

**PROCEEDINGS  
OF THE  
BOARD OF SUPERVISORS**

**WYOMING COUNTY  
NEW YORK**

**2002**

# PROCEEDINGS

OF THE

# BOARD OF SUPERVISORS

WYOMING COUNTY  
NEW YORK

# 2002

## 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 2002.

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: Paul Agen, Anne Humphrey, Sally Meeder, Angela Brunner, Suzanne Aldinger (Board Clerk), Joseph Kushner. Second row: Jean Totstline, Harold Bush, Kyle Glosser, Howard Miller. Third row: Ronald Herman, John Knab, Joseph Gozelski. Fourth row: A. Douglas Berwanger (Chairman), Chris Hickey, Larry Rogers, Jerry Davis.*

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# 2002 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	SALLY MEEDER 4631 Gay Rd., Warsaw, NY 14569	786-2304
Orangeville	KYLE GLOSSER 2460 Orangeville Center Rd., Varysburg, NY 14167	786-5508
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 2002 Standing Committees

Effective January 2, 2002

**FINANCE COMMITTEE:**

Humphrey, Agan, Miller, Rogers, Gozelski, Herman, Knab, Davis

**AUDIT COMMITTEE:**

Bush, Brunner, Miller, Kushner, Glosser, Meeder, Hickey, Humphrey, Agan

**HUMAN RESOURCE COMMITTEE:**

Herman, Kushner, Glosser, Meeder, Hickey, Humphrey, Agan

**HEALTH & HUMAN SERVICES COMMITTEE:**

Rogers, Davis, Totstline, Bush, Brunner, Knab, Kushner

**PLANNING COMMITTEE:**

Miller, Humphrey, Totstline, Hickey, Brunner, Rogers, Glosser

**AGRICULTURE COMMITTEE:**

Gozelski, Heramn, Humphrey, Glosser, Meeder, Brunner, Kushner

**PUBLIC WORKS COMMITTEE:**

Agan, Davis, Gozelski, Herman, Bush, Kushner, Knab

**PUBLIC SAFETY COMMITTEE:**

Davis, Rogers, Knab, Miller, Agan, Hickey, Totstline

**GREEN ENERGY SUB-COMMITTEE:**

Herman, Humphrey, Davis, Glosser, Knab

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

# Officers for Wyoming County - 2002

Congressmen, 27 <sup>th</sup> District	Thomas M. Reynolds	Williamsville
Senator, 59 <sup>th</sup> District	Dale M. Volker	Depew
Assemblyman, 147 <sup>th</sup> District	Daniel Burling	Warsaw
Republican Comm. Chairman	Gordon Brown	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
Civil Service Technicaian	Marjorie Downs	Perry
Commissioner of Jurors	Marianne E. Kelly	Perry
Coroners	Michael Smith	Wyoming
	George Deihl, II	Attica
	Neil Williams	Arcade
	Renee Hill	Attica
County Attorney	Eric T. Dadd	Attica
County Clerk	Janet Coveny	Warsaw
	Kathleen Daniel	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
	Charles McCormick, 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	John A. Beachel	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	Vacant	
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	Janet Coveny	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**  
**WEDNESDAY                      JANUARY 2, 2002                      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 Humphrey and Supervisor Brunner to escort Sally Meeder, newly elected Supervisor for the Town of Middlebury, and Kyle Glosser, newly elected Supervisors for the Town of Orangeville to their seats. 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 2002 as follows: Arcade - A. D. Berwanger; Attica - Paul Agan; Bennington - Christopher Hickey; Castile - E. Joseph Gozelski; Covington - Jerry Davis; Eagle - Joseph Kushner; Gainesville - Harold Bush; Genesee Falls - Jean Totstline; Java - Angela Brunner; Middlebury - Sally Meeder; Orangeville - Kyle Glosser; Perry - Anne Humphrey; Pike - Larry Rogers; Sheldon - John Knab; Warsaw - Howard Miller; Wethersfield - Ronald P. Herman, Sr.

Ms. Aldinger called for nominations for Temporary Chairman. Supervisor Humphrey nominated Supervisor Rogers. Seconded by Supervisor Bush. 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 Rogers was declared Temporary Chairman.

Temporary Chairman Rogers called for nominations for Permanent Chairman of the Board. Supervisor Miller nominated Supervisor A. D. Berwanger; seconded by Supervisor Agan. Supervisor Hickey nominated Supervisor Harold Bush; seconded by Supervisor Knab. At this time Supervisor Bush declined the nomination for Chairman. There were no other nominations. Temporary Chairman Rogers moved that nominations be closed. A roll call vote was taken with the results as follows: Ayes - 1618; Noes - 0; Absent - 0. Supervisor Berwanger was declared Chairman of the Board for the year 2002. The Oath of office was administered by Judge Mark Dadd.

Chairman Berwanger called for nominations for Vice-Chairman of the Board. Supervisor Totstline nominated Supervisor Humphrey; seconded by Supervisor Gozelski. Supervisor Hickey nominated Supervisor Bush; seconded by Supervisor Brunner. There were no other nominations. Chairman Berwanger moved that nominations be closed. A roll call vote was taken with the results as follows: Supervisor Humphrey - 1084; (162) Berwanger, (164) Agan, (127) Gozelski, (54) Davis, (49) Kushner, (20) Totstline, (214) Humphrey, (46) Pike,

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(213) Warsaw, (35) Wethersfield; Supervisor Bush - 534; (127) Hickey, (96) Bush, (93) Brunner, (64) Meeder, (48) Glosser, (106) Knab. Supervisor Humphrey was declared Vice-Chairman of the Board for the year 2002. The Oath of Office was administered by Judge Mark Dadd.

Chairman Berwanger called for nominations for Clerk of the Board. Supervisor Herman nominated Suzanne Aldinger; seconded by Supervisor Davis. No other nominations were made. Chairman Berwanger moved that nominations be closed. A roll call vote was taken with the results as follows: Ayes - 1618; Noes - 0; Absent - 0; . Ms Suzanne Aldinger was declared Clerk of the Board of Supervisors for the year 2002. Judge Mark Dadd administered the Oath of Office. Chairman Berwanger asked that Newly re-elected County Treasurer, John B. Edwards to please come forward to take his oath of office. Judge Mark Dadd administered the Oath of Office.

#1

**RESOLUTION NO. 02-01  
(January 2, 2002)**

By Temporary 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

Chairman Berwanger handed out the list of committee for the year 2002. At this time Chairman Berwanger declared a short recess for the Finance Committee, Human Resource Committee and Public Safety Committee to meet at 2:19 PM. Business resumed at 2:27 PM.

#2

**RESOLUTION NO. 02-02  
(January 2, 2002)**

By Chairman of the Finance Committee:

**OFFICIAL NEWSPAPERS DESIGNATED**

January 2, 2002

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

Carried: Ayes: 1618

### 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 2002:

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

Signed this second day of January 2002.

s Paul F. Agan

s/Ronald P. Herman, Sr.

s/Jerry Davis

s/Anne C. Humphrey

s/Joesph Gozelski

s/A. D. Berwanger

s/Jean M. Totstline

s/Howard Miller

s/Larry Rogers

Organizational Meeting

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**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 2002:

<u>Designation</u>	<u>Publication</u>	<u>Village of</u>
Election notices	Daily News	Batavia, NY
Sheriff's Proclamations	Daily News	Batavia, NY
Local laws, notices and other matters required by law to be published and for which NO OTHER specific designation has been made.	Daily News	Batavia, NY
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 2002.

s/Chris Hickey

s/Sally Meeder

s/Harold Bush

s/Kyle Glosser

s/Joseph Kushner

s/John Knab

s/Angela Brunner

#3

**RESOLUTION NO. 02-03**  
**(January 2, 2002)**

By Chairman of the Human Resources Committee:

**COUNTY ATTORNEY REAPPOINTED**

January 2, 2002

BE IT RESOLVED, That Eric T. Dadd, 11 Exchange Street, Town of Attica, Attica, NY 14011, is hereby reappointed County Attorney, said term to be for two (2) years to expire December 31, 2003.

Carried: Ayes: 1618

Noes: 0

Absent: 0

#4

**RESOLUTION NO. 02-04  
(January 2, 2002)**

By Chairman of the Finance Committee:

**COUNTY AUDITOR REAPPOINTED**

BE IT RESOLVED, That the Clerk of this Board is hereby reappointed to act as County Auditor, with limited authority to audit bills and claims against the County which are to be paid from County Road and Machinery Funds in the Highway Department and any other audits as requested by the Finance Committee of the Board of Supervisors, said term to expire with that of the current Board of Supervisors.

Carried: Ayes: 1618

Noes: 0

Absent: 0

#5

**RESOLUTION NO. 02-05  
(January 2, 2002)**

By Chairman of the Finance Committee:

**FRANK VITAGLIANO, JR. NOMINATED TO THE  
ROCHESTER-GENESEE REGIONAL TRANSPORTATION  
AUTHORITY**

WHEREAS, The Wyoming County Board of Supervisors adopted Resolution No. 93-161 on July 13, 1993 to become a member of the Rochester-Genesee Regional Transportation Authority; and

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WHEREAS, by virtue of Chapter 1124 of the Laws of 1969 which created the Authority, Wyoming County is entitled to have one seat on the Board of Commissioners of the Rochester-Genesee Regional Transportation Authority; and

WHEREAS, The Laws provide the Board of Supervisors with the responsibility of nominating an individual to represent the County on the Board of Commissioners and offering this nomination for appointment by the Governor; now therefore

BE IT RESOLVED, That the Board of Supervisors hereby nominates Frank Vitagliano, Jr., 329 Wyoming Street, Town of Warsaw, Warsaw, NY 14569 for consideration by the Governor, and be it

FURTHER RESOLVED, That the Clerk of this Board shall transmit a certified copy of this resolution to the Governor with a request that action be taken to appoint the County's representative to the Board of Commissioners as soon as possible.

Carried: Ayes: 1618 Noes: 0 Absent: 0

Chairman Berwanger asked if there was any other business to come before the board. At this time the Clerk of the Board announced that she had reappointed Melane Spink as the Deputy Clerk to the Board.

Chairman Berwanger proceeded as follows:

Residents of Wyoming County, Fellow Supervisors, Elected and Appointed Officials, and Friends. The year 2001-2002 have been especially a trying year not only for the people of New York State the United States and the people of Wyoming County. This Board of Supervisors have been faced with tremendous pressure to bring about a budget that is serviceable and suitable for the residents of Wyoming County and the Department Heads of this County. Under the Finance Committee this year and the year 2002 will be under the leadership of Supervisor Humphrey from Perry, there will be several key issues. Number one will be to continue to operate Wyoming County Community Hospital in the Black. In the last eight or nine years this hospital has not asked for a subsidy in this amount of time and we are very proud to have this facility for our residents in Wyoming County.

In the advanced forthcoming departure of our County Administrator, Kevin DeFebbo, the Administrator falls under the Finance Committee. We will be having a ad hoc committee to study the County Administrators job description and the possibility of a new person to fill this position.

In other words the Finance Committee will continue to monitor the

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budget and we anticipate having to amend the budget throughout the year. This is a fact of life and we intend to operate fully within this budget as is possible.

The Health and Human Services Committee, Chaired by Mr. Larry Rogers, Supervisor for the Town of Pike, also has a tremendous undertaking in their effort with the Department of Social Services who has one of the largest budget within Wyoming County. With Medicaid cost continuing to escalate, under the Direction of Jeannette Wallace we have been able to keep the cost under control and be able to keep our budget within its realms. That will be the biggest effort they will have to contend with this year. The other departments under the Health and Human services Committee are , Public Health, Mental Health, Office for the Aging, Youth Bureau and Veteran's Services all dealing with budget constraints and state mandates.

Under the Planning Committee, headed by Mr. Miller, Supervisor for the Town of Warsaw, Economic Development must continue although we do not have additional funds, with the IDA headed by Richard Tindell, Wyoming County Chamber of Commerce with Jim Pierce as Executive Director, and their efforts with local businesses and keeping the businesses that we have here, and recruit new business is essential to top economic life blood of our County. We also have the Strategic Plan that was implemented this past year. I believe it is a very important top want success for Wyoming County in the years to come. Other issues which continue to face the Planning Committee are solid waste issues, tourism business under the direction of Diane Johnson-Jaeckle, and the Arts Council will also be under the Planning Committee. We will continue do everything in our power to stimulate our economy.

The Agriculture Committee will be headed by Mr. Joseph Gozelski, Supervisor for the Town of Castile, their effort will be to monitor the progress of the new animal shelter that was recently opened, take care of the County Forest and work with our contract agencies, such as Wyoming County Soil & Water, Cooperative Extension, and help in the development of the Ag Industry and the Dairy Industry which is challenging them to keep the industry economically solvent.

The Public Works Committee, to be chaired by Mr. Agan, Supervisor for the Town of Attica. Their key goal this year will be to maintain the County Road System, although we have no money to continue our Better Roads Program, we should continue on planning a Betters Road Program so if we should ever have the money again we will be ready to go. The Buildings and Grounds Department , my congratulations to Mr. Dennis Halstead for his work on the Wyoming County Animal Shelter which much of the work was done under his supervision and by his employees.

The Human Resource Committee, headed by Mr. Herman, Supervisor from the Town of Wethersfield. Mrs. Janet Coveny, the County Clerk, who will continue to computerize her office and provide a high level of service for the residents of Wyoming County. The Personnel/Civil Service Office with labor negotiations with the CSEA. I am sure it is Mr. Herman's wish as it is with the

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

rest of this Board the negotiations are speedy and an acceptable completion of the negotiations and not acrimonious. The Board of Elections, The County Attorney, The Department of Weight's and Measures, The Historian, Library system also come under the Human Resource Committee. I am sure Mr. Herman and the rest of the committee will continue to do their very best job like they have always done.

The Public Safety Committee, to be Chaired by Mr. Jerry Davis, Supervisor of the Town of Covington. Sheriff Ely provides quality protection to all the County residents, yet runs the finest Sheriff's Department in all of New York State. He continues to provide equal opportunity and equal protection to all the residents in Wyoming County. Emergency Services, Department Head Mr. Jim Reger, has to deal with all emergency's wether it is accidental or via weather related or car accidents or fires, he is there on the job and performs a good job. The Probation Department continues to struggle under the direction of Anne Herod, with state mandates and budget constraints while trying to provide the very best services possible to the residents in this county. This Board is aware of her fight and will continue to make this department what you have a vision for in this department. The Public Defender, Mr. Norm Effman will continue to provide service to the residents of this County with high level representation, while he too continue to struggle with mandates and budget.

The Audit Committee, under Mr. Harold Bush, Supervisor from the Town of Gainesville, and Ms. Brunner, also on the Audit Committee, will continue to provide a good system of checks and balances, and a good watch dog committee for the County's finance situation.

Also I have created at the urging of Mr. Herman to create a Green Energy Committee. Wyoming County as you can see is a good leader in wind energy but can also be a good leader in manure energy and natural gas energy. Mr. Herman believes that with the creation of this committee it gives him a little bit more of a position state wide and nationally in order to represent Wyoming County to suppliers/vendors to coming here and installing different types of energy producing facilities, so that is why we are doing that.

Folks, on September 11, 2001, this state endured a terrific financial and emotional set back. There is not another state in the union, of the United States, that has suffered this kind of situation. We all live in New York State, we all live in Wyoming County and we all live in our perspective Towns. As John F. Kennedy said in 1961, January 20<sup>th</sup>, "Ask not what your country can do for you, but ask what you can do for your country". "Don't ask what New York State can do for us, what can we do to help New York State, reclaim its position as the leading state of the United States of America." I know since September 11<sup>th</sup> that the reimbursements from New York State have been slow coming in and has effected our budget process, but, the fact of the matter is we are in a precarious situation, we are working very closely with our state and federal representatives, Dan Burling our State Assemblyman, Dale Volker our State Senator, Thomas Reynolds our Congressman, Hilary Clinton and Charles Schumer our United

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States Senators.

Friends it is time for us to stand together and unite, or, if we stand alone we will not succeed. Therefore, I say that the Department Heads, the Board of Supervisors, we must unite, and have to be on the same page and move this County forward, despite what has happened in New York City and in Washington.

So in closing, I want to say, "I'm proud to be from the Town of Arcade, I'm proud to be from Wyoming County, I 'm proud be from New York State and I am damn proud to be an American. God bless Wyoming County and thank you."

\*\*\*\*\*

Mr. Herman moved to adjourn the meeting at 2:50 P.M.

