536

Frances Lowe - T./Covington
7655 Big Tree Road
Pavilion, NY 14525

Regular Session

Rose George - T/Eagle
6660 Railroad Ave.
Bliss, NY 14024

John Gebel - T/Java
2425 Wethersfield Rd.
N. Java, NY 14113

Evelyn Powers - T/Middlebury
588 Pavilion-Warsaw Road
P.O. Box 250
Wyoming, NY 14591

Edward Redden - T/Sheldon
734 Big Tree Road
Strykersville, NY 14145

Carried: Ayes: 1570

Noes: 0

Absent: 48; Orangeville

#25

**RESOLUTION NO. 01-321
(December 11, 2001)**

By Mr. Rogers, Chairman of the Health and Human Services Committee:

**VARIOUS MEMBERS REAPPOINTED TO
CSB AND THE CSB MENTAL HEALTH SUB-
COMMITTEES**

BE IT RESOLVED, That the following persons are hereby reappointed to the CSB and the CSB Mental Health Sub-committees, said terms to expire AS INDICATED:

<u>NAME</u>	<u>BOARD</u>	<u>EXPIRE DATE</u>
Cynthia Reiner	Community Services Board	December 31, 2005
Martha Button	Community Services Board	December 31, 2005
Colleen Bellezza	Mental Health Sub-Committee	December 31, 2005
Cynthia Reiner	Mental Health Sub-Committee	December 31, 2005
Ron Ely	Mental Health Sub-Committee	December 31, 2005

December 11, 2001

Anne Herod	Alcohol and Substance Abuse	December 31, 2005
Linda Klein	Alcohol and Substance Abuse	December 31, 2005
Martha Button	Alcohol and Substance Abuse	December 31, 2005
Aaron Anderson	Alcohol and Substance Abuse	December 31, 2003
Anthony Annunziato	MR/DD	December 31, 2005
Karen DuBouy	MR/DD	December 31, 2005

Carried: Ayes: 1570 Noes: 0 Absent: 48; Orangeville

#26

**RESOLUTION NO. 01-322
(December 11, 2001)**

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

N. EFFMAN REAPPOINTED PUBLIC DEFENDER

BE IT RESOLVED, That Norman Effman, 4636 Old Buffalo Road, Town of Warsaw, Warsaw, New York 14569, is hereby reappointed Wyoming County Public Defender for a two (2) year term, said term to expire December 31, 2003.

Carried: Ayes: 1570 Noes: 0 Absent: 48; Orangeville

#27

**RESOLUTION NO. 01-323
(December 11, 2001)**

By Mrs. West, Chairman of the Public Safety Committee:

**J. REGER REAPPOINTED AS
FIRE COORDINATOR/CIVIL DEFENSE DIRECTOR**

BE IT RESOLVED, That James H. Reger, 54 Park Street, Town of Warsaw, Warsaw, New York 14569, is hereby reappointed as the Wyoming County Fire Coordinator/Civil Defense Director for a two year term, said term to expire December 31, 2003.

Regular Session

Carried: Ayes: 1570 Noes: 0 Absent: 48; Orangeville

#28

**RESOLUTION NO. 01-324
(December 11, 2001)**

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

**DORIS BANNISTER APPOINTED WYOMING COUNTY
HISTORIAN**

BE IT RESOLVED, That Doris Bannister, 872 North Academy Street, Wyoming, NY, Town of Middlebury, is hereby appointed as the Wyoming County Historian for a three (3) year term, said term to expire December 31, 2004.

Carried: Ayes: 1570 Noes: 0 Absent: 48; Orangeville

#29

**RESOLUTION NO. 01-325
(December 11, 2001)**

By Mrs. Humphrey, Chairman of the Finance Committee:

**A RESOLUTION ELECTING ADDITIONAL 1/60s FOR
MORE THAN 20 YEARS SERVICE ACCORDING TO
ARTICLE 14-B OF THE RETIREMENT AND SOCIAL
SECURITY LAW FOR THE SHERIFF, UNDERSHERIFF
AND CERTAIN DEPUTY SHERIFFS**

BE IT RESOLVED, That the Board of Supervisors of the County of Wyoming does hereby elect to assume the entire additional cost required to provide additional 1/60s for more than twenty years of service, provided in section 552(b) under Article 14-B, of the Retirement and Social Security Law, for its sheriff, undersheriff and deputy sheriffs whose duties include at least 50 percent criminal law enforcement, pursuant to Chapter 165 of the Laws of 1995 as amended by chapter 571 of the Laws of 1999; and be it

December 11, 2001

FURTHER RESOLVED, That the effective date of this plan shall be the 11th day of December 2001.