Proceedings of the Board of Supervisors**REGULAR SESSION****TUESDAY****January 8, 2002**

The first 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 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. 02-06  
(January 08, 2002)**

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:

<b>CAPITAL</b>			
To acct 01.52.9950.9.99004 Capital Interfund w/rev acct. 01.02.3020.1140 increased by same amount	\$3,500.00	\$3,500.00	<b>\$3,500.00</b>
<b>EMERGENCY SERVICES</b>			
To acct. 25.72.3020.2.22001 Emergency Services w/rev acct 25.13.3020.5031 increased by same amount	\$3,500.00	\$3,500.00	<b>\$3,500.00</b>
<b>SHERIFF (FY 2002)</b>			
To acct 01.37.3110.2.23001 Vehicles w/rev acct 01.07.3110.2626 increased by same amount	\$7,000.00	\$7,000.00	<b>\$7,000.00</b>
<b>COMPUTER SERVICES</b>			
To acct 01.34.1680.1.10001 Salary w/rev acct 01.08.1680.2680 inc by same amount	\$2,382.41	\$2,382.41	<b>\$2,382.41</b>
<b>COUNTY ATTORNEY</b>			
To acct 01.34.1421.42305 assigned counsel From any funds available	\$2,000.00	\$2,000.00	<b>\$2,000.00</b>

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<b>TREASURER</b>			
To acct 01.48.8020.4.40301 Prof. Services From any funds available	\$432.92	\$432.92	<b>\$432.92</b>
<b>SOCIAL SERVICES</b>			
To acct 01.39.6010.4.40508 Private auto repair w/rev acct 01.08.6010.2680 inc by same amount	\$5,054.85	\$5,054.85	<b>\$5,054.85</b>
<b>FIRE &amp; BUILDING CODES</b>			
To acct 01.37.3620.4.40405 employee expenses w/rev acct 01.11.3620.3089 inc by same amount	\$391.86	\$391.86	<b>\$391.86</b>
<b>PROBATION</b>			
To acct 01.37.3140.4.41705 Drug & Alcohol Test 01.37.3140.4.40701 electronic monitoring w/rev acct 01.03.3140.1289 inc by same amount	\$50.00 <u>\$1,600.00</u> \$1,650.00	\$1,650.00	<b>\$1,650.00</b>
<b>PUBLIC DEFENDER</b>			
To acct 01.32.1171.4.40902 legal services (IPP) w/rev acct 01.11.1171.3089 inc by same amount	\$33,000.00	\$33,000.00	<b>\$33,000.00</b>

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. 02-07  
(January 8, 2002)**

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:

<b>SOCIAL SERVICES</b>			
From acct 01.40.6129.4.42265 State Training To acct 01.40.6141.4.42268 HEAP	\$100,000.00	\$100,000.00	
From acct 01.40.6129.4.42265 State Training To acct 01.40.6101.4.42248 Med. Assistance	\$18,145.00	\$18,145.00	<b>\$118,145.00</b>

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<b>MENTAL HEALTH</b>			
From acct 01.38.4220.4.40301 Prof Cntrct Srvc To acct 01.38.4220.4.41510 Educ Materials	\$6,000.00	\$6,000.00	
From acct 01.38.4220.8.89001 Hosp. Insurance 01.38.4220.8.81001 Retirement  To acct 01.38.4220.1.10101 CSEA Wages 01.38.4220.1.10602 Ins Repudiation	\$1,200.00 <u>\$1,000.00</u> \$2,200.00	\$1,825.00 <u>\$375.00</u> \$2,200.00	<b>\$8,200.00</b>
<b>PUBLIC HEALTH</b>			
From acct. 01.38.4010.1.10201 pt time contracts 01.38.4010.1.10001 Salary Schd D/S/I  To acct. 01.38.4010.1.10301 OT Full/Part Time 01.38.4010.1.10401 Longevity benefit time 01.38.4010.4.42306 Other 01.38.4010.8.89001 Med./Hosp. Insurance	\$2,837.59 <u>\$3,308.18</u> \$6,145.77	\$250.00 \$7.50 \$150.00 <u>\$5,738.27</u> \$6,145.77	<b>\$6,145.77</b>

**Carried:                      Ayes: 1618                      Noes: 0                      Absent: 0**

Supervisor Bush, Chairman of the Audit Committee presented the bills in the amount of One Million, One Hundred Sixty Seven Thousand, Three Hundred Forty Nine Dollars, Four Cents (\$1,167,349.04).

**Carried:                      Ayes: 1618                      Noes: 0                      Absent: 0**  
#3

### RESOLUTION NO. 02-08 (January 8, 2002)

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

#### **THE YEAR 2002 PROCLAIMED “YEAR OF ASSET BUILDING”**

WHEREAS, Wyoming County applied for and received grant funding from New York State Office of Children and Family Services for an Integrated County Plan Initiative (Pathways); and

WHEREAS, The 40 Developmental Assets Model is a key component of the Integrated County Plan Concept being promoted by Pathways; and

WHEREAS, Wyoming County has the opportunity to encourage the

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entire population of the county to celebrate the goodness of the young people in the county, and to celebrate the developmental assets of Wyoming County youth; and

WHEREAS, Pathways in celebrating the goodness of the young people of Wyoming County, hereby requests that the year 2002 be designated the Year of Asset Building by the Wyoming County Board of Supervisors, with monthly recognition of a group or an individual young person(s) to be recognized as an Asset Builder by certificate; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors does hereby proclaim the year 2002 as

**“YEAR OF ASSET BUILDING”**

and calls upon all citizens, government agencies, public and private institutions, business and schools in Wyoming County to actively participate in the promotion of Asset Building throughout Wyoming County during the year 2002.

**Carried:                    Ayes: 1618                    Noes: 0                    Absent: 0**

At this time Chairman Berwanger presented a Proclamation proclaiming the Year 2002 as the “Year of Asset Building” to Barb Boyer, Chairman of the Asset Building Committee of Pathways. Chairman Berwanger went on to say the following:

It is with great pleasure at this time to recognize the first group of young people for the “Year of Asset Building” as just proclaimed by the Board of Supervisors. This group was formed in the late summer of 2001, after applications and essays were received and reviewed by the Pathways Asset Committee. These young people were chosen to be Wyoming County’s Asset Ambassadors.

The group received some initial training in the 40 Developmental Assets then attended the Healthy Community – Healthy Youth Conference sponsored by the Search Institute in Indianapolis, Indiana. This conference merged these young adults with close to 2,100 other conference participants, from across the United States, Canada and Mexico, in intensive developmental asset training for four days. They have made a one-year commitment to help deliver the Developmental Asset message to their individual communities and other Wyoming County youth.

These young adults represent the current youth of Wyoming County. Through their active participation in a wide variety of High School activities such as drama, sports, music and student government; Community Activities such as the Wyoming County Youth Court, Wyoming County Teen Council, Wyoming County Youth Board, 4-H, and Upward Bound to name a few. They

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are also active in their churches and church youth groups. Some of these young adults have had the opportunity to travel abroad while some still have that desire to do so. Many of them have part time jobs, helping out on the farm, or learning the importance of healthy work habits.

However, these young adults represent the future of Wyoming County. In a short couple of years they will be finishing high school and most will be going on to college. Then looking to go out in the world and face the many challenges of young adulthood. They are the future voters of our communities, and even may be taking part in the government of our communities.

The 40 Developmental Assets help identify and reinforce the strengths of our Wyoming County youth. The more assets that the young people of Wyoming County community have, the more likely they will turn out to be healthy and productive members of Wyoming County in the future.

Once again I would like to recognize the Wyoming County Asset Ambassadors, the first group of Wyoming County youth to be recognized during this "Year of Asset Building." I would like to recognize them individually:

Stephen C. Tarbell, II - Silver Springs

Rachel Bark -  
Perry

Charisse Jackson - Warsaw

Nyicky Lawton - Perry

Dan Barber - Perry

Melissa Cramer – Varysburg

Business resumed.

Chairman Berwanger, T/Arcade, asked that resolution office #'s 4-19 be consolidated for consent agenda. Supervisor Bush, asked that Resolution Office #18 be amended to add contingent upon the availability of Highway Department unable to do the work at a lower cost. A voice vote was taken and the request was granted.

#4

### **RESOLUTION NO. 02-09 (January 8, 2002)**

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

### **CHAIRMAN AUTHORIZED TO SIGN A LETTER OF AGREEMENT ON BEHALF OF PATHWAYS**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney is hereby authorized and directed to sign a  
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letter of agreement with Vision Training Assoc., PO Box 338, Gorham, ME, on behalf of Pathways, for the provision of asset building efforts training school, effective December 27, 2001 through January 31, 2002; amount not to exceed Five Thousand, Two Hundred Dollars (\$5,200.00) contingent upon the availability of funds.

**Carried:**                    **Ayes: 1618**                    **Noes: 0**                    **Absent: 0**  
#5

**RESOLUTION NO. 02-10  
(January 8, 2002)**

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

**CHAIRMAN AUTHORIZED TO SIGN A MEMORANDUM  
OF UNDERSTANDING 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 Memorandum of Understanding with Wyoming County Community Action, 6470 Route 20A, Suite 1, Perry, NY, for the purpose of providing Outcome Funding Training, on behalf of the Youth Bureau for Pathways and the Integrated County Plan Grant, effective January 8, 2002 through December 31, 2002; amount not to exceed Five Thousand Dollars (\$5,000.00) contingent upon the availability of funds.

**Carried:**                    **Ayes: 1618**                    **Noes: 0**                    **Absent: 0**  
#6

**RESOLUTION NO. 02-11  
(January 8, 2002)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT  
WITH NYSDOH 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

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Contract with the New York State Department of Health for the provision of the State Indoor Radon Grant, on behalf of the Public Health Department, effective October 1, 2001 through June 30, 2003; amount not to exceed Five Thousand Dollars (\$5,000.00) contingent upon the availability of funds.

**Carried:**                    **Ayes: 1618**                    **Noes: 0**                    **Absent: 0**  
#7

**RESOLUTION NO. 02-12**  
**(January 8, 2002)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT**  
**WITH HEALTH RESEARCH INC. 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 Health Research Inc., One University Place, Rensselaer, NY for the provision of Early Detection of Breast and Cervical Cancer, on behalf of the Public Health Department, effective September 30, 2001 through September 29, 2002; amount not to exceed Seven Thousand, Six Hundred Fifty Dollars (\$7,650.00) contingent upon the availability of funds.

**Carried:**                    **Ayes: 1618**                    **Noes: 0**                    **Absent: 0**  
#8

**RESOLUTION NO. 02-13  
(January 8, 2002)**

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 Department is hereby authorized and directed to sign the following contracts:

Grants

New York State Department of Health (NYSDOH)  
Contract period January 1, 2002 through December 31, 2002

CHHA Services

*Home Health Aides Services for personal care  
Licensed Agency - \$15.25-\$15.75 per hour for two or more hours &  
\$20.00 per hour for one hour*

Wyoming Area Homemakers  
11 West Buffalo Street  
Warsaw, NY 14569  
Contract period January 1, 2002 through December 31, 2002

Gentiva Home Health Aide Services  
Contract period January 1, 2002 through December 31, 2002

*Speech Pathology Services*

Wyoming County Community Hospital visit  
400 North Main Street  
Warsaw, NY 14569  
Contract period January 1, 2002 through December 31, 2002

**Proceedings of the Board of Supervisors***Physical Therapy Services*

Step by Step Physical Therapy

Kevin Ward, PT

North Main Street

Warsaw, NY

Contract period January 1, 2002 through December 31, 2002

Wyoming County Community Hospital

400 North Main Street

Warsaw, NY 14569

Contract period January 1, 2002 through December 31, 2002

Margaret Dollas

1026 Urf Road

Cowlesville, NY 14037

*Occupational Therapy Services*

Wyoming County Community Hospital

400 North Main Street

Warsaw, NY 14569

Contract period January 1, 2002 through December 31, 2002

**Registered Dietician Services****Men's and Women's Reproductive Health Services**

Medical Director

Theresita Dolojan, MD

Contract period January 1, 2002 through December 31, 2002

Consultant: Francis Kelly, MD

Contract period January 1, 2002 through December 31, 2002

Scott Perrapato, DO

Contract period January 1, 2002 through December 31, 2002

Wyoming County Community Hospital

Nurse Practitioner

Contract period January 1, 2002 through December 31, 2002

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Genesee Delivery-courier service to transport lab specimens \$0.85/mile  
Contract period January 1, 2002 through December 31, 2002

Excell Laboratory - GYN Tests  
Contract period January 1, 2002 through December 31, 2002

Erie County Laboratory - GYN Tests  
Contract period January 1, 2002 through December 31, 2002

### **Environmental**

Genesee Delivery - Courier service to transport water samples  
Contract period January 1, 2002 through December 31, 2002

Eastern Laboratory  
Contract period January 1, 2002 through December 31, 2002

Genesee County Health Department  
Contract period January 1, 2002 through December 31, 2002

### **Public Health**

Medical Director Services  
Francis Kelly, MD  
Contract period January 1, 2002 through December 31, 2002

Coroner - Mike Smith  
Contract period January 1, 2002 through December 31, 2002

Chest Clinic Services-Medical direction, clinic visits for TB Clients  
Dr. Qutabuddin Dar  
Contract period January 1, 2002 through December 31, 2002

Erie County Health Department - West Nile Virus, Anthrax  
Per price list  
Contract period January 1, 2002 through December 31, 2002

Freed Maxick - accountant  
Contract period January 1, 2002 through December 31, 2002

Excell Laboratory-Breast Health Partnership  
Contract period January 1, 2002 through December 31, 2002

**Carried:                      Ayes: 1618                      Noes: 0                      Absent: 0**

Regular Session

**RESOLUTION NO. 02-14  
(January 8, 2002)**

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. Wyoming County Technical Information Computer Services, 143 North Main Street, Warsaw, NY 14569; for the provision of Hardware/Software support, as well as network and telecommunications support, effective January 1, 2002 through December 31, 2002; amount not to exceed Ninety Thousand, Two Hundred Thirty Five Dollars (\$90,235.00) contingent upon the availability of funds.
2. Martha Lochman, 4656 Pflaum Road, Dale, NY; for the provision of Enhanced Drug and Alcohol Driver; effective January 1, 2002 through December 31, 2002; amount not to exceed Ten Thousand, Four Hundred Dollars (\$10,400.00) contingent upon the availability of funds.
3. Wyoming County Sheriff's Department, 151 North Main Street, Warsaw, NY 14569; for the provision Fraud Investigations; effective January 1, 2002 through December 31, 2002; amount not to exceed Forty Eight Thousand, Two Hundred Fifty Six Dollars, Thirty Four Cents (\$48,256.34) contingent upon the availability of funds.
4. Eric T. Dadd, County Attorney, 11 Exchange Street, P.O. Box 238, Attica, NY 14011; for the provision of legal services; effective January 1, 2002

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through December 31, 2002; amount not to exceed Forty Nine Thousand, Eight Hundred Ninety Five Dollars (\$49,895.00) contingent upon the availability of funds.

5. Wyoming Area Homemakers, 5 North Main Street, Warsaw, NY; for the provision of a parent aide for Children's Resource Room, effective January 1, 2002 through December 31, 2002; amount not to exceed Fifteen Thousand Dollars (\$15,000.00) contingent upon the availability of funds.

6. Oak Orchard Legal Services, 5073 Clinton Street Road, Batavia, NY; for the provision of Legal Assistance for SSI Applicants, effective April 5, 2001 through December 31, 2002, amount not to exceed Five Thousand Dollars (\$5,000.00) a year, contingent upon the availability of funds.

**Carried:**                      **Ayes: 1618**                      **Noes: 0**                      **Absent: 0**  
#10

**RESOLUTION NO. 02-15**  
**(January 8, 2002)**

By Mr. Miller, Chairman of the Planning Committee:

**CHAIRMAN AUTHORIZED TO SIGN SUB-RECIPIENT  
AGREEMENT WITH THE GENESEO FOUNDATION, INC.  
TO PROVIDE SERVICES TO MICROENTERPRISE  
ASSISTANCE PROGRAM**

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 State 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, The Geneseo Foundation is providing needed administrative services, and office/classroom space; therefore

BE IT RESOLVED, That the Chairman of the Board, with the approval of the County Attorney, is hereby authorized to sign a contract with the Geneseo Foundation, Inc., One College Circle, Irwin Hall - Room 202, Geneseo, New York 14454, cost of said contract not to exceed One Hundred Twenty Thousand Dollars (\$120,000.00); said contract effective January 1, 2002 through December 31, 2003, contingent upon the availability of funds.

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**Carried:**

**Ayes: 1618**

**Noes: 0**

**Absent: 0**  
#11

**RESOLUTION NO. 02-16**  
**(January 8, 2002)**

By Mr. Miller, Chairman of the Planning Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT  
WITH ECC TECHNOLOGIES INC. FOR  
TELECOMMUNICATIONS CONSULTING SERVICES**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to a sign a contract with ECC Technologies Inc., 845 Fairport Office Centre, Fairport, NY 14450 to develop a technology and telecommunications infrastructure plan for Wyoming County as recommended in the Target Tomorrow Strategic Plan. Total cost of said contract not to exceed Nineteen Thousand Dollars (\$19,000.00); effective January 1, 2002 through October 31, 2002; contingent upon on the availability of funds.

**Carried:**

**Ayes: 1618**

**Noes: 0**

**Absent: 0**  
#12

**RESOLUTION NO. 02-17**  
**(January 8, 2002)**

By Mr. Miller, Chairman of the Planning Committee:

**CHAIRMAN AUTHORIZED TO SIGN AN AGREEMENT  
WITH THE WYOMING COUNTY CHAMBER OF  
COMMERCE FOR ECONOMIC DEVELOPMENT  
MARKETING 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 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. Total cost of said agreement not to

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exceed Twenty-Five Thousand Dollars (\$25,000.00); effective January 1, 2002 through December 31, 2002, contingent upon the availability of funds.

**Carried:**                      **Ayes: 1618**                      **Noes: 0**                      **Absent: 0**  
#13

**RESOLUTION NO. 02-18**  
**(January 8, 2002)**

By Mr. Miller, Chairman of the Planning Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT  
WITH GENESEE/FINGER LAKES REGIONAL PLANNING  
COUNCIL FOR GIS CONSULTING 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 the Genesee/Finger Lakes Regional Planning Council (GFLRPC), City Place, 50 West Main Street, Suite 8107, Rochester, NY 14614 for the purpose of providing the Wyoming County Department of Planning & 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; said contract not to exceed Five Thousand Dollars (\$5,000.00); effective January 1, 2002 through December 31, 2002, contingent upon the availability of funds.

**Carried:**                      **Ayes: 1618**                      **Noes: 0**                      **Absent: 0**  
#14

**RESOLUTION NO. 02-19**  
**(January 8, 2002)**

By Mr. Miller, Chairman of the Planning Committee:

**OFFICIAL UNDERTAKING OF PUBLIC EMPLOYEES  
FIDELITY BLANKET BOND FOR COUNTY SHARE OF  
GENESEE/FINGER LAKES REGIONAL PLANNING  
COUNCIL OPERATING FUNDS AND CHAIRMAN  
AUTHORIZED TO SIGN FUNDING AGREEMENT**

Regular Session

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WHEREAS, The County of Wyoming has appropriated the sum of Six Thousand, Six Hundred Forty Seven Dollars (\$6,647.00) as its share of the 2002 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 \$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 this 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 2002 operating funds; cost of said agreement not to exceed Six Thousand, Six Hundred Forty Seven Dollars (\$6,647.00); effective January 1, 2002 through December 31, 2002, contingent upon the availability of funds

**Carried:**                      **Ayes: 1618**                      **Noes: 0**                      **Absent: 0**  
#15

**RESOLUTION NO. 02 -20  
 (January 8, 2002)**

By Mr. Davis, 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  
 January 8, 2002

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 administrated by the NYS Division of Criminal Justice Services on behalf of the County of Wyoming for an award allocation of Sixteen Thousand, Five Hundred, Thirty Seven Dollars (\$16,537.00), 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, 2002 through September 30, 2003.

**Carried:**                      **Ayes: 1618**                      **Noes: 0**                      **Absent: 0**  
# 16

**RESOLUTION NO. 02 -21  
(January 8, 2002)**

By Mr. Davis, Chairman of the Public Safety:

**CHAIRMAN AUTHORIZED TO SIGN AMENDMENT TO  
THE SEATBELT COMPLIANCE AND BICYCLE SAFETY  
GRANT CONTRACT**

BE IT RESOLVED, That the Chairman of this Board is hereby authorized and directed, with the approval of the County Attorney, to sign an amendment to the Seatbelt Compliance and Bicycle Safety Grant Contract (C00819) between the State of New York and the County of Wyoming as follows:

1. Box 4, Total Cost of Project, is deleted and the following amount is substituted therefor: Forty-four thousand, two hundred fifty and 00/100 dollars (\$44,250.00)

2. Box 5, Committee Assistance, is amended by deleting the language contained therein and substituting the following language therefor:

FROM: October 1, 2000                      TO: September 30, 2001  
the amount of: Twenty thousand, five hundred and 00/100 dollars.  
(\$20,500.)

and

FROM: October 1, 2001                      TO: September 30, 2002

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the amount of: Twenty-three thousand, seven hundred fifty and 00/100 dollars (\$23,750)

3. A copy of the Grant Agreement No. PT-6100032 assigned by the Governor's Traffic Safety Committee is hereby added to and made a part of this AGREEMENT.

**Carried:**                      **Ayes: 1618**                      **Noes: 0**                      **Absent: 0**  
#17

**RESOLUTION NO. 02 -22**  
**(January 8, 2002)**

By Mr. Davis, Chairman of the Public Safety:

**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 Twenty five Dollars (\$125.00) per day, per inmate for the period of January 1, 2002 through December 31, 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 execute said agreement in the name of the County of Wyoming.

**Carried:**                      **Ayes: 1618**                      **Noes: 0**                      **Absent: 0**  
#18

**RESOLUTION NO. 02-23**  
**(January 8, 2002)**

By Mr. Gozelski, Chairman of the Agriculture Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT  
WITH BEARDSLEY BUILDERS, INC. ON BEHALF OF  
THE DOG CONTROL OFFICER**

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BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign a contract with Beardsley Builders, Inc., 37 Lake Street, Perry, NY for the removal of existing steel roofing and installation of new steel roofing on the Wyoming County Animal Shelter, on behalf of the Dog Control Officer, effective January 8, 2002; amount not to exceed Three Thousand, Six Hundred Dollars (\$3,600.00) contingent upon the availability of funds and the ability to utilize county personnel.

**Carried:**                      **Ayes: 1618**                      **Noes: 0**                      **Absent: 0**  
#19

**RESOLUTION NO. 02-24**  
**(January 8, 2002)**

By Mr. Miller, Chairman of the Planning Committee:

**MEMBERS APPOINTED TO THE WORKFORCE**  
**INVESTMENT BOARD**

BE IT RESOLVED, That Sandy Lukowski, 565 Geer Road, Arcade, NY 14009, is hereby appointed to the GLOW Workforce Investment Board, as a private Sector Member for a two year term, said term to expire November 8, 2003; and be it

FURTHER RESOLVED, That Carl Usatch, 6234 Java Lake Road, Arcade, NY 14009, is hereby appointed to the GLOW Workforce Investment Board, as a private Sector Member for a two year term, said term to expire November 8, 2003.

**Carried:**                      **Ayes: 1618**                      **Noes: 0**                      **Absent: 0**  
#20

**RESOLUTION NO. 02-25**  
**(January 8, 2002)**

By Mr. Gozelski, Chairman of the Agriculture Committee:

**CONFINEMENT OF DOGS IN WYOMING COUNTY**  
**AUTHORIZED**

Regular Session

**Proceedings of the Board of Supervisors**

BE IT RESOLVED, That this Board hereby orders and requires that all dogs in the County of Wyoming shall be securely confined between sunset and one hour after sunrise for the period January 1, 2002 through Midnight, December 31, 2002, and be it

FURTHER RESOLVED, that notice of this Order shall be given publication in the following newspapers of general circulation within the County of Wyoming:

The Daily News

Perry Herald

Arcade Herald

Country Courier

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**  
#21

**RESOLUTION NO. 02-26  
(January 8, 2002)**

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

**RESOLUTION NO. 01-289 AMENDED RE: TEMPORARY  
POSITION OF CLEANER IN THE BUILDINGS AND  
GROUNDS DEPARTMENT**

BE IT RESOLVED, That Resolution No. 01-289, passed by this Board of Supervisors on November 13, 2001 is hereby amended to extend one (1) temporary, fte, position of Cleaner in the Buildings and Grounds Department, placed in Schedule B, Grade 2 of the CSEA Agreement through April 30, 2002.

**Carried:**                    **Ayes: 1618**                    **Noes: 0**                    **Absent: 0**

January 8, 2002

Motion made at 2.48 PM by Supervisor Rogers, T/Pike 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 Knab, T/Sheldon. Carried. Motion made by Supervisor Herman, T/Wethersfield at 2:55PM to adjourn Executive Session, seconded by Supervisor Miller, T/Warsaw. Carried. No action taken, business resumed.

#22

**RESOLUTION NO. 02-27  
(January 8, 2002)**

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

**ONE POSITION OF CASEWORKER CREATED  
IN THE DEPARTMENT OF SOCIAL SERVICES**

WHEREAS, Pursuant to the decision and order of the New York State Public Relations Board case number U-22099; now therefore

BE IT RESOLVED, There is hereby created one (1) full time position of caseworker within the Department of Social Services; said position shall be placed on Schedule A, Grade 14 of the CSEA agreement.

**Carried:**                      **Ayes: 1618**                      **Noes: 0**                      **Absent: 0**  
#23

**RESOLUTION NO. 02-28  
(January 8, 2002)**

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

**CREATE ONE POSITION OF FISCAL OFFICER II AND  
ABOLISH ONE POSITION OF ASSOCIATE DIRECTOR**

Regular Session

**Proceedings of the Board of Supervisors**  
**IN THE PUBLIC HEALTH DEPARTMENT**

BE IT RESOLVED, That there is hereby created one (1) position of Fiscal Officer II, fte. in the Public Health Department, said position to be placed on Schedule S, of the Wyoming County Salary Plan, Step 1; effective January 8, 2002; and be it

FURTHER RESOLVED, That one (1) position of Associate Director, fte. Schedule S of the Wyoming County Salary Plan shall be abolished in the Wyoming County Public Health Department effective January 8, 2002.

**Carried:**                      **Ayes: 1618**                      **Noes: 0**                      **Absent: 0**  
# 24

**RESOLUTION NO. 02 -29**  
**(January 8, 2002)**

By Mrs. Humphrey, Chairman of the Finance Committee:

**CAPITAL IMPROVEMENT PLAN 2002 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:

**BUILDING & EQUIPMENT CAPITAL RESERVE**

To 12.61.9950.9.99004 interfund transfer

**PLANNING ( ECONOMIC DEVELOPMENT STRATEGIC PLANNING)**

To 01.48.8020.4.40307 Strategic Planning

50,000.00

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

January 8, 2002

with ESTIMATED REVENUE Accounts increased accordingly in each Capital Fund; and be it

FURTHER RESOLVED, That in the 2002 Wyoming County Budget \$ 84,000.00 was approved from the Building & Equipment Capital Reserve for use in the reduction of Levy needed to cover the Government Center Renovations.

**Carried: Ayes: 1491 Noes: 127; Hickey Absent: 0**

#25

**RESOLUTION NO. 02-30  
(January 8, 2002)**

By Mrs. Humphrey, Chairman of the Finance Committee

**BOND RESOLUTION OF THE COUNTY OF WYOMING,  
NEW YORK, DATED JANUARY 8, 2002 FOR THE  
ISSUANCE AND SALE OF BONDS OF THE COUNTY OF  
WYOMING, NEW YORK, IN THE AMOUNT OF  
\$392,000.00 FOR THE PHASE 2 ENHANCEMENT OF THE  
COGENERATION PLANT LOCATED AT THE WYOMING  
COUNTY COMMUNITY HOSPITAL.**

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 commence the Phase 2 enhancement of the cogeneration plant located at the Wyoming County Community Hospital.

Section 2. Pursuant to Subdivision 11 of the Local Finance Law, the period of probable usefulness shall be five (5) years.

Section 3. The maximum estimated cost of said Phase 2 enhancement of the cogeneration plant located at the Wyoming County Community Hospital is \$392,000.00.

Section 4. The estimated maximum cost of said Phase 2 enhancement of the cogeneration plant located at the Wyoming County Community Hospital is the sum of \$392,000.00 and said amount is hereby appropriated therefor. The plan of financing involves the issuance of \$392,000.00 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

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pay the principal of and interest on said bonds.

Section 5. Serial bonds of said County of Wyoming in the principal amount of \$392,000.00 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 five (5) years. Also, set forth above is the maximum estimated cost for said enhancement.

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 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 Phase 2 enhancement of the co-generation plant located at the

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Wyoming County Community Hospital which is owned by the County of Wyoming.

Section 11. This resolution shall take effect immediately.

**Carried:**                      **Ayes: 1618**                      **Noes: 0**                      **Absent: 0**

Supervisor Bush, T/Gainesville asked the Chairman if there could be a five minute recess

because there are no published minutes from the last finance committee and he would like to discuss resolution office #26 with his fellow democrats. Chairman Berwanger declared a five minute recess at 3:05 PM; business resumed at 3:12 PM.

Supervisor Bush addressed the Board with the following:

As I said three weeks ago I was opposed to the freezing of wages for schedules DSI. I

also was against any plans to restructure the election department.

I feel that freezing of wages for DSI and the giving of just certain adjustments will throw

the whole salary schedule out of whack again. And this is after we spent a lot of time and money last year analyzing it and making adjustments where we felt they should be.

**THE ELECTION DEPARTMENT**

The attempt by certain members of this board to get to the two deputy commissioners in

the election department through the change in the S salary schedule is one of the most mean spirited things I have seen in my eight years on the Board of Supervisors.

It is unfair, it hinges on the edge of sexual harassment, its mean and it is targeting certain

individuals. The individuals this time happen to be two females that are forcing into a six or seven thousand reduction salary if they want to stay with the county. We propose reducing their salary but continue to pay two no show commissioners \$1,200.00 a year plus health insurance. Also as you look through the schedule there are people getting as much as five thousand dollar raises while you ask these employees to take a six thousand dollar cut.

I would ask any supervisor Republican or Democrat with any moral conscious to turn

down this resolution until these people are returned to their present rate of pay.

Supervisor Rogers, T/Pike stated that his only concern at this time is that we have still not

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resolved the Union contract with the union people at this point we are uncertain if or when they are going to get a increase and have not resolve this at this time and that we should be working also with our own people on D S & I along those lines.

Supervisor Hickey, T/Bennington, in regards to the salary schedule, if we adopt this

salary schedule and we have not thought out all the legal recourses that are involved with the Board of Elections, I stated my position on this many times in committee, I feel we are acting way ahead of ourselves on this, our mandate is to set a budget for departments, we allow our department heads to dictate the spending of those monies. Now are we going to get into the practice of micro managing certain departments? I don't think that is what we want to do here, but, that is apparently what is going on. If we are going to look at one department, then we need to look at all the departments. You are asking two employees to continue to do the same work for \$7,000 less a year. If we are going to do this with this one department, then we need to do this with all employees starting within our own house. Nobody has interjected that in any one way, shape or form. We spent much time last year going over the salaries for D S & I, and I would like to know why we did not survey this particular department when we did the surveys. Could Mr. DeFebbo please interject on that, if he could recall, why this department was not included in the survey? Mr. Kevin DeFebbo, County Administrator replied, " Because, quite frankly, it is a political department."

Supervisor Hickey also agreed that the Commissioners jobs are no show jobs, that the Deputy Commissioners getting only \$4,000.00 more a year are the ones that facilitate all the needs of that office. This is very strange and odd to me.

Supervisor Bush motion to leave the Deputy Commissioners salaries as it was in 2001 and reducing the Commissioners salary to \$100.00 a year with no benefits. Motion was seconded by Supervisor Brunner, T/Java. A roll call vote was taken and the motion to amend resolution office no. 26 was defeated as follows:

**Defeated:**           **Ayes: 747; (127) Hickey, (96) Bush, (93) Brunner, (64) Meeder, (48) Glosser, (106) Knab, (213) Miller**  
**Noes: 871; (162) Berwanger, (164) Agan, (127) Gozelski, (54) Davis, (49) Kushner, (20) Totsline, (214) Humphrey, (46) Rogers, (35) Herman**  
**Absent: 0**

Supervisor Hickey, T/Bennington motioned to table resolution office no. 26. Motion was seconded by Supervisors Brunner, T/Java. A roll call vote was taken and the motion to table resolution office no. 26 was carried as follows:

**Carried:**       **Ayes: 1103; (162) Berwanger, (127) Hickey, (127) Gozelski, (96) Bush, (20) Totstline, (93) Brunner, (64) Meeder, (48) Glosser, (214) Humphrey, (46) Rogers, (106) Knab, Noes: 515; (164) Agan, (54) Davis, (49) Kushner, (213) Miller, (35) Herman**  
**Absent: 0**

#26

**RESOLUTION NO. 02 -31  
(January 8, 2002)**

By Mrs. Humphrey, Chairman of the Finance Committee:

**SALARY SCHEDULES “S” “D”AND “T” 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”, "D" and “T” annexed hereto shall be substituted for the existing Schedule “S”, "D"and “T”, adopted on April 10, 2001. Commencing January 1, 2002, 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.

Tabled: **Ayes:**1103;(162) Berwanger, (127) Hickey, (127) Gozelski, (96) Bush, (93) Brunner, (64) Meeder, (48) Glosser, (214) Humphrey, (46) Rogers, (106) b, **Noes:** 515: (164) Agan, (54) Davis, (49) Kushner, (213) Miller, (35) Herman  
**Absent:** 0

Supervisor Humphrey, T/Perry, Chairman of the Finance Committee Withdrew resolution office no. 27.