Carried: Ayes: 1570 Noes: 0 Absent: 48; Orangeville

Supervisor Herman, T/Wethersfield, stated that he does not agree with the 2002 budget. Reason being that there were too many holes in the budget. Over the last seven years he have not increased taxes, yet the employees of Wyoming County continued to get a three percent increase in wages. The farmers have been saying that they have not had a increase in wages and prices have remained the same. Mr. Herman believes that the budget far exceeds us and that we need to tighten our belts even more. It was also stated by Mr. Herman that this would be the time to add a additional 2% to the 5% increase that is proposed.

Supervisor Humphrey, T/Perry, stated that maybe we should have increased taxes in previous years, however, sale tax revenues have been increasing 2.5% each year so there was no need to place the burden of a tax increase on the residents of Wyoming County. Unfortunately this year sale tax revenues have decreased for the first time in the past ten years. The budget this year will probably need to be amended throughout the year, reason being that we have no idea what will happen with state or federal funds that are received by the county since the September 11th terrorist attacks. Until we have more clarification we have done the best that we can do at this time. This budget process was a very long and difficult task for each and every one of us on this board. Mrs. Humphrey thinks that this was the best effort that the board could make at this time under the circumstances.

#30

**RESOLUTION NO. 01-326
(December 11, 2001)**

By Mrs. Humphrey, Chairman of the Finance Committee:

**TENTATIVE 2002 BUDGET FOR WYOMING COUNTY
APPROVED**

BE IT RESOLVED, That the tentative budget for the year 2002, 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 2002, which requires the raising by tax levy the amount of Eight Million, Two Hundred Sixty Thousand, Four Hundred Eighty
Regular Session

Seven Dollars (\$8,260,487.00) and be it

FURTHER RESOLVED, That the said sum of Eight Million, Two Hundred Sixty Thousand, Four Hundred Eighty Seven Dollars (\$8,260,487.00) 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, 2002;

Carried:Ayes: 1408Noes: 162; Hickey (127), Herman (35) Absent: 48; West

Mrs. Humphrey, Chairman of the Finance Committee, requested from the Chairman that Resolution Office #'s Thirty One (31) through Thirty Eight (38) be passed as Consent Agenda. The Chairman asked if there were any objections to the request. Hearing none, the following resolutions 31-38 were presented in one vote with the outcome as follows:

#31

RESOLUTION NO. 01-327 (December 11, 2001)

By Mrs. Humphrey, 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, 2002.

Carried: Ayes: 1570 Noes: 0 Absent: 48; Orangeville

December 11, 2001

**RESOLUTION NO. 01-328
(December 11, 2001)**

By Mrs. Humphrey, Chairman of the Finance Committee:

RECYCLING FEES LEVIED

BE IT RESOLVED, That the Clerk of this Board is hereby authorized and directed to levy the recycling fees for the year 2002 as indicated in the amount of Six Hundred Sixty Six Thousand, Four Hundred Forty Two Dollars, Eight Cents (\$666,442.08).

VILLAGE	UNITS	TOTAL
Castile	893 68	\$120,447.84 4,585.92
Gainesville	814 18	109,792.32 1,213.92
Genesee Falls	195 10	26,301.60 674.40
Middlebury	584 9	\$78,769.92 606.96
Orangeville	427 21	57,593.76 1,416.24
Perry	508 6	68,519.04 404.64
Sheldon	858 11	115,727.04 741.84
Warsaw	588 5	79,309.44 337.20
TOTAL	4867 148	\$656,460.99 9,981.12
GRAND TOTAL		\$666,442.08

Carried: Ayes: 1570 Noes: 0 Absent: 48; Orangeville
Regular Session

**RESOLUTION NO. 01-329
(December 11, 2001)**

By Mrs. Humphrey, Chairman of the Finance Committee:

RETURN VILLAGE TAX LEVIES AUTHORIZED

BE IT RESOLVED, That the Clerk of this Board is hereby authorized and directed to levy the return Village taxes of the year 2001-2002 as presented by the County Treasurer in the total amount of Three Hundred Eighty Nine Thousand, Nine Hundred Sixteen Dollars, Sixty Eight Cents (\$389,916.68) including penalties.