Chairman Berwanger announced at this time that this was the County Administrator, Kevin DeFebbo’s last Wyoming County board meeting due to his resignation as County Administrator for Wyoming County. The Board accepts his resignation as presented and would like to ask and invite Mr. DeFebbo to address the board for the last time, and to accept a plaque from the County for all his hard work and dedication over these past six years.

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Kevin DeFebbo thanked the Board for the plaque and continued on to say:

About eight years ago I came here slightly less gray and slightly thinner. I had two reason for wanting to come to Wyoming County, one was to live in the country and the other was the experience of being your first County Administrator. As a historian I know that time is a great clarifier, like a wine it becomes clearer with time.

I've been asked by the press what was my greatest accomplishment, the thing that I am most proud of , is that I would have to say that I was able to maintain my own creed. I have had my own creed and lived by it. I would like to share it with you know. "You all come here to work for the people, in the eight years I have been here, the Board and all the Department Heads have worked and served for the people, and it was always about the people. None of us alone can do it alone. We have to work as a team, and in those eight years that I have been here we that. Second, in my mind no idea is ever too small, I think in the past eight years there have been a lot of good ideas. Doug has listed a number of accomplishments. Out of all those accomplishments I can say that not one was my idea. Thanks for the credit but they were not my ideas, not one of them was mine. As a manager I always wanted to make a difference, individually and as a County. Our motto has always been to be the best rural County in New York State. That's true we are. Over the last eight years I have seen how you all have made a great difference, how the department heads have made a big difference. In my mind it is all about making a difference and we have. With value and integrity and it has been affective. And as a supervisor it is the most difficult job. And I want the Board to know they have great department heads.

Finally, I always claimed that I was just a work man sent here. We are not special, we are just people. I believe in giving every one respect because we are just people, and I believe I treated everyone with respect no matter who they are.

I always try to leave a piece of me behind. Some of you know since I have been here I have taken up black smithing, and I made something for you, it is a Tommywalker, The wood is the maple taken from Attica. The deer hide is from a deer I hunted in Java along with the antlers holding it together, the inlays have their own special story. The heart is to symbolize the piece of my heart that you have and I will always leave with you. The brass for these inlays are from the old jail when they tore it down. I would be honored if you would accept this.

I would like to get personal here if I could. I would like to thank Doug Berwanger, Tom Moran, Anne Humphrey and Howard Payne for serving as our Chairman. Without you this County would not be what it is today. I would like to thank you Cheryl Mayer, Todd MacConnell, Paula Parker who work in my

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office. I would like to thank you for keeping me on track and working so hard for me. Thank you.

\*\*\*\*\*

Mr. Herman moved to adjourn the meeting at 3:40 PM

**REGULAR SESSION****TUESDAY****February 12, 2002****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. Chairman Berwanger, T/Arcade, called the meeting to order and asked that the Boys Scouts of America Color Guard to lead us in the Pledge of Allegiance to the Flag.

It is with great pleasure at this time to recognize the Boy Scouts of America as the Wyoming County Asset Builders for February 2002. The Boy Scouts of America has been at the forefront of instilling timeless values in youth since it's founding in 1910. This national youth movement has made serving others through its values-based program its mission. The Boy Scouts of America is committed to helping millions of youth succeed by providing the support, friendship, and mentoring necessary to live a happy and fulfilling life.

Here in Wyoming County over 24 Scouting units, serve over 560 youth, from traditional Cub Scout Packs, and Boy Scout Troops, to Co-ed Venturing Crews and Exploring Posts that cover interest from Civil War Re-enactment to learning about careers in the fire service and law enforcement.

Churches, fire departments, veteran organizations, community service organizations and even our own Wyoming County Sheriff's Department sponsor these units. These sponsors make Scouting available for more than 560 youth in Wyoming County who participate in the Scouting program as a means of character building, citizenship training, and personal fitness.

These key concepts of the Scouting program work well with the 40 Developmental Asset model. The 40 Developmental Assets help identify and reinforce the strengths of our Wyoming County youth. The more assets that the young people of Wyoming County community have, the more likely they will turn out to be healthy and productive citizens of Wyoming County in the future. The Scouting program embraces well over 30 of the 40 Developmental Assets as identified by the Search Institute.

The Iroquois Trail Council of the Boy Scouts of America and its 150 units are celebrating Scouting's 92<sup>nd</sup> anniversary during February, with the theme of "On My Honor, Timeless Values". It is only appropriate to recognize the Boy Scouts of America as the Wyoming County Asset Builders for February

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2002. The following youth are representing their units:

- Dwayne Wilcox, Jeremy Beardslee and Cory Comstock of Troop 52, Pike.
- Jonathan A. Karan of Troop 474, Bennington.
- Ryan Leblond of Troop 45, Perry.
- Patrick Grugel of Troop 60, Attica.
- Joe Jackson and Brandon Walczak of Troop 33, Warsaw.
- Tom Robertson a Senior Explorer of Post 007, sponsored by the Wyoming County Sheriff’s Department.
- Eric Kirsch, Crew President and Brandon Beechler of the Strykersville Fire Department’s Venturing Crew.

Additionally, I would like to recognize the volunteers who provide leadership for the various Scouting Units throughout Wyoming County. I would like to ask those volunteer leaders to stand for a round of applause. Thank You.

Communications were read and filed with the Clerk of the Board, Suanne Aldinger.

C-1. Reminder: Inter-County of Western New York is being held in Chautauqua County on February 15, 2002 at Four Points Sheraton, 30 Lake Shore Drive East, Dunkirk, NY. The program will center on “Recycling Program for Tires”. Registration will be at 9:30 AM.

#1

**RESOLUTION NO. 02-31  
(February 12, 2002)**

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:

<b>MENTAL HEALTH</b>			
To acct. 01.38.4310.4.41801 Payment to other Govt. From any funds available.	\$12,389.00	\$12,389.00	<b>\$12,389.00</b>

and be it

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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

**RESOLUTION NO. 02-32  
(February 12, 2002)**

By Mrs. Humphrey, Chairman of the Finance Committee:

**FUNDS APPROPRIATED TO VARIOUS 2002 ACCOUNTS**

BE IT RESOLVED, That funds are hereby appropriated to the various 2002 accounts as follows:

<b>YOUTH BUREAU</b>			
To acct 01.45.7310.4.42434 Stars of Tomorrow w/rev acct 01.03.7310.1289 inc by same amount	\$600.00	\$600.00	
To acct 01.45.7310.4.43001 ICP Grant Expenses w/rev acct 01.11.7310.382001 inc by same amount	\$5,200.00	\$5,200.00	
To acct 01.45.7310.1.10202 Temporary services 01.45.7310.4.42443 Youth Leadership Program 01.45.7310.4.42436 Alternative Services Program 01.45.7310.4.42434 Stars of Tomorrow 01.45.7310.4.43004 Pathways-Juvenile Officer w/rev acct 01.11.7310.3820 State aid-Youth Program	-(\$2,546.00) -(1,648.00) -(1,752.00) -(8,275.00) -(4,137.50) -(18,358.50)	-(\$12,124.00)	
To acct 23.94.3140.4.40301 Professional Services w/rev acct 23.10.3140.282394 reduced by same amount	-\$(\$4,137.50)	-\$(\$4,137.50)	-\$(\$4,572.00)
<b>MENTAL HEALTH</b>			
To acct 01.38.4310.4.42416 Supported Employment w/state aid rev acct. 01.11.4310.3490 MH inc by same amt.	\$2,260.00	\$2,260.00	
To acct 01.38.4322.4.42408 Sheltered Workshop w/state aid rev acct 01.11.4322.4390 MH inc by same amt	\$74.00	\$74.00	
To acct 01.38.4324.4.42414 Respite w/state aid rev acct 01.11.4324.3409004 MH Reinvestment inc by same amount.	\$324.00	\$324.00	
To acct 01.38.4324.4.42441 Misc. MH Contracts w/state aid rev. acct 01.11.4324.3490 MH inc by same amt	\$32,540.00	\$32,540.00	
To acct 01.38.4324.4.40301 Prof. Services Contracts w/rev acct 01.03.4324.1289 reduced by same amount.	-\$(\$8,178.00)	-\$(\$8,178.00)	
To acct 01.38.4325.4.40926 ARA acct. 01.38.4325.4.42441 Misc. MH Programs	\$8,678.00 16,166.00		

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w/state aid rev acct 01.11.4325.3490 MH inc by same amt	\$24,844.00	\$24,844.00	<b>\$51,864.00</b>
<b>BUILDINGS &amp; GROUNDS</b>			
To acct. 01.34.1620.1.10202 Temporary w/rev acct 0103.1620.1289 inc by same amount	\$5,189.52	\$5,189.52	<b>\$5,189.52</b>
<b>COUNTY CLERK</b>			
To acct 01.34.1411.4.42444 Motor Vehicle Grant w/rev acct 01.11.1411.3089 inc by same amount	\$3,257.09	\$3,257.09	<b>\$3,257.09</b>
<b>PUBLIC HEALTH</b>			
To acct 01.38.4035.4.41706 Medical Supplies W/rev acct 01.12.4035.4489 inc by same amount	\$1,438.15	\$1,438.15	
To acct 01.38.4035.4.40704 Lab Fees W/rev acct 01.12.4035.4489 inc by same amount	\$2,000.00	\$2,000.00	
To acct 01.38.4035.4.42306 Other 01.38.4035.4.40301 Professional Services W/rev acct 01.11.4035.3401 inc by same amount	\$900.00 <u>300.00</u> \$1,200.00	\$1,200.00	
To acct 01.38.4010.4.42440 Safety Grant W/rev acct 01.11.4010.340103 inc by same amount	\$2,000.00	\$2,000.00	
To acct 01.38.4010.4.42474 Radon Grant W/rev acct 01.11.4010.3401 increased by same amount	\$5,000.00	\$5,000.00	
To acct 01.38.4010.4.42424 Chemical Abuse/DWI Grant W/rev acct acct 01.12.4010.4489 inc by same amount	\$11,000.00	\$11,000.00	<b>\$22,638.15</b>
<b>PATHWAYS</b>			
To acct 23.94.7310.4.40301 Professional Services W/rev acct 23.10.7310.282394 inc by same amount	\$5,200.00	\$5,200.00	<b>\$5,200.00</b>
<b>PUBLIC DEFENDER</b>			
To acct 01.32.1171.4.40902 Legal Services-Legal Aid w/rev state aid rev acct 01.11.1171.3089 reduced by same amt	-\$61,089.10)	-\$61,089.10)	
To acct 01.32.1171.4.40902 Legal Services-ATI Program w/rev acct 01.11.1171.308910 inc by same amount from any funds available	\$23,600.00	\$11,800.00 <u>\$11,800.00</u> \$23,000.00	<b>-\$38,089.10)</b>

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

#3

**RESOLUTION NO. 02-33**

Regular Session

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**(February 12, 2002)**

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:

<b>MENTAL HEALTH</b>			
From acct 01.38.4310.1.10602 Insurance Repudiation	\$440.00		
01.38.4310.2.20002 Chairs	444.00		
01.38.4310.4.40201 Dues	263.00		
01.38.4310.4.40405 Employee Expenses	400.00		
01.38.4310.4.40406 Employee Mileage	<u>139.00</u>		
To acct. 01.38.4310.8.81001 Retirement	\$1,686.00	\$97.00	
01.38.4310.8.89001 Hospitalization Ins.		<u>\$1,589.00</u>	
		\$1,686.00	<b>\$1,686.00</b>
<b>BOARD OF ELECTIONS</b>			
From acct 01.34.1450.1.10001 Salaries S/D/I	\$2,400.00		
01.34.1450.1.10202 Salaries-Temporary	<u>\$4,024.00</u>		
	\$6,424.00		
To acct 01.34.1450.4.41201 Postage		\$2,400.00	
01.34.1450.4.40947 Software Maintenance		<u>\$4,024.00</u>	
		\$6,424.00	<b>\$6,424.00</b>

Carried: Ayes: 1618 Noes: 0 Absent: 0

#4

**RESOLUTION NO. 02-34**  
**(February 12, 2002)**

By Mrs. Humphrey, Chairman of the Finance Committee:

**FUNDS TRANSFERRED IN VARIOUS 2002 ACCOUNTS**

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

<b>BOARD OF ELECTIONS</b>			
From acct 01.34.1450.1.10601 Insurance Repudiation	\$750.00		
01.34.1450.4.40401 Training/Education	\$150.00		
01.34.1450.4.40405 Employee Expenses	\$200.00		
01.34.1450.4.40406 Mileage	\$200.00		
01.34.1450.4.40603 Postage Machine Maint.	\$200.00		

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01.34.1450.4.41010 Misc Office Supplies	\$250.00		
01.34.1450.4.41101 Paper	\$300.00		
01.34.1450.4.41201 Postage	\$4,000.00		
01.34.1450.4.41202 Printing	\$500.00		
01.34.1450.4.41401 Maintenance Agreements	\$550.00		
01.34.1450.4.41407 Postage Meter Maint	\$100.00		
01.34.1450.4.41410 Software Purchase	\$300.00		
01.34.1450.4.42306 Other	\$500.00		
	<u>\$8,000.00</u>		
To acct 01.34.1450.8.89001 Hospitalization Ins.		\$8,000.00	<b>\$8,000.00</b>

Carried: Ayes: 1618 Noes: 0 Absent: 0

Supervisor Bush, Chairman of the Audit Committee presented the bills in the amount of One Million, One Hundred Sixty Seven Thousand, Three Hundred Forty Nine Dollars, Four Cents (\$946,733.47).

Carried: Ayes: 1618 Noes: 0 Absent: 0

Chairman Berwanger, T/Arcade, asked that resolution office #'s 5-36, #42 & #49 be consolidated for consent agenda. A voice vote was taken and the request was granted.

#5

### **RESOLUTION NO. 02-35 (February 12, 2002)**

By Mr. Gozelski, Chairman of the Agriculture Committee:

#### **THE REINSTATEMENT OF THE ENVIRONMENTAL PROTECTION FUND SUPPORTED**

WHEREAS, The natural resources of New York State are essential to the economic well being and vitality to the local communities; and

WHEREAS, New York State has established the Environmental Protection Fund to address natural resource needs through protection, enhancement and remediation; and

WHEREAS, The Environmental Protection Fund receives revenues from existing dedicated funds; and

WHEREAS, Local and regional resource areas benefit from programs that are funded through the Environmental Protection Fund that protect and enhance their economic well being through natural resource management; and

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WHEREAS, The Governor and the Legislators of New York State have not appropriated funds in the 2001-2002 base line budget for the Environmental Protection Fund; and

WHEREAS, The loss of up to Thirty Thousand Dollars (\$30,000.00) in state reimbursement per Soil and Water Conservation District will have a negative impact on the ability of Districts to deliver technical services and resource protection programming; now, therefore be it

RESOLVED, That the Wyoming County Board of Supervisors urges the reinstatement of the Environmental Protection Funds; and be it

FURTHER RESOLVED, That the Clerk of this Board shall forward copies of this resolution to Governor George E Pataki, Senator Dale Volker, Assemblyman Daniel Burling, Inter-County Association of Western New York, and all others deemed necessary and proper.

Carried: Ayes: 1618 Noes: 0 Absent: 0

#6

**RESOLUTION NO. 02-36  
(February 12, 2002)**

By Mr. Gozelski, 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 January 23, 2002 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 2002 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

#7

February 12, 2002

**RESOLUTION NO. 02-37**

**(February 12, 2002)**

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

**CHAIRMAN AND/OR COMMISSIONER AUTHORIZED  
TO SIGN A CONTRACT WITH WYOMING COUNTY  
SHERIFF'S OFFICE ON BEHALF OF THE DEPARTMENT  
OF SOCIAL SERVICES**

BE IT RESOLVED, That the Chairman of this Board and/or 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 the Wyoming County Sheriff's Department, for the provision of security for Department of Social Services personnel, effective January 1, 2002 through ; amount not to exceed Thirty Eight Thousand, Seven Hundred Ninety Three Dollars, Twelve Cents (\$38,793.12); contingent upon the availability of funds.

Carried: Ayes: 1618 Noes: 0 Absent: 0

#8

**RESOLUTION NO. 02-38**

**(February 12, 2002)**

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

**CHAIRMAN AND/OR COMMISSIONER AUTHORIZED  
TO SIGN A MEMORANDUM OF UNDERSTANDING  
WITH THE WYOMING COUNTY HEALTH  
DEPARTMENT ON BEHALF OF THE DEPARTMENT OF  
SOCIAL SERVICES**

BE IT RESOLVED, That the Chairman of this Board and/or Commissioner of the Wyoming County Department of Social Services, with the approval of the County Attorney, and on behalf of the Department of Public Health is hereby authorized and directed to sign a memorandum of understanding with the Wyoming County Public Health Department, for the provision of Personal Care Coordination Services, effective January 1, 2002 through December 31, 2002; amount not to exceed Thirty Thousand Dollars (\$30,000.00); contingent upon the availability of funds.

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Carried: Ayes: 1618 Noes: 0 Absent: 0

#9

**RESOLUTION NO. 02-39  
(February 12, 2002)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT  
ON BEHALF OF THE OFFICE OF THE AGING**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, and on behalf of the Wyoming County Office of the Aging is hereby authorized and directed to sign a contract with The Cloister, 171 North Maple Street, Warsaw, NY for the provision of respite care and adult day care, effective January 1, 2002 through December 31, 2002; amount not to exceed Twelve Thousand Dollars (\$12,000.00); contingent upon the availability of funds.

Carried: Ayes: 1618 Noes: 0 Absent: 0

#10

**RESOLUTION NO. 02-40  
(February 12, 2002)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT  
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 Wyoming County Public Health Department is hereby authorized and directed to sign a contract with the National Association of City & County Health Officials (NACCHO) for the Prevention of Impaired Driving Program, effective January 14, 2002 through June 30, 2002; amount not to exceed Eleven Thousand Dollars (\$11,000.00); contingent upon the availability of funds.

Carried: Ayes: 1618 Noes: 0 Absent: 0

February 12, 2002

**RESOLUTION NO. 02-41  
(February 12, 2002)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT  
WITH MONROE COUNTY DEPARTMENT OF HEALTH**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, and on behalf of the Wyoming County Public Health Department is hereby authorized and directed to sign a contract with the Monroe County Department of Health for the provision of a Medical Examiner, effective as follows:

1/1/02 through 12/31/02; amount not to exceed \$28,462.00

1/1/03 through 12/31/03; amount not to exceed \$29,031.00

1/1/04 through 12/31/04; amount not to exceed \$29,612.00

contingent upon the availability of funds.

Carried: Ayes: 1618 Noes: 0 Absent: 0

#12

**RESOLUTION NO. 02-42  
(February 12, 2002)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT  
WITH TOM CLARK 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 Wyoming County Public Health Department is hereby authorized and directed to sign a contract with Tom Clark, 282 Buckman Road, Rochester, NY for the provision of Professional Engineering Consultation Services; effective January 1, 2002 through December 31, 2002; amount not to exceed Three Thousand Dollars

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(\$3,000.00); contingent upon the availability of funds.

Carried: Ayes: 1618 Noes: 0 Absent: 0

#13

**RESOLUTION NO. 02-43  
(February 12, 2002)**

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

**CHAIRMAN AUTHORIZED TO SIGN AMENDED  
CONTRACT WITH NYSDOH AND RESOLUTION NO. 00-  
295 AMENDED RE: NYSDOH GRANTS**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, and on behalf of the Wyoming County Public Health Department is hereby authorized and directed to sign an amended contract with the New York State Department of Health; effective April 1, 2001 through March 31, 2002; to increase the amount to One Hundred Seventy Thousand, Eight Hundred Twenty Dollars (\$170,820.00); and be it

FURTHER RESOLVED, That Resolution No. 00-295, passed by this Board of Supervisors on December 12, 2000 is hereby amended to reflect the above mentioned changes in the increased amount not to exceed One Hundred Seventy Thousand, Eight Hundred Twenty Dollars (\$170,820.00).

Carried: Ayes: 1618 Noes: 0 Absent: 0

# 14

**RESOLUTION NO. 02-44  
(February 12, 2002)**

By Mr. Davis, 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 2002, said  
February 12, 2002

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contract to be in the amount of Ten Thousand Dollars (\$10,000.00).

Carried: Ayes: 1618 Noes: 0 Absent: 0

# 15

**RESOLUTION NO. 02-45  
(February 12, 2002)**

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

**CHAIRMAN AUTHORIZED TO SIGN A  
LEASE AGREEMENT WITH ERIC T. DADD**

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 lease agreement with Eric T. Dadd for the use of the premises located at 11 Exchange Street, Attica, NY for the Wyoming County Attorney's office, said agreement shall be in the amount of One Thousand, Two Hundred Dollars (\$1,200.00) quarterly payable at the beginning of each quarter, effective January 1, 2002 through December 31, 2002.

Carried: Ayes: 1618 Noes: 0 Absent: 0

# 16

**RESOLUTION NO. 02-46  
(February 12, 2002)**

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

**CHAIRMAN AUTHORIZED TO SIGN ALTERNATIVES  
TO INCARCERATION CONTRACT UPDATE**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney and on behalf of the Probation Department, is hereby authorized and directed to sign the Alternatives to Incarceration contract with New York State, said contract to be in the amount of Thirty Thousand, Eight Hundred Dollars (\$30,800.00) which covers the Community Services Program, Pre-Trial Release Program and the Wyoming Drug Abuse Treatment (DATA-Day) Program for the period of January 1, 2002 through December 31, 2002.

Carried: Ayes: 1618 Noes: 0 Absent: 0

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**RESOLUTION NO. 02-47  
(February 12, 2002)**

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

**CHAIRMAN AUTHORIZED TO SIGN STATEMENT OF  
PARTICIPATION IN THE PINS AGE STATUTE REPORT**

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 the Statement of Participation in the PINS Age Statute Report (Plan) as required by Chapter 383 of the Laws of 2001 on behalf of the County of Wyoming.

Carried: Ayes: 1618 Noes: 0 Absent: 0

# 18

**RESOLUTION NO. 02-48  
(February 12, 2002)**

By Mr. Davis, 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, 2002 through December 31, 2002.

Carried: Ayes: 1618 Noes: 0 Absent: 0

# 19

**RESOLUTION NO. 02-49  
(February 12, 2002)**

February 12, 2002

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT  
WITH SIMPLEX TIME RECORDER**

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 Simplex Time Recorder, Dept. CH10320, Palatine IL, 60055 for the purpose of testing and maintaining fire alarms and security electronics in the Public Safety Building, said contract not to exceed the amount of ten thousand ninety-one dollars (\$10,091.00) for the period January 1, 2002 and December 31, 2002.

Carried: Ayes: 1618 Noes: 0 Absent: 0

# 20

**RESOLUTION NO. 02-50  
(February 12, 2002)**

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

**CHAIRMAN AUTHORIZED TO SIGN  
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 agreement with the New York State Division of Criminal Justice Services in the amount of Two Hundred Three Thousand, Four Hundred Thirty Two Dollars, Ninety Three Cents (\$203,432.93) for the period April 1, 2001 through March 31, 2002 for the provision of mandated services for the Indigent Parolee Program.

Carried: Ayes: 1618 Noes: 0 Absent: 0

# 21

**RESOLUTION NO. 02-51  
(February 12, 2002)**

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

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**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT**  
**WITH NYS DCJS ON BEHALF OF THE DISTRICT**  
**ATTORNEY'S OFFICE**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign a contract with the New York State Department of Criminal Justice Services on behalf of the Wyoming County District Attorney's Office for Aid to Prosecution Grant in the amount of Fifty Thousand Dollars (\$50,000.00); effective April 1, 2001 through March 31, 2003.

Carried: Ayes: 1618 Noes: 0 Absent: 0

# 22

**RESOLUTION NO. 02-52**  
**(February 12, 2002)**

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

**BIDS FOR SHERIFF'S VEHICLES ACCEPTED AND**  
**AWARDED**

BE IT RESOLVED, That bids have been advertised and received for three (3) Patrol Cars and one (1) Technicians van for the Wyoming County Sheriff's Department; and be it

FURTHER RESOLVED, That the Public Safety Committee of this Board of Supervisors is hereby authorized to award said bid to the lowest responsible bidder meeting the proposed specifications.

Carried: Ayes: 1618 Noes: 0 Absent: 0

#23

**RESOLUTION NO. 02-53**  
**(February 12, 2002)**

By Mrs. Humphrey, Chairman of the Finance Committee:

**SUPERVISOR MEMBER APPOINTED TO THE WCCH**

February 12, 2002

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**BOARD OF MANAGERS**

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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, 2002.

Carried:   Ayes:   1618    Noes:   0       Absent: 0

#24

**RESOLUTION NO. 02-54**  
**(February 12, 2002)**

By Mrs. Humphrey, Chairman of the Finance Committee:

**MEMBERS REAPPOINTED TO WESTERN NEW YORK**  
**INTER-COUNTY 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 12/31/02.

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

Paul Agan  
285 Main Street  
Attica, New York 14011

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

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

John Knab - Alternate  
2246 Thomas Road

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Varysburg, NY 14167

Carried: Ayes: 1618 Noes: 0 Absent: 0

#25

**RESOLUTION NO. 02-55  
(February 12, 2002)**

By Mr. Davis, 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, 2002.

Carried: Ayes: 1618 Noes: 0 Absent: 0

#26

**RESOLUTION NO. 02-56  
(February 12, 2002)**

By Mr. Gozelski, 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, 2002.

Carried: Ayes: 1618 Noes: 0 Absent: 0

**RESOLUTION NO. 02-57  
(February 12, 2002)**

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

**E. JOSEPH GOZELSKI APPOINTED TO THE WYOMING  
COUNTY COOPERATIVE EXTENSION BOARD OF  
DIRECTORS**

BE IT RESOLVED, That E. Joseph Gozelski, 6175 E. Lake Road, Town of Castile, Silver Springs, NY, 14550, is hereby appointed 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, 2002.

Carried: Ayes: 1618 Noes: 0 Absent: 0

#28

**RESOLUTION NO. 02-58  
(February 12, 2002)**

By Mr. Gozelski, Chairman of the Agriculture Committee:

**MEMBERS REAPPOINTED TO THE  
REGION 9 FISH AND WILDLIFE COUNCIL**

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 of one (1) year, said term to expire December 31, 2002; and be it

FURTHER RESOLVED, That Jerry Davis, 7414 Court Road, Pavilion, NY 14525 is hereby reappointed to the Region 9 Fish & Wildlife Council as a Alternate Supervisor Representative for a term of one (1) year; said term to expire December 31, 2002.

Carried: Ayes: 1618 Noes: 0 Absent: 0

Regular Session

**RESOLUTION NO. 02-59  
(February 12, 2002)**

By Mrs. Humphrey, Acting Chairman of the Agriculture Committee:

**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 12/31/02;

E. Joseph Gozelski, 6175 East Lake Road, Town of Castile, Silver Springs, NY, 14550 for a one (1) year term, said term to expire 12/31/02.

Carried: Ayes: 1618 Noes: 0 Absent: 0

#30

**RESOLUTION NO. 02-60  
(February 12, 2002)**

By Mr. Miller, Chairman of the Planning Committee:

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

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 12/31/02:

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<u>MEMBER</u>	<u>TOWN</u>	<u>ADDRESS</u>
Larry Rogers	Pike	East Koy Road Pike, NY 14130
Kyle Glosser	Orangeville	2460 Orangeville Center Road Varysburg, 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 12/31/02:

<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 12/31/02:

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

**RESOLUTION NO. 02-61**  
**(February 12, 2002)**

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, 2002; and be it

FURTHER RESOLVED, That Angela Brunner, 1947 Chaffee Road, Town of Java, Arcade, NY 14009, 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, 2002.

Carried:   Ayes:   1618    Noes: 0       Absent: 0

#32

**RESOLUTION NO. 02-62**  
**(February 12, 2002)**

By Mr. Miller, Chairman of the Planning Committee:

**A. HUMPHREY APPOINTED TO THE**  
**BUSINESS EDUCATION COUNCIL**

BE IT RESOLVED, That Anne C. Humphrey, 50 St. Helena Street, Town of Perry, Perry, NY 14530 is hereby appointed to the Wyoming County Business Education Council as Supervisor Member Representative for a one (1) year term, said term to expire December 31, 2002.

Carried:   Ayes:   1618    Noes: 0       Absent: 0

February 12, 2002

**RESOLUTION NO. 02-63  
(February 12, 2002)**

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

**MEMBERS REAPPOINTED 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 , 2002.

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

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, 2002.

Carried: Ayes: 1618 Noes: 0 Absent: 0

#34

**RESOLUTION NO. 02-64  
(February 12, 2002)**

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

**VARIOUS MEMBERS APPOINTED/REAPPOINTED TO  
Regular Session**

**Proceedings of the Board of Supervisors**  
**CSB BOARD AND 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:

<b><u>NAME</u></b>	<b><u>BOARD</u></b>	<b><u>EXPIRE DATE</u></b>
Larry Rogers	Community Services Board	December 31, 2002
Larry Rogers	Mental Health Sub-Committee	December 31, 2002
Walter Pond, Jr.	Mental Health Sub-Committee	December 31, 2006
Pam Wilke	Mental Health Sub-Committee	December 31, 2006
Melissa Kedron	Alcohol and Substance Abuse	December 31, 2006
Gerald L Stout	Alcohol and Substance Abuse	December 31, 2006

Carried: Ayes: 1618 Noes: 0 Absent: 0

#35

**RESOLUTION NO. 02-65**  
**(February 12, 2002)**

By Mr. Davis, 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//02.

Carried: Ayes: 1618 Noes: 0 Absent: 0

#36

**RESOLUTION NO. 02-66**

February 12, 2002

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**(February 12, 2002)**

61

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

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

BE IT RESOLVED, That Harold Bush, 4579 Miller Road, Town of Gainesville, Silver Springs, NY 14550, is hereby appointed as Supervisor member to the Office for the Aging Advisory Board for a one (1) year term; said term to expire December 31, 2002.

Carried: Ayes: 1618 Noes: 0 Absent: 0

#37

**RESOLUTION NO. 02-67**  
**(February 12, 2002)**

By Mr. Miller, Chairman of the Planning Committee:

**WYOMING COUNTY GRANT POLICY FOR  
SERVICES TO MUNICIPALITIES AND ORGANIZATIONS  
UTILIZING GRANT WRITING SERVICES BY WYOMING  
COUNTY ADOPTED**

BE IT RESOLVED, That this Board of Supervisors does hereby approve and adopt the Grant Policy for the County of Wyoming as presented and annexed hereto, to this Board for all municipalities and organizations utilizing grant writing services by Wyoming County, except the Wyoming County Community Hospital which shall maintain their procedures; and be it

FURTHER RESOLVED, That the Planning Committee of this Board of Supervisors shall be responsible for the implementation and adherence to this Grant Policy and by all municipalities and organizations affected; and be it

FURTHER RESOLVED, That these procedures may be amended and/or revised, with the approval of the Planning Committee of this Board as required.

Carried: Ayes: 1618 Noes: 0 Absent: 0

Supervisor Humphrey asked that Resolution Office #38 be amended to read  
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contingent upon the permanent appointment of the incumbent who maintains hold of said position. A voice vote was taken and the request was granted.

#38

**RESOLUTION NO. 02-68  
(February 12, 2002)**

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

**POSITIONS CREATED/ABOLISHED IN THE  
DEPARTMENT OF PUBLIC HEALTH**

BE IT RESOLVED, That there is hereby created one (1) fte. position of Keyboard Specialist II in the Department of Public Health; said position to be placed on Schedule A, Grade 4 of the CSEA Agreement, contingent upon the permanent appointment of the incumbent who maintains hold of said Senior Account Clerk position; and be it

FURTHER RESOLVED, That there is hereby abolished one (1) fte. position of Senior Account Clerk, in the Department of Public Health contingent upon the permanent appointment of the incumbent who maintains hold of said Senior Account Clerk position.

Carried:    Ayes:        1618        Noes: 0        Absent: 0

Supervisor Brunner, T/Java asked that Resolution Office # 39 be amended to reflect the correct zip code of 14113. A voice vote was taken and the request was granted.

#39

**RESOLUTION NO. 02-69  
(February 12, 2002)**

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

**CHARLES McCORMICK APPOINTED AS**

February 12, 2002

**Proceedings of the Board of Supervisors**  
**COMMISSIONER IN THE BOARD OF ELECTIONS**

63

BE IT RESOLVED , That Charles McCormick, 2480 McCormick Road, Town of Java, North Java, NY, 14113 who has been duly recommended therefor by the Chairman of the Democratic County Committee, is hereby appointed to the position of Election Commissioner in the Wyoming County Board of Elections to fill the unexpired term of William P. Harloff, Sr., said term to expire December 31, 2002.

Carried:   Ayes:       1618       Noes: 0       Absent: 0

# 40

**RESOLUTION NO. 02-70**  
**(February 12, 2002)**

By Mrs. Humphrey, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN MOA ON BEHALF  
OF WYOMING COUNTY IT 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 Memorandum of Agreement with the Wyoming County Public Health Department for the provision of a computer professional in an amount not to exceed Forty Four Thousand, One Hundred Twelve Dollars (\$44,112.00) annually; effective January 1, 2002 through December 31, 2002.