**2001-2002 RETURNED UNPAID VILLAGE TAXES
TO BE SPREAD ON 2002 TOWN TAX ROLLS**

VILLAGE	TAX RETURN	PENALTY	TOTAL
Arcade	30,902.61	2,163.19	33,065.80
Attica	20,193.68	1,413.59	21,607.27
Castile	8,628.35	603.99	9,232.34
Gainesville	3,010.69	210.77	3,221.46
Perry-Tn of Castile	15,659.64	1,096.16	16,755.80
Perry (Tn of Perry)	189,630.06	13,274.12	202,904.18
Pike	4,334.75	303.45	4,638.20
Silver Springs	11,611.11	812.75	12,423.86
Warsaw	66,578.27	4,660.48	71,238.75
Wyoming	13,858.92	970.10	14,829.02
Totals	364,408.08	25,508.60	389,916.68

Dated: November 30, 2001

s/John B. Edwards

December 11, 2001

g County Treasurer

Carried: Ayes: 1570 Noes: 0 Absent: 48; Orangeville

#34

**RESOLUTION NO. 01-330
(December 11, 2001)**

By Mrs. Humphrey, 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 2001-2002 as presented by the County Treasurer in the total amount of One Million, Two Hundred Fifty Four Thousand, Five Hundred Twenty Nine Dollars, Eight Cents (\$1,254,529.08) including penalties.

**2001-2002 RETURNED UNPAID SCHOOL TAX
TO BE SPREAD ON 2002 TOWN TAX ROLLS**

<u>TOWN & SCHOOL DISTRICT</u>	<u>TAX RETURNE D</u>	<u>7%</u>	<u>TOTAL</u>
Arcade (Pioneer Central)	\$108,296.58	\$7,580.73	\$115,877.31
Attica (Attica Central)	\$61,291.08	\$4,290.39	\$65,581.47
Attica (Wyoming Central	\$113.39	\$7.94	\$121.33
Bennington (Alden Central)	\$22,255.35	\$1,557.87	\$23,813.22
Bennington (Attica Central)	\$71,571.65	\$5,009.95	\$76,581.60
Bennington (Iroquois Central)	\$2,589.53	\$181.27	\$2,770.80
Castile (Letchworth Central)	\$42,585.46	\$2,980.98	\$45,566.44
Castile (Perry Central)	\$64,813.42	\$4,536.92	\$69,350.34

Covington (Pavilion Central)	\$24,212.25	\$1,694.88	\$25,907.13
Covington (Perry Central)	\$1,616.94	\$113.19	\$1,730.13
Covington (Wyoming Central)	\$7,198.33	\$503.88	\$7,702.21
Eagle (Letchworth Central)	\$37,381.57	\$2,616.76	\$39,998.33
Eagle (Pioneer Central)	\$6,252.10	\$437.66	\$6,689.76
Gainesville (Letchworth Central)	\$39,522.99	\$2,766.58	\$42,289.57
Gainesville (Warsaw, Central)	\$12,498.69	\$874.91	\$13,373.60
Genesee Falls (Fillmore Central)	\$5,653.05	\$395.71	\$6,048.76
Genesee Falls (Keshequa Central)	\$15,280.49	\$1,069.64	\$16,350.13
Genesee Falls (Letchworth Central)	\$3,018.81	\$211.32	\$3,230.13
Java (Attica Central)	\$11,373.71	\$796.18	\$12,169.89
Java (Holland Central)	\$1,086.27	\$76.04	\$1,162.31
Java (Pioneer Central)	\$50,602.96	\$3,542.23	\$54,145.19
Java (Warsaw Central)	\$2,608.30	\$182.58	\$2,790.88
Middlebury (Attica Central)	\$862.06	\$60.35	\$922.41
Middlebury (Pavilion Central)	\$444.26	\$31.10	\$475.36
Middlebury (Warsaw Central)	\$441.98	\$30.94	\$472.92
Middlebury (Wyoming Central)	\$45,263.81	\$3,168.54	\$48,432.35
Orangeville (Attica Central)	\$17,764.73	\$1,243.53	\$19,008.26
Orangeville (Warsaw Central)	\$39,598.66	\$2,771.89	\$42,370.55
Perry (Perry Central)	\$135,083.40	\$9,455.88	\$144,539.28
Perry (Wyoming Central)	\$1,971.68	\$138.02	\$2,109.70