Carried:   Ayes:       1618       Noes: 0       Absent: 0

#41

**RESOLUTION NO. 02-71**  
**(February 12, 2002)**

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 Regular Session

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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

#42

**RESOLUTION NO. 02-72  
(February 12, 2002)**

By Mrs. Humphrey, Chairman of the Finance Committee:

**APPROVE CORRECTION OF ERRORS IN THE TOWNS  
OF CASTILE, GAINESVILLE, JAVA AND GENESEE  
FALLS**

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**

**thru SIX:** Town of Castile  
Tax Map #147.6-1-12  
Tax Map #147.6-1-13  
Tax Map #147.6-1-14  
Tax Map #147.6-1-15  
Tax Map #135.18-1-5  
Tax Map #147.7-1- 42

ASSESSED TO: Elohim Biblical Training Assoc.

ERROR: Clerical

AUTHORITY: RPTL 550.2(a)

RPTL 550.2(e)

CORRECTION: 0..00

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**PARCEL SEVEN:** Town of Gainesville  
Tax Map #146.-1-23.111  
**ASSESSED TO:** Suanne P. Redden  
**ERROR:** Clerical  
**AUTHORITY:** RPTL 550.2(i)  
**CORRECTION:** School relevy in the amount of \$1,060.24 removed.

**PARCEL EIGHT:** Town of Java  
Tax Map #140.-1-14.1  
**ASSESSED TO:** Phyllis & Robert Urban  
**ERROR:** Clerical  
**AUTHORITY:** RPTL 550.3(c)  
**CORRECTION:** Application denied.

**PARCEL NINE:** Town of Genesee Falls  
Tax Map #191.-1.212  
**ASSESSED TO:** Ronald Cartwright  
**ERROR:** Clerical  
**AUTHORITY:** RPTL 550.2(e)  
**CORRECTION:** Application denied.

Carried: Ayes: 1618 Noes: 0 Absent: 0

Supervisor Brunner, T/Java requested that the cellular telephone policy reflected in Office Resolution No. #43 be amended to add that whenever possible an employee is to use a landline rather than use a cell phone to reduce the usage of cell phones.

#43

**RESOLUTION NO. 02-73  
(February 12, 2002)**

By Mrs. Humphrey, Chairman of the Finance Committee:

**WYOMING COUNTY EMPLOYEE CELLULAR  
TELEPHONE USE POLICY ADOPTED**

BE IT RESOLVED, That the Wyoming County Board of Supervisors does hereby approve and adopt the Wyoming County Employee Cellular Telephone Use Policy for all county departments, except the Wyoming County Community Hospital which shall maintain their own procedures; and  
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BE IT FURTHER RESOLVED, That these procedures may be amended and/or revised with the approval of the appropriate Committee of this Board as required.

Carried: Ayes: 1618 Noes: 0 Absent: 0

#44

**RESOLUTION NO. 02 -74  
(February 12, 2002)**

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

**EMPLOYEE POLICY ON SEXUAL HARASSMENT, ANTI-DISCRIMINATION, ANTI-HARASSMENT AND EQUAL OPPORTUNITY ADOPTED**

BE IT RESOLVED, That Resolution No. 91-246, passed by the Board of Supervisors on November 12, 1991, is hereby rescinded; and be it

FURTHER RESOLVED, That this Board of Supervisors does hereby approve and adopt the employment policy with regard to sexual harassment, anti-discrimination, anti-harassment and equal opportunity as presented to this Board for all Wyoming County employees; and be it

FURTHER RESOLVED, That this policy shall take place immediately.

Carried: Ayes: 1618 Noes: 0 Absent: 0

Supervisor Humphrey, Chairman of the Finance Committee asked that Office Resolution No. #45 be withdrawn at this time. Office Resolution No. #45 has been withdrawn.

#46

**RESOLUTION NO. 02-75**

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**(February 12, 2002)**

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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 Understanding in regard to grants for 2002 activities between Wyoming County and the following:

Pioneer Library System

Wyoming County Fair Association

Wyo. Co. Soil & Water Conservation District Board

Wyoming County Tourist Promotion Agency

Arts Council for Wyoming County

Erie-Wyoming County Soil & Water District Board

Carried:   Ayes:       1618       Noes: 0       Absent: 0

Supervisor Humphrey requested that Office Resolution No.'s #47 and #48 be combined since they go together and both must be passed in order to adopt the following resolution. A voice vote was taken and the request was granted.

**#47**

**RESOLUTION NO. 02 -76**  
**(February 12, 2002)**

By Mrs. Humphrey, Chairman of the Finance Committee:

**SALARY SCHEDULES “S” “D”AND “T” ADOPTED**

BE IT RESOLVED, That the Wyoming County Salary Plan which  
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became effective January 1, 1967, as amended, is hereby amended as follows:

Schedule "S", "D" and "T" annexed hereto shall be substituted for the existing Schedule "S", "D" and "T", adopted on April 10, 2001. Commencing January 1, 2002, 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: 1618 Noes: 0 Absent: 0

**INTRODUCTION OF PROPOSED LOCAL LAW NO. A -  
YEAR 2002, County of Wyoming, Providing Salaries for  
Certain County Officers for the year 2002**

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

Section 1. Effective as hereafter provided, the annual salary of the Director of the Office for the Aging shall be increased by \$1,221.00.

Section 2. Effective as hereafter provided, the annual salary of the Buildings and Grounds Superintendent shall be increased by \$938.00.

Section 3. Effective as hereafter provided, the annual salary of the Code Enforcement Officer shall be increased by \$1,221.00.

Section 4. Effective as hereafter provided, the annual salary of the Information and Technology Director shall be increased by \$544.00.

Section 5. Effective as hereafter provided, the annual salary of the Workers Compensation Executive Secretary (Administrator) shall be increased by \$740.00.

Section 6. All salaries set forth herein shall be effective as of January 1, 2002.

Section 7. This Local Law shall take effect on the date of filing in the Office of the Secretary of the State of New York.

Section 8. This Local Law is subject to permissive referendum.

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**RESOLUTION NO. 02 -77  
(February 12, 2002)**

By Mrs. Humphrey, Chairman of the Finance Committee:

**INTRODUCTORY LOCAL LAW A, YEAR 2002  
PRESENTED**

WHEREAS, There has been duly presented and introduced at a meeting of this Board, held on the 12<sup>th</sup> day of February, 2002, a proposed local law entitled Local Law No. A, Year 2002, County of Wyoming, establishing and relating to the annual compensation of certain County Officers, to become effective for the year 2002, 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 12<sup>th</sup> day of March, 2002, 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: 1618 Noes: 0 Absent: 0

#49

**RESOLUTION NO. 02-78  
(February 12, 2002)**

By Mr. Miller, Chairman of the Planning Committee:

**T. HALE APPOINTED TO THE GLOW WORKFORCE  
INVESTMENT BOARD**

WHEREAS, A representative of the New York State Education Department is a mandated member of each Workforce Investment Board; and

WHEREAS, Christine Brooks, State Education Representative for Title II Adult Education has retires; and

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WHEREAS, The State Education Department is recommending Ted Hale to replace her; and

BE IT RESOLVED, That the Wyoming County Board of Supervisors does hereby approve and accept the Ted Hale as the designated Title II Adult Education Representative on the GLOW Workforce Investment Board.

Carried: Ayes: 1618 Noes: 0 Absent: 0

A voice vote was taken to present Unanimous Consent Resolution Office #50. There were no objections and UC#50 was presented to the full board.

UC # 50

**RESOLUTION NO. 02 -79**  
**(February 12, 2002)**

By Mrs. Humphrey, Chairman of the Finance Committee:

**COUNTY ADMINISTRATOR PETTY CASH FUND**  
**ABOLISHED**

WHEREAS, The Board of Supervisors created a petty cash fund as provided by County Law Section 371, on March 10, 1994 (Resolution No. 94-59) in the amount of \$500.00 (five hundred dollars) for use by the Office of the Wyoming County Administrator; now therefore

BE IT RESOLVED, That the petty cash fund created for use by the Office of the Wyoming County Administrator is hereby abolished.

Carried: Ayes: 1618 Noes: 0 Absent: 0

Chairman Berwanger announced that a County Administrator Study Committe has been established and will be served with the following members:

T/Warsaw - Howard Miller, Chairman

T/Attica - Paul F. Agan

T/Bennington - Chris Hickey

T/Gainesville - Harold Bush

T/Perry - Anne Humphrey

Their goal will be to discuss the County Administrator's Position and make suggestion as to what the job duties of the position should be and also discuss any matters that may come up during the current situation of the County

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Administrators position being vacant.

Supervisor Herman, T/Wethersfield made a public comment regarding his health. Doctor's have informed him that he has some type of cancer in his lymph nodes. Mr. Herman plans to full fill his term and will fight for his health and beat this. Mr. Herman also stated that will run for re-election again.

\*\*\*\*\*

Mr. Herman moved to adjourn the meeting at 2:55 PM

Proceedings of the Board of Supervisors**REGULAR SESSION****TUESDAY****March 12, 2002****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. Chairman Berwanger, T/Arcade, called the meeting to order and asked that the Girl Scouts of Genesee Valley Color Guard to lead us in the Pledge of Allegiance to the Flag.

Communications were read and filed with the Clerk of the Board, Suanne Aldinger.

C-1. Reminder: Inter-County of Western New York is being held in Schuyler County on Friday, March 15, 2002 at the Elk's Lodge #1546, 300 North Madison Avenue, Watkins Glen, NY. The program will is titled "Families First". Registration will be at 9:30 AM.

Chairman Berwanger declared the Public Hearing open in regards to Local Law Introductory No. A, Yr. 2002, establishing the salaries of certain County officers.

#1

**RESOLUTION NO. 02-80  
(March 12, 2002)**

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:

<b>TREASURER</b>			
To acct. 01.35.1930.4.40110 Risk Retention Expenses w/rev acct 01.05.1930.2401 inc by same amount	\$18,515.00	\$18,515.00	<b>\$18,515.00</b>
<b>PATHWAYS</b>			

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To acct 23.90.6010.1.10101 full time CSEA 23.90.6010.8.83001 FICA  W/rev acct. 23.10.6016.282390 inc. by same amount	\$1,100.73 <u>44.74</u> 1,145.47	\$1,145.47	<b>\$1,145.47</b>
To acct 23.90.6019.4.42261 WRAP Award W/rev acct 23.10.6019.282390 inc. by same amount	\$12,836.03	\$12,836.03	<b>\$13,981.50</b>
<b>PUBLIC HEALTH</b>			
To acct 01.38.4010.4.42455 Healthy Heart Program w/rev acct 01.11.4010.340111 increase by same amount	\$7,813.45	\$7,813.45	<b>\$7,813.45</b>

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. 02-81  
(March 12, 2002)**

By Mrs. Humphrey Chairman of the Finance Committee:

**FUNDS APPROPRIATED TO VARIOUS 2002 ACCOUNTS**

BE IT RESOLVED, That funds are hereby appropriated to the various 2002 accounts as follows:

<b>SOCIAL SERVICES</b>			
To acct 01.39.6010.4.42264 Community Solution for Trans w/rev acct 01.12.6010.4610 inc by same amount	\$40,886.49	\$40,886.49	
To acct 01.39.6010.4.42274 Family Resolutions W/rev acct 01.12.6010.4610 increased by same amount	\$40,000.00	\$40,000.00	<b>\$80,886.49</b>

and be it

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

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Carried: Ayes: 1618 Noes: 0 Absent: 0

**RESOLUTION NO. 02-82  
(March 12, 2002)**

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:

<b>EARLY INTERVENTION</b>			
From acct 01.36.2960.4.40301 professional services	\$9,000.00		
01.36.2960.4.41501 tuition	5,200.00		
01.36.2960.4.41511 PHC 5-21 charge back	24,800.00		
01.45.7310.4.42447 Youth court	5,900.00		
01.45.7310.8.89001 Medical Ins. (Employee)	5,500.00		
01.38.4059.8.89001 Medical Ins. (Employee)	<u>507.00</u>		
	\$50,907.00		
To acct 01.38.4059.4.41503 EI Services		\$50,907.00	<b>\$50,907.00</b>
<b>PUBLIC HEALTH</b>			
From acct 01.38.4050.1.10001 S, D, I Salaries	\$477.19		
To acct 01.38.4035.1.10201 Part Time Salaries		\$477.19	<b>\$477.19</b>

Carried: Ayes: 1618 Noes: 0 Absent: 0

**RESOLUTION NO. 02-83  
(March 12, 2002)**

By Mrs. Humphrey Chairman of the Finance Committee:

**FUNDS TRANSFERRED TO VARIOUS 2002 ACCOUNTS**

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

<b>PUBLIC HEALTH</b>			
From acct 01.38.4010.1.10001 fixed salaries S, D, I	\$1,250.00		
01.38.4010.1.10101 full time CSEA salaries	<u>1,250.00</u>		

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To acct 01.38.4035.4.41410 software purchase upgrade	2,500.00	\$2,500.00	<b>\$2,500.00</b>
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Carried:           Ayes: 1618           Noes: 0           Absent: 0

It gives me great pleasure at this time to recognize the Girl Scouts of Genesee Valley as the Wyoming County Asset Builders for March 2002. When Girl Scouting was started in 1912, opportunities for girls and women were much narrower than they are today. Life at the threshold of the year 2002 is full of technological wonders from advances in medicine, telecommunications and the spread of cell phones and the Internet. But as we all know, there's a dark side to contemporary life as well. Many young people today are grappling with drugs, violence, teen pregnancy, suicide, homelessness and despair. Wyoming County communities have a need for safe, secure program activities for girls. These program activities must meet the needs and interest of girls and that positive adult role models are present in the lives of the girls. These needs are met by the small group methodology utilized by the Girl Scouts. Volunteer leaders serve as positive role models and work in partnership with the girls to implement program activities, which meet their needs and interests.

The following lists are the 4 Girl Scout program goals and their direct relationship to 18 of the 40 Developmental assets:

Developing her self-esteem and self-potential in exploring the many roles and unlimited potential of women; building the assets of: personal power, self-esteem, self-purpose, and positive view of personal future.

Developing values to give meaning and direction to her life; building the assets of: caring, integrity, honesty, responsibility, restraint, and resistance skills.

Contributing to society in developing concern for her community, its people and needs; building the assets of: community values youth, youth as resources, and service to others.

Relating to others with sensitivity and respect for the needs, feelings, and contributions of people of different cultures, ethnic backgrounds; building the assets of: equality and social justice, interpersonal competencies, cultural competence, positive peer influence, and peaceful conflict resolution.

Also in Girl Scouting, the Girl/Adult partnership supports 5 additional developmental assets. If you have heard anything about Girl Scouting, chances are you know that Girl Scouts is the place where girls grow strong. In Girl Scouting they build leaders, one girl at a time. However, you might not know the about the many ways Girls Scouting offers activities that can help her learn new skills, nurture special talents, and prepare for life in the complicated work of the twenty-first century. Girl Scouts helps young girls develop character, conduct and a strong sense for community service. Exactly what we want the young women of Wyoming County to become: capable, confident, competent young women! In Girl Scouting, girls discover the fun, friendship, and power of girls together. Here in Wyoming County there are 26 Girl Scout troops serving

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over 233 girls.

As the Girl Scouts of America celebrate their 90<sup>th</sup> anniversary, it is only appropriate to recognize them as the Wyoming County Asset Builders for March 2002.

Supervisor Bush, Chairman of the Audit Committee presented the bills in the amount of Two Million, Two Hundred Fifty Four Thousand, One Hundred Seventy Four Dollars, Three Cents (\$2,254,174.03)

Carried:           Ayes: 1618           Noes: 0           Absent: 0

Chairman Berwanger, T/Arcade, asked that resolution office #'s 5-22 be consolidated for consent agenda. Supervisor Miller, T/Warsaw asked for Resolution Office #9 be withdrawn. A voice vote was taken and the request was granted to consolidate resolution office #'s 5-8 & 10-22.