Pike (Fillmore Central)	\$1,168.88	\$81.82	\$1,250.70
Pike (Letchworth Central)	\$36,288.89	\$2,540.23	\$38,829.12
Sheldon (Attica Central)	\$49,463.09	\$3,462.41	\$52,925.50
Sheldon (Holland Central)	\$3,335.79	\$233.51	\$3,569.30
Sheldon (Pioneer Central)	\$2,707.52	\$189.53	\$2,897.05
Warsaw (Letchworth Central)	\$1,137.37	\$79.61	\$1,216.98
Warsaw (Perry Central)	\$2,804.43	\$196.31	\$3,000.74
Warsaw (Warsaw Central)	\$195,234.19	\$13,666.42	\$208,900.61
Warsaw (Wyoming Central)	\$4,516.76	\$316.19	\$4,832.95
Wethersfield (Letchworth Central)	\$14,619.51	\$1,023.39	\$15,642.90
Wethersfield (Pioneer Central)	\$4,488.94	\$314.13	\$4,803.07
Wethersfield (Warsaw Central)	\$23,438.16	\$1,640.64	\$25,078.80
TOTALS	\$1,172,457.0 3	\$82,072.05	\$1,254,529.08

Dated: December 11, 2001
Wyoming County Treasurer

s/John B. Edwards

Carried: Ayes: 1570 Noes: 0 Absent: 48; Orangeville

#35

**RESOLUTION NO. 01-331
(December 11, 2001)**

By Mrs. Humphrey, 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**

Regular Session

Proceedings of the Board of Supervisors

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, 2002 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	\$29,200.00	\$146,938.00	\$176,138.00
ATTICA	\$0.00	\$126,919.00	\$126,919.00
BENNINGTON	\$0.00	\$0.00	\$0.00
CASTILE	\$24,335.00	\$131,010.00	\$155,345.00
COVINGTON	\$0.00	\$0.00	\$0.00
EAGLE	\$0.00	\$0.00	\$0.00
GAINESVILLE	\$5,350.00	\$95,000.00	\$100,350.00
GENESEE FALLS	\$0.00	\$0.00	\$0.00
JAVA	\$0.00	\$0.00	\$0.00
MIDDLEBURY	\$16,450.00	\$197,583.00	\$214,033.00
ORANGEVILLE	\$0.00	\$0.00	\$0.00
PERRY	\$12,400.00	\$131,060.00	\$143,460.00
PIKE	\$7,087.00	\$98,085.00	\$105,172.00
SHELDON	\$0.00	\$0.00	\$0.00
WARSAW	\$6,935.00	\$242,650.00	\$249,585.00
WETHERSFIELD	\$0.00	\$0.00	\$0.00

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NAME OF	GENERAL FUND OUTSIDE	HIGHWAY OUTSIDE	TOTAL
TOTAL			

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	UNPAID WATER/ SEWER & RECYCLE FEE	TOTAL
ARCADE	\$50,707.00			**\$92,328.49	\$143,035.49
ATTICA		\$54,548.00			\$54,548.00
BENNINGTON		B \$69,000.00 HC \$15,850.00 C \$62,994.00 V \$5,075.00	\$2,700.00		\$155,619.00
CASTILE		\$44,300.00	\$5,800.00	*\$5,993.43 ****\$240,898.00	\$296,991.43
COVINGTON		PA \$32,229.00 PE \$2,850.00 WY \$8,500.00		\$500.00	\$44,079.00
EAGLE		\$37,065.00	\$3,053.82	*\$5,030.28 \$7,050.00	\$52,199.10
GAINESVILLE		\$26,000.00			\$26,000.00
GENESEE FALLS		\$28,500.00	\$8,400.00		\$36,900.00
JAVA	NJ \$24,499.00 WD \$15,100.00	NJ \$2,459.00 S 47,366.00	NJ \$2,400.00 JC \$400.00	\$2,418.83	\$94,642.83
MIDDLEBURY		\$60,500.00			\$60,500.00
ORANGEVILLE		V \$28,395.00 O \$12,800.00	L3 \$450.00 L4 \$0.00		\$41,645.00
PERRY	F3 \$820.00	F4 \$21,000.00	PC \$1,700.00	\$15,000.00	\$38,520.00
PIKE		\$18,000.00			\$18,000.00
SHELDON	V \$5,620.00	ST \$26,443.83 NJ \$4,559.54 V \$19,970.00 SH \$40,000.00 HC \$15,850.00	L1 \$3,800.00 L2 \$2,700.00 L3 \$877.00 L4 \$1,450.00	*\$480.45	\$121,270.37

Regular Session

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WARSAW		\$45,000.00		\$4,500.00	\$49,500.00
WETHERSFIELD		G \$7,600.00 NJ \$11,134.66 B \$3,300.00 SS \$1,500.00			\$23,534.66
TOTAL:	\$80,829.00	\$480,043.83	\$24,057.82	\$126,251.48	\$711,182.13

* = UNPAID WATER BILLS **Relevied Recycling ***Recycling
 ****Sewer

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	\$104,800.00	\$212,723.00	\$317,523.00
ATTICA	\$147,065.00	\$126,735.00	\$273,800.00
BENNINGTON	\$94,855.00	\$463,000.00	\$557,855.00
CASTILE	\$147,850.00	\$128,314.00	\$276,164.00
COVINGTON	\$101,794.00	\$204,899.00	\$306,693.00
EAGLE	\$147,149.00	\$185,513.00	\$332,662.00
GAINESVILLE	\$92,289.00	\$80,000.00	\$172,289.00
GENESEE FALLS	\$97,419.00	\$122,153.00	\$219,572.00
JAVA	\$140,708.00	\$256,811.00	\$397,519.00
MIDDLEBURY	\$84,900.00	\$139,150.00	\$224,050.00
ORANGEVILLE	\$97,064.00	\$261,100.00	\$358,164.00
PERRY	\$215,000.00	\$142,652.00	\$357,652.00
PIKE	\$92,928.00	\$55,157.00	\$148,085.00
SHELDON	\$131,646.00	\$329,321.00	\$460,967.00
WARSAW	\$223,827.00	\$243,650.00	\$467,477.00

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NAME OF TOWN	GENERAL FUND TOWN WIDE	HIGHWAY FUND TOWN WIDE	TOTAL
WETHERSFIELD	\$75,250.00	\$170,982.00	\$246,232.00
TOTAL	1,994,544.00	3,122,160.00	\$5,116,704.00

Carried: Ayes: 1570 Noes: 0 Absent: 48; Orangeville

#36

RESOLUTION NO. 01-332 (December 11, 2001)

By Mrs. Humphrey, Chairman of the Finance Committee:

ADOPTS 2002 EQUALIZATION TABLE

BE IT RESOLVED, That the 2002 Equalization Table, which was tabled on November 13, 2001, 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 2002 is hereby adopted as presented.

Carried: Ayes: 1570 Noes: 0 Absent: 48; Orangeville

#37

RESOLUTION NO. 01-333 (December 11, 2001)

By Mrs. Humphrey, Chairman of the Finance Committee:

2001 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 2001 are accepted and the Clerk of this Board is hereby directed to apportion the same to the Townships with Wyoming County as follows:

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<u>TOWNS</u>	<u>NO.</u> <u>ENROLLED</u> <u>VOTERS</u>	<u>AMOUNT OF</u> <u>LEVY</u>	<u>SPECIAL</u> <u>ELECTION</u>
ARCADE	2559	\$919.67	\$0.00
ATTICA	2647	\$951.30	\$0.00
BENNINGTON	2260	\$812.22	\$0.00
CASTILE	2022	\$726.68	\$0.00
COVINGTON	864	\$310.51	\$0.00
EAGLE	834	\$299.73	\$0.00
GAINESVILLE	1506	\$541.24	\$0.00
GENESEE FALLS	319	\$114.65	\$0.00
JAVA	1453	\$522.19	\$0.00
MIDDLEBURY	1011	\$363.34	\$0.00
ORANGEVILLE	826	\$296.85	\$0.00
PERRY	3053	\$1,097.21	\$0.00
PIKE	687	\$246.90	\$0.00
SHELDON	1758	\$631.80	\$0.00
WARSAW	3413	\$1,226.59	\$0.00
WETHERSFIELD	565	<u>\$203.05</u>	<u>\$0.00</u>
TOTAL	25777	\$9,263.93	\$0.00