#5

**RESOLUTION NO. 02-84  
(March 12, 2002)**

By Mrs. Humphrey, Chairman of the Finance Committee:

**RED CROSS MONTH PROCLAIMED**

WHEREAS, One of the nation's oldest most recognized humanitarian organizations, the American Red Cross is woven tightly into the fabric of Wyoming County, providing compassionate care when disasters and other crises threaten to overwhelm and destroy families. When our nation experienced a grievous tragedy on September 11, 2001, the people of the Wyoming County Chapter gave of their time and their hearts in unprecedented ways to help bring comfort and peace to those in need and help Wyoming County prepare for or prevent the occurrence of further tragedy. We are indeed fortunate in our community to have this organization with 235 volunteers and 1,782 blood donors dedicated to relieving suffering and saving lives; and

WHEREAS, The American Red Cross was founded in 1881 by a visionary woman named Clara Barton and chartered by Congress in 1905 to act in times of need. Now, each year, the Wyoming County Chapter responds to more than 20 disasters in our community alone: high profile natural disasters, single-family fires that rarely even make the news, other man-made emergencies. The Chapter sent four to assist in New York City, one couple has returned three times. More recently the Chapter assisted three families during

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the ice storm in February and have aided ten other families after a fire damaged or destroyed their homes. At such times, Americans trust and rely upon their local Red Cross Chapters to provide services for families robbed of their loved ones, homes, livelihoods or dignity; and

WHEREAS, As our military men and women join the efforts to fight terrorism a world away, Red Cross workers in the Wyoming County Chapter are working around the clock to fulfill a historical role: keeping service members and their families in touch and offering other small comforts to ease the strain of being far from home; and

WHEREAS, The residents of Wyoming County get information they need to maintain safe and healthy lives through Red Cross courses in lifesaving skills - first aid, CPR, water safety and much more - while our community also benefits from other Red Cross programs that provide Home Heating Assistance, Medical Transport, Medical Equipment Loan Closet, Armed Forces Emergency Services, Disaster Response and Education, Blood Services, International Tracing, and Information and Referrals; and

WHEREAS, The Red Cross also responds to international emergencies. The Red Cross helped create and administer America's Fund for Afghan Children, with money donated by thousands of children right here in our community and across the nation who were asked who were asked to donate one dollar. Already, a million dollars' worth of essential supplies and medicine has been shipped to Afghanistan; and

WHEREAS, Through its work, the Red Cross, an enduring American institution, restores hope at home and throughout the world every day, and it's vital services would not be possible without generous contributions from the American people; now, therefore

BE IT RESOLVED, This Board of Supervisors, does hereby proclaim March 2002 as

**“American Red Cross Month”**

in Wyoming County and requests that each member of our community support the Wyoming County Chapter's noble humanitarian mission with a gift of time, blood or money. Together we can save lives and make our world a safer, better place.

Carried:           Ayes: 1618           Noes: 0           Absent: 0

#6

**RESOLUTION NO. 02-85**

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**(March 12, 2002)**

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

**RESTORATION OF CHIPS FUNDING  
IN THE 2001-2002 STATE BUDGET REQUESTED**

WHEREAS, The Consolidated Highway Improvement Program (CHIPS) was created in the state fiscal year 1981-1982 for the purpose of replacing a dedicated stream of motor vehicle registration fees and taxes which counties were receiving; 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, Eliminating county maintenance funding will also have a detrimental effect and hinder partnerships counties currently have with other units of local government; 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, Instead of eliminating funding for local infrastructure repair, state funding should be increased significantly; and

WHEREAS, The loss of these transportation funds will severely impact the taxpayers of New York, and

WHEREAS, The Wyoming County Board of Supervisors empathically opposes the elimination of these funds for operating and maintenance aid from the 2002-2003 State Budget, now, therefore be it

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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: 1618           Noes: 0           Absent: 0

#7

**RESOLUTION NO. 02-86  
(March 12, 2002)**

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

**THE REPEAL OF THE WICKS LAW REQUESTED**

WHEREAS, Unfunded mandates continue to consume nearly sixty-five percent of county budgets, and

WHEREAS, One of these mandates is the WICKS Law, and

WHEREAS, This law requires all public capital construction projects with an aggregate cost of \$50,000 to have separately bid contracts for the components involving electrical, plumbing and heating, ventilation and air conditioning; and

WHEREAS, This system has proven to result in undue construction delays, disputes between contractors and subcontractors, and increased local capital construction costs which are ultimately passed along to the local taxpayers; and

WHEREAS, Proposals have been considered to remove school capital building construction projects from the provisions of the WICKS Law; and

WHEREAS, Governor Pataki has submitted legislative bills in the past proposing increasing the WICKS threshold on public capital construction projects to \$2 million for counties with a population under 500,000, \$5 million for counties with a population of above \$500,000 and \$10 million for the City of New York; and

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WHEREAS, Counties would save millions of tax dollars if the WICKS Law is repealed or at the very least reformed, now, therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors urges the Governor to resubmit legislation to the New York State Legislators eliminating or increasing the threshold for WICKS Law separate contract for counties; and be it

FURTHER RESOLVED, That the Clerk of this Board is hereby authorized and directed to forward a certified copy of this resolution to Governor George E. Pataki, Senator Dale Volker, Assemblyman Daniel Burling, New York State Association of Counties, and all others deemed necessary and proper.

Carried:           Ayes: 1618           Noes: 0           Absent: 0

#8

**RESOLUTION NO. 02-87  
(March 12, 2002)**

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

**FUNDING I-86 PROJECTS SUPPORTED**

WHEREAS, Access to an interstate transportation system is essential to attract and to retain business vital to the economic well-being of our state; and

WHEREAS, During the 2001-2002 budget cycle, the Governor proposed funding in the amount of \$400 million over a four-year period for work on Interstate 86 (I-86) to replace money earmarked as I-86 projects included in the defeated Transportation Bond Act of 2000 (Bond Act); and

WHEREAS, The I-86 Economic Development Benefits Study projects that the conversion of New York State Route 17 (Route 17) to I-86, if completed in a timely manner, will result in a \$3.2 billion direct economic benefit to the Southern Tier, Hudson Valley and New York State economies; and

WHEREAS, The allocation of the same transportation funding for the I-86 project activities that was placed in last year's Executive Budget proposal would preserve the time schedule suggested in the New York State Department of Transportation's five-year work program, which was developed in

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anticipation of the Bond Act funding; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors supports the upgrading of Route 17 to I-86 and urges the Governor and State Legislature to provide over the next four years the \$400 million necessary to implement the I-86 projects; and be it

FURTHER RESOLVED, That the Clerk of this Board is hereby authorized and directed to forward a certified copy of this resolution to Governor George E. Pataki, Senator Dale Volker, Assemblyman Daniel Burling, New York State Association of Counties, and all others deemed necessary and proper.

Carried:           Ayes: 1618           Noes: 0           Absent: 0

Office resolution No. 9 was withdrawn when Chairman Berwanger requested the consolidation of office resolutions 5-22.

#10

**RESOLUTION NO. 02-88  
(March 12, 2002)**

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

**WAIVER OF PENALTIES ASSESSED ON AUDITS OF  
MUNICIPAL EARLY INTERVENTION PROGRAMS,  
PENDING FULL IMPLEMENTATION OF THE  
RECOMMENDATIONS OF THE THIRD PARTY  
REIMBURSEMENT TASK FORCE OF THE STATE  
EARLY INTERVENTION COORDINATING COUNCIL  
SUPPORTED**

WHEREAS, New York State opted into the federal Individuals with Disabilities (IDEA) Part C Program in 1987; and

WHEREAS, in 1992 New York State's Early Intervention Program was adopted in state law (chapter 428), with costs for services shared equally between the state and county governments, including the City of New York; and

WHEREAS, New York State's local governments consider themselves to be partners with the state in delivery of quality services to young children  
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with disabilities; and

WHEREAS, When the federal act was re-authorized in 1997, Congress chose NOT to permanently authorize the program serving infants and toddlers with disabilities, in spite of considerable pressure to do so, citing the rising number of states who found the cost and scope of the services to be excessive; and

WHEREAS, Since July 1993, when services under the New York State Early Intervention Program began, the cost per child, the number of recipients, and the administrative work required of counties have risen dramatically; and

WHEREAS, Many counties report that the cost related to the Early Intervention Program are growing far more rapidly and have outpaced growth in the Preschool Special Education Program (section 4410 of the state Education Law); and

WHEREAS, New York State's municipal governments are charged with fiscal and administrative responsibilities related to the delivery of services to birth to five year olds with disabilities which far exceed those of the vast majority of states across the nation; and

WHEREAS, The total cost to New York State and local taxpayers for the Preschool Special Education and Early Intervention Programs now exceed one billion dollars; and

WHEREAS, Article 25-A of the Title II of New York State Public Health Law mandates that counties access funding sources including Medicaid and private health insurance prior to issuing claims to the state; and

WHEREAS, the KIDS computer system was originally designed to serve both as an information collection resource and a billing and claiming tool, while the current breadth of the program has outgrown the capacity and capability of the software program; and

WHEREAS, Coupled with the inability of the KIDS system to handle the varied functions originally expected of it, and the lack of written guidance on accessing insurance reimbursement, counties have been impeded by alack of cooperation on the part of health insurance carriers; and

WHEREAS, The New York State Department of Health has acted in a punitive manner in conducting its audits of several counties' Early Intervention Programs; and

WHEREAS, Counties have found that written guidance on claiming of third party health insurance has not been forthcoming from the state, and in fact, the lead agency released its long awaited “Early Intervention Coordinating Council Ad Hoc Task Force on Third Party Reimbursement Report and Recommendations” at the state council meeting on November 14<sup>th</sup>, 2001, nearly three years after the first fiscal audit was performed and the first county cited for failure to access private insurance; and

WHEREAS, A number of counties have been subject to one or more audits, including sanctions, prior to the release of this report; and

WHEREAS, In spite of the above well documented obstacles to municipal access to funding streams other than locally generated funds, a growing number of counties find themselves sanctioned on audit, and assessed fiscal penalties; and

WHEREAS, A number of counties have been cited on audit for administrative practices adopted in good faith and in the absence of clear guidelines from the State Department of Health; and

WHEREAS, New York’s municipalities have been doubly sanctioned by the state in this costly program by their inability to access private health insurance, due to no fault of their own, while being consequently fiscally sanctioned by the state for the inability to do so; and

WHEREAS, In New York State, the cost of this mandate is supported to a great extent by local property taxes and to sanction counties financially for administrative errors is to further tax state and local taxpayers to support a mandate over which it has relatively little control; and

WHEREAS, The State Department of Health has indicated it would review its auditing standards and revise them as a result of the sanctions imposed on several counties to date; now therefore

BE IT RESOLVED, That the Board of Supervisors of the County of Wyoming strongly recommends that the New York State Department of Health waive the fiscal penalty assessed in past audits and waive prospective fiscal penalties until such time as the recommendations of the Third Party Reimbursement Task Force of the State Early Intervention Coordinating Council have been implemented; 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,

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Assemblyman Daniel Burling, New York State Department of Health, New York State Association of Counties and all other deemed necessary and proper.

Carried: Ayes: 1618 Noes: 0 Absent: 0

#11

**RESOLUTION NO. 02-89  
(March 12, 2002)**

By Mr. Miller, Chairman of the Planning Committee:

**CHAIRMAN AUTHORIZED TO SIGN AGREEMENT  
WITH CLEAN HARBORS ENVIRONMENTAL SERVICES,  
INC. FOR GLOW REGION 2002 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 11, 2002 - Groveland, NY and May 18, 2002 - Albion, NY; and

WHEREAS, The GLOW Committee received seven (7) proposals from hazardous waste service providers; and

WHEREAS, On November 29, 2001, the GLOW Committee adopted Resolution No. 01-13 recommending Clean Harbor Environmental Services, 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 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 Clean Harbors Environmental Services, Inc., as the contractor for the GLOW Region 2002 Household Hazardous Waste Collection Program in an amount not to exceed Twenty-Nine Thousand Dollars (\$29,000.00), the source of funds being state revenues appropriated from the NYSDEC.

Carried: Ayes: 1618 Noes: 0 Absent: 0

March 12, 2002

**RESOLUTION NO. 02-90  
(March 12, 2002)**

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

**CHAIRMAN AND/OR COMMISSIONER AUTHORIZED  
TO SIGN VARIOUS CONTRACTS/AGREEMENTS 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/agreements:

1. Instructional Access, 6800 Indiana Ave., Suite 140, Riverside, California 92506; for the Campership for Merit Incentive Program; effective June 1, 2002 through August 31, 2002; amount not to exceed Thirteen Thousand, Nine Hundred Sixty Five Dollars (\$13,965.00); contingent upon the availability of funds.

2. Wyoming County Community Action, 6470 Route 20, Suite 1, Perry, NY; for the provision of Non-Residential DV; effective March 1, 2002 through December 31, 2002; amount not to exceed Fifteen Thousand Dollars (\$15,000.00); contingent upon the availability of funds.

3. Accord Corporation, 84 Schuyler Street, P.O. Box 573, Belmont, NY; for the provision of Residential Services for Domestic Violence; effective January 1, 2002 through December 31, 2002; amount not to exceed Five Thousand Dollars (\$5,000.00); contingent upon the availability of funds.

4. Wyoming County Community Action, 6470 Route 20, Suite 1, Perry, NY; for the provision of Residential Services for Domestic Violence (Harbor House); effective January 1, 2002 through December 31, 2002; amount not to exceed Seven Thousand Five Hundred Dollars (\$7,500.00); contingent upon the availability of funds.

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5. New York State Department of Labor; for the provision of employment services; Effective October 1, 2001 through September 30, 2002; amount not to exceed Seventeen Thousand Dollars (\$17,000.00); contingent upon the availability of funds.

6. Mary Jo Scaccia, 3705 South Warsaw Road, Warsaw, NY 14569, for the provision of consultant services for Family Resolutions; effective March 13, 2002 through February 28, 2003; amount not to exceed Thirty Two Thousand , Five Hundred Dollars (\$32,500.00 ) plus mileage for work related meetings; contingent upon the availability of funds.

Carried:           Ayes: 1618           Noes: 0           Absent: 0

#13

**RESOLUTION NO. 02-91  
(March 12, 2002)**

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

**CHAIRMAN AUTHORIZED TO SIGN A LEASE  
AGREEMENT WITH BUZZ & VAL PROPERTIES ON  
BEHALF OF MENTAL HEALTH**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County

Attorney and on behalf of the Wyoming County Mental Health Department, is hereby authorized and directed to sign a lease agreement with Buzz & Val Properties for the use of the premises located at 108 North Main Street, Warsaw, NY for the Partners for Prevention office, said agreement shall be in the amount of Ten Thousand, Six Hundred Fifty Dollars (\$10,650.00), for the period of January 1, 2002 through March 31, 2003; contingent upon the availability of funds.

Carried:           Ayes: 1618           Noes: 0           Absent: 0

#14

**RESOLUTION NO. 02-92  
(March 12, 2002)**

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

March 12, 2002

**RESOLUTION NO. 02-09 AMENDED RE: ASSETS  
BUILDING EFFORTS TRAINING ON BEHALF OF  
PATHWAYS EXTENDED**

BE IT RESOLVED, That Resolution No. 02-09, passed by this Board of Supervisors with the Vision Training Assoc., on January 8, 2002, is hereby amended to extend the length of the letter of agreement through June 30, 2002.

Carried:           Ayes: 1618           Noes: 0           Absent: 0

#15

**RESOLUTION NO. 02-93  
(March 12, 2002)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT  
WITH WYOMING COUNTY PUBLIC DEFENDERS  
OFFICE**

BE IT RESOLVED, That the Chairman of this Board and with the approval of the County Attorney, on behalf of the County of Wyoming is hereby authorized and directed to sign a contract with the Wyoming County Public Defenders Office, for the purpose of fiscal responsibility, data collection and daily management of the Data-Day Project Grant (contract C600000 NYSDCJS); effective January 1, 2002 through 12/31/02; in an amount not to exceed Twenty Three Thousand, Six Hundred Dollars (\$23,600.00); contingent upon the availability of funds.

Carried:           Ayes: 1618           Noes: 0           Absent: 0

#16

**RESOLUTION NO. 02-94  
(March 12, 2002)**

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

**ALL CONTRACTS WITH WYOMING AREA**

Regular Session

**Proceedings of the Board of Supervisors**  
**HOMEMAKERS AMENDED RE: NAME CHANGE**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney, and on behalf of all Wyoming County Departments, is hereby authorized and directed to sign amended contracts with Wyoming Area Homemakers to reflect a name change to Community Care of WNY.

Carried:           Ayes: 1618           Noes: 0           Absent: 0

#17

**RESOLUTION NO. 02-95**  
**(March 12, 2002)**

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

**RESOLUTION NO. 01-277 AMENDED RE: LEGAL  
SERVICES CONTRACT WITH DENNIS COHEN  
INCREASED ON BEHALF OF THE DEPARTMENT OF  
SOCIAL SERVICES**

BE IT RESOLVED, That Resolution No. 01-277, passed by this Board of Supervisors on November 13, 2001, is hereby amended to reflect a change in the amount not to exceed as follows:

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, Two Hundred Seventy Dollars (\$12,000.00 + \$270.00 = \$12, 270.00).

Carried:           Ayes: 1618           Noes: 0           Absent: 0

#18

**RESOLUTION NO. 02-96**  
**(March 12, 2002)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT  
WITH DAVID H. NELSON**

March 12, 2002

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BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, on behalf of the County Attorney is hereby authorized and directed to sign a contract with the David H. Nelson, 11 Exchange Street, Attica, NY, for the provision of expanded legal services in support of the Resource Unit of the Wyoming County Department of Social Services; effective January 1, 2002 through 12/31/02; at a rate not to exceed \$70.00 per hour, exclusive of travel time; contingent upon the availability of funds.