Carried: Ayes: 1570 Noes: 0 Absent: 48; Orangeville

#38

RESOLUTION NO. 01-334
(December 11, 2001)

By Mrs. Humphrey, Chairman of the Finance Committee:

20 COPIES OF ANNUAL REPORTS REQUESTED

BE IT RESOLVED, That the Public Officials of this County present at least of their annual report, in writing, to the Clerk of this Board not later than January 31, 2002, said annual report to contain a financial summary of the

December 11, 2001

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; Orangeville

#39

**RESOLUTION NO. 01-335
(December 11, 2001)**

By Mrs. Humphrey, Chairman of the Finance Committee:

ANNUAL ORGANIZATIONAL MEETING SET

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

BE IT RESOLVED, That the Annual Organization Meeting of the Wyoming County Board of Supervisors will be set for Wednesday, January 2, 2002 at 2:00 PM, to be held at 143 North Main Street, Town of Warsaw, Warsaw, New York.

Carried: Ayes: 1570 Noes: 0 Absent: 48; Orangeville

Chairman Berwanger, asked if there was any further business to come before the Board. At this time Supervisor Rogers requested to address his fellow Board members, Department Heads and all that were present. Supervisor Rogers, Chairman of the Health and Human Services Committee, went on to address an article that was written in the Daily News out of Batavia, NY that gave Wyoming County a failing grade of "F" in relations to the use of the tobacco money that the County receives from a judgement of a lawsuit. Several groups such as Red Cross, Cancer Society, etc... graded the county with an failing grade because the county has not given any money for these agencies from the Tobacco Settlement

Supervisor Rogers went on to state that the money received from the tobacco lawsuit has to be used for Capital Improvements and Debt Reduction according to the terms of the settlement. Currently there are several county departments and county agencies running programs and working on passing some kind of smoking legislation for Wyoming County. Just recently a county

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wide Smoke Legislation Sub-Committee was formed to look at possibly creating some kind of proposal or smoke legislation to be passed by this Board. At this time Supervisor Rogers could not present any kind of monetary figure that these department or agencies are spending on smoke free programs, but there are programs in place and will continue to run those programs while continuing to reach their goals. Supervisor Rogers then thanked the Chairman for the opportunity to address the article that was written in the Daily News.

Chairman Berwanger continued on with the news that it was a bitter sweet day for Wyoming County. Supervisor from the town of Middlebury, Arnold Cox, marks his final meeting with the full board. Mr. Cox has served for many years from 1990 til 2002, twelve years. He has served on many committees, such as, Fire and Civil Defense, Planning , Human Services, Audit, Highway, Insurance, Public Health, Public Works, Public Safety, Courthouse and Agriculture Committee. This past year as Chairman of the Agriculture Committee he managed to realize and obtain a new Animal Shelter for Wyoming County. Chairman Berwanger continued saying, "As a supervisor I would like to say, that through his vision, dedication, loyalty and commitment to the residents of Wyoming County". "He certainly has been appreciated and certainly will be missed." "Arnold on behalf of the Board of Supervisors I would like to wish you the best of luck and many years of good health and thank you for your many years of service."

Supervisor Cox, T/Middlebury thanked Chairman Berwanger for the wonderful words and went on to state how much he enjoyed serving the residents of Wyoming County and will miss serving on the Board of Supervisors.

Chairman Berwanger also mentioned that today was Supervisor West, T/Orangeville, last day with the Full Board. "Unfortunately Mrs. West could not be with us today, she did serve on the board from 1994 through 2001". "Mrs. West served on the Finance, Planning, Audit, Human Services, Agriculture, Public Health, County Operations and most recently chaired the Public Safety Committee". "Mrs. West was also instrumental in securing the new animal shelter for the County and I thank her for all her efforts". "Mrs. West has also showed the same characteristics as Supervisor Cox, to the people of Wyoming County and the residents of the Town of Orangeville". Chairman Berwanger went on to say, "I will miss most her loyalty and support and her great laugh, and I thank her for her many years of service."

Supervisor Herman, T/Wethersfield moved the meeting be adjourned at 2:58 PM.

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A

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Order of Protection for Deer

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Miller, P. Kiecher, A.

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