Carried:           Ayes: 1618           Noes: 0           Absent: 0

#19

**RESOLUTION NO. 02-97  
(March 12, 2002)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT  
WITH LEDERMAN & ASSOCIATES LTD. ON BEHALF OF  
THE COUNTY CLERK**

BE IT RESOLVED, That the Chairman of this Board and with the approval of the County Attorney, on behalf of the County Clerk is hereby authorized and directed to sign a contract with the Lederman & Associates Ltd., 55 St. Clair Avenue W., Suite 125, Toronto, Ontario, M4V2Y7 for the purpose of undertaking a survey and analysis of the future preservation needs of archival records of the County of Wyoming and development of a plan to address those needs; in an amount not to exceed Nineteen Thousand Dollars (\$19,000.00); contingent upon the availability of funds.

Carried:           Ayes: 1618           Noes: 0           Absent: 0

#20

**RESOLUTION NO. 02-98  
(March 12, 2002)**

By Mr. Miller, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN CONTRACTS  
FOR GRANT SERVICES**

Regular Session

**Proceedings of the Board of Supervisors**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County

Attorney, and on behalf of Wyoming County, is hereby directed to sign a contract with J. O'Connell & Associates for the provision of grant writing services, effective March 1, 2002 through February 28, 2003; amount not to exceed Twenty Nine Thousand Dollars (\$29,000.00) contingent upon the availability of funding; and be it

FURTHER RESOLVED, That the Chairman of this Board, with approval of the County Attorney and on behalf of Wyoming County, is hereby authorized and directed to sign a contract with Stuart Brown Associates, Inc. for the provision of grant writing services, effective March 1, 2002 through February 28, 2003; amount not to exceed Twenty Nine Thousand Dollars (\$29,000.00) contingent upon the availability of funds.

Carried:           Ayes: 1618           Noes: 0           Absent: 0

#21

**RESOLUTION NO. 02-99  
(March 12, 2002)**

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

**C. HEUTHER APPOINTED TO  
CSB MENTAL HEALTH SUB-COMMITTEE**

BE IT RESOLVED, That Cynthia Heuther of Livingston Wyoming Arc, 18 Main Street, Mt. Morris, NY is hereby appointed to the Community Services Board MR/DD Sub-Committee to fill the unexpired term of David Gear, said term to expire December 31, 2006.

Carried:           Ayes: 1618           Noes: 0           Absent: 0

#22

**RESOLUTION NO. 02-100  
(March 12, 2002)**

By Mr. Miller, Chairman of the Planning Committee:

March 12, 2002

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

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BE IT RESOLVED, That James Pierce, Wyoming County Chamber of Commerce, 6470 Route 20A, Suite #2, Perry, NY, 14530, is hereby appointed to the GLOW Workforce Investment Board as a Community Based Organization Representative to fill the unexpired term of Martin Mucher, said term to expire November 8, 2003.

Carried:           Ayes: 1618           Noes: 0           Absent: 0

#23

**RESOLUTION NO. 02-101  
(March 12, 2002)**

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

**SECTION F, LOCAL LAW NO. 8, YR. 1984  
RE: FEE SCHEDULE AMENDED**

BE IT RESOLVED, That the existing Section 13 of Local Law No. 8, Year 1984, a Local Law Administering and Enforcing the New York State Uniform Fire Prevention and Building Code within the County of Wyoming, as amended July 13, 1999, regarding the fee schedule, is hereby deleted in its entirety and substituted in its place a new Section 13, establishing different fees as attached hereto.

Carried:           Ayes: 1618           Noes: 0           Absent: 0

**WYOMING COUNTY BUILDING DEPARTMENT PERMIT FEE  
SCHEDULE  
EFFECTIVE 4/1/02**

A. Dwellings

B. Additions:

2.) Over 100 sq. ft. (rooms) (raising roof)

C. Accessory Structure/Alterations:

1.) Porches, decks, doors, windows, alterations

2.) Over 150 sq. ft. (garage, storage bldgs.)

3.) Swimming pools

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- 1.) 1st 20,000 cu. ft. of volume\*
- 2.) Each 1,000 cu. ft. over 20,000 cu. ft.
- 3.) Alterations, no increase in size (a) common area 35.00  
(b) dwelling unit 10.00

**E. Nonresidential Building:**

- 1.) 1<sup>st</sup> 10,000 cu. ft. of volume\*
- 2.) Each 1,000 cu. ft. over 10,000 cu. ft.
- 3.) Alterations involving no increase in size
- 4.) Gas pumps/tanks, canopies, suppression system-each 50.00
- 5.) Not for profit accessory bldg., picnic shelter, etc. 50.00
- 6.) Additions 5,000 cu. ft. or under

Note: Fee for permit involving change of occupancy - same as for new building.  
 Fee for building occupied in part for residential and part nonresidential - sum of the two occupancy fees calculated separately. Renovations equaling 50% of value is considered a new building.

**F. Chimney & Solid Fuel:****MISCELLANEOUS FEES****G. Demolition Permit:****H. Requested Fire & Safety Inspection:****I. Requested inspection outside of normal business hours:**

Request for scheduled inspection when work is not complete:

Inspection scheduled and access to perform inspection cannot be made: 30.00

**J. Plan review, (where no permit is requested):****K. Certificate of Occupancy:**

- 1.) If building permit is in effect
  - 2.) 1 and 2 family dwellings
  - 3.) Individual dwelling owned in condominium
  - 4.) Multiple Dwellings
  - 5.) All others
- 7.) Third and subsequent temporary certificate of occupancy

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L. Work began without a permit: (permit fee additional)

M. Permit renewal: (extends for 1 year)

N. Failure to call for or notify Department of status of project  
at appropriate time for required inspection: 50.00

NOTE: If an application for a permit is not approved, the applicant is entitled to a refund of 50% of the fee paid, provided no work has begun.

\* Volume - shall include basement, cellar, and sub-cellar but not crawl space or attic space, no part of which exceeds 5 ft. in height. Volume shall be based on outside dimensions of building.

#24

**RESOLUTION NO. 02-102  
(March 12, 2002)**

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

**ONE POSITION OF DEPUTY SHERIFF CREATED**

BE IT RESOLVED, That one (1) fte position of Deputy Sheriff is hereby created in the Wyoming County Sheriff's Department, to be placed on the DSA Salary Schedule, Grade 4, Cadet of the Wyoming County Deputy Sheriff's Association agreement; and be it

FURTHER RESOLVED, That one (1) fte position of Deputy Sheriff Investigator is hereby abolished; effective immediately.

Carried:        Ayes: 1618        Noes: 0        Absent: 0

#25

**RESOLUTION NO. 02-103  
(March 12, 2002)**

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

**SUPPLEMENTAL MILITARY LEAVE IMPLEMENTED**

**Proceedings of the Board of Supervisors**

WHEREAS, In response to the terrorist attack on the World Trade Center and the Pentagon on September 11, 2001, and the impact on State and County employees who may be federally activated or activated by the Governor of New York State in response to “home land security” needs; and

WHEREAS, Employees of Wyoming County may be activated for Home Land Security or active duty in the Armed Forces of the United States; and

WHEREAS, These employees may be activated for long periods of time, and those negotiated benefits may result in the loss of health insurance, reduction in pay and, under present contracts, allow for only thirty (30) days of military leave pay per calendar year; and

WHEREAS, Those negotiated benefits may be insufficient to cover an extended activation; now therefore

BE IT RESOLVED, That Wyoming County shall implement a Supplemental Military Leave, which will extend an employee’s military obligation by thirty (30) calendar days or twenty two (22) workdays; and be it

FURTHER RESOLVED, That Wyoming County shall continue to maintain the health insurance benefits of those county employees called to active duty and that Wyoming County shall supplement the military pay of those county employees called to long-term active duty so that the combination of their military pay and the supplement will equal what would otherwise be their regular base county pay, retroactive to the date of their activation; and be it

FURTHER RESOLVED, That this benefit is based solely on the present National tragedy and will not be considered as precedent or past practice and will be effective immediately through September 10, 2002.

Carried:           Ayes: 1618           Noes: 0           Absent: 0

#26

**RESOLUTION NO. 02-104  
(March 12, 2002)**

By Mrs. Humphrey, Chairman of the Finance Committee:

**FUNDS APPROPRIATED TO WCCH 2001 ACCOUNTS**

BE IT RESOLVED, That the County Treasurer is hereby authorized  
March 12, 2002

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and directed to appropriate funds to Wyoming County Community Hospital 2001 accounts as follows:

<b>WCCH</b>		
To acct. 02.56.4510.1.10101 CSEA contract wages	<b>\$1,09,258.18</b>	
02.56.4510.2.20801 Equipment	18,599.74	
02.56.4510.4.42501 Contractual	1,137,362.80	
02.56.4510.8.81001 Retirement	74,383.55	
02.56.4510.8.84001 UI	6,841.64	
02.56.4510.8.85001 Medicare	79.18	
02.56.4510.8.89001 Hospital Ins	327,715.03	<b>\$1,674,240.12</b>
with revenue account increased by same amount		<b>1,674,240.12</b>

and be it

FURTHER RESOLVED, That the County Treasurer is hereby authorized and directed to transfer funds within 2001 WCCH accounts as follows:

From:		
02.56.4510.1.10701 Accrued Vac	\$45,000.00	
02.56.4510.8.83001 FICA	3,755.14	
02.56.9733.7.70001 Serial Bond Int	0.50	
02.56.9735.7.70002 BAN Interest	1,080.00	
02.56.9736.7.70002 '99 Ban Interest	164.62	
02.56.9785.6.60003 Install Purchase	69,478.00	<b>\$119,478.26</b>
<b>TO:</b>		
02.56.4510.1.10101 Salaries	\$119,478.26	<b>\$119,478.26</b>

Carried: Ayes: 1618 Noes: 0 Absent: 0

**RESOLUTION NO. 02-105  
(March 12, 2002)**

By Mrs. Humphrey Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN CONTRACT WITH  
UNITED UNIFORM**

WHEREAS, Bids have been received for uniforms for the Wyoming County Sheriff’s Department; and

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

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney is hereby authorized to award said bid and sign a contract with United Uniform Co., Inc., 495 North French Road, Buffalo, NY 14228 for the provision of uniforms for the Wyoming County Sheriff’s Department for the period of March 12, 2002 through March 11, 2003; amount of said contract per the language of the contract.

Carried:        Ayes: 1618        Noes: 0        Absent: 0

**RESOLUTION NO. 02-106  
(March 12, 2002)**

By Mrs. Humphrey, Chairman of the Finance Committee:

**SCHEDULES D & S AMENDED TO CORRECT CLERICAL  
ERRORS**

BE IT RESOLVED, That Schedules S and D of the Wyoming County Salary Plan, adopted by this Board of Supervisors on February 8, 2002, is hereby amended to correct all title changes and clerical errors.

Carried:        Ayes: 1618        Noes: 0        Absent: 0

March 12, 2002

Chairman Berwanger asked if anyone had any questions in regards to the Public Hearing. No questions were presented. Chairman Berwanger declared the Public Hearing closed.

#29

**RESOLUTION NO. 02-107  
(March 12, 2002)**

By Mrs. Humphrey, Chairman of the Finance Committee:

**LOCAL LAW INTRODUCTORY NO. A, YEAR 2002  
ADOPTED**

WHEREAS, there was duly presented and introduced at a meeting of this Board, held on the 12th day of February, a proposed local law of the County, designated as Local Law Introductory No. A, for the year 2002, 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. 02-77, there was a public hearing held by this Board of Supervisors on this 12<sup>th</sup> day of March, 2002 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. A, Year 2002, County of Wyoming, New York, as presented to this Board on the 12<sup>th</sup> day of March, 2002, 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 \$1,221.00.

Section 2. Effective as hereafter provided, the annual salary of the Superintendent of Buildings and Grounds shall be increased by \$938.00.

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Section 3. Effective as hereafter provided, the annual salary of the Code Enforcement Officer shall be increased by \$1,221.00.

Section 4. Effective as hereafter provided, the annual salary of the Director of Information and Technology shall be increased by \$544.00.

Section 5. Effective as hereafter provided, the annual salary of the Workers Compensation Program (Administrator) shall be increased by \$740.00.

Section 6. All salaries set forth herein shall be effective as of January 1, 2002.

Section 7. This Local Law shall take effect on the date of filing in the Office of the Secretary of the State of New York.

Section 8. This Local Law is subject to permissive referendum.

Carried:           Ayes: 1618           Noes: 0           Absent: 0

Unanimous Consent was requested by Supervisor Rogers, T/Pike, Chairman of the Health and Human Services Committee. A voice vote was taken and the request granted. The following resolution was presented.

#UC 30

**RESOLUTION NO. 02-108  
(March 12, 2002)**

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

**RESOLUTION NO. 01-304 & RESOLUTION NO. 02-14  
AMENDED RE: TO INCREASE TOTAL AMOUNT OF  
CONTRACTS ON BEHALF OF THE DEPARTMENT OF  
SOCIAL SERVICES**

BE IT RESOLVED, That Resolution No. 01-304, passed by this Board of Supervisors on December 11, 2001, is hereby amended to reflect a change in the amount not to exceed as follows:

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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 Eight Thousand Dollars (\$37,000.00 + **\$1,000.00 = \$38,000.00**) contingent upon the availability of funds

and, be it

FURTHER RESOLVED, That Resolution No. 02-14, passed by this Board of Supervisors on January 8, 2002, is hereby amended to reflect a change in the amount not to exceed as follows:

2. Martha Lochman, 4656 Pflaum Road, Dale, NY; for the provision of Enhanced Drug and Alcohol Driver; effective January 1, 2002 through December 31, 2002; amount not to exceed Eleven Thousand, One Hundred Dollars (\$10,400.00 + **\$700.00 = \$11,100.00**)contingent upon the availability of funds.

Carried:           Ayes: 1618           Noes: 0           Absent: 0

Unanimous Consent was requested by Supervisor Berwanger, T/Arcade, Chairman of the Committee of the Whole. A voice vote was taken and the request granted. The following resolution was presented.

**UC# 31**

**RESOLUTION NO. 02-109  
(March 12, 2002)**

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

**REORGANIZATION OF THE COUNTY TREASURER'S  
OFFICE APPROVED**

BE IT RESOLVED, that the Board of Supervisors for the County of Wyoming adopts and resolves to implement, to the extent practicable, the recommendations of Lumsden & McCormick, LLP dated February 28, 2002 for the reorganization of certain finance and accounting mechanisms utilized by the County and for certain modifications in the operation of the office of the Wyoming County Treasurer and related financial recommendations; all as set forth in the Lumsden & McCormack, LLP correspondence to this Board of Supervisors dated February 28, 2002.

Carried:           Ayes: 1618           Noes: 0           Absent: 0

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Mr. Herman moved to adjourn the meeting at 2:50 PM

**REGULAR SESSION**

**TUESDAY**

**April 9, 2002**

**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 for Anne Humphrey, T/Perry. Also present was County Attorney, Eric T. Dadd. Chairman Berwanger, T/Arcade, called the meeting to order and lead us in 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 Genesee County on Friday, April 19, 2002 at the LeRoy Country Club, 7759 East Main Road, Leroy, NY. The program consist of GIS/Pitometry, Medicaid Migraine and the Bicentennial Blast. Registration will be at 9:30 AM.

Chairman Berwanger recognized the Wyoming County Youth Court with the following message:

It gives me great pleasure at this time to recognize the senior members of the Wyoming County Youth Court as the Wyoming County Asset Builders for April 2002. Youth Court is a voluntary alternative to the criminal justice system for young people who have committed a crime or an offense. The Youth Court is a Family Court diversion program aimed at reducing juvenile delinquency in Wyoming County. Of the ninety two (92) cases heard since the Wyoming Youth Court was created in the fall of 1997, only 3 of the respondents have had further involvement with the criminal justice system.

The key elements of these great results are the Youth Court members. These members being recognized today have been involved from the start of the Youth Court in Wyoming County. They have volunteered their time and successfully underwent a multi-week law related education-training program. This program provided them an overview of the criminal justice system, including the organization and operation of Youth Court. The training also included mock hearings to fully prepare members for participation in Youth Court proceedings.

The Youth Court members serve as judges, prosecuting attorneys, defense attorneys and clerk, each with specific duties that they must carry out in the hearing. These Youth Court members service clearly exemplify several of the 40 developmental assets, covering several asset types from **empowerment, positive values** and established **boundaries and expectations**. With specific developmental assets of **caring, integrity, responsibility, peaceful conflict resolution, service to others, equality and social justice** being actively

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demonstrated by the Youth Court members. This is also a clear demonstration by the **community that they value youth as resources**. And with the tremendous success of the program it demonstrates that the **positive peer influence** of these Youth Court members have on those fellow youth appearing before them.

Chairman Berwanger recognized these senior members of Youth Court individually.

At this time Chairman Berwanger presented the First Responders Award from National Association of Counties to the Board members who are/were Fire Chiefs. In return Supervisor Davis, T/Covington, presented the award to Jim Reger, Director of Emergency Services.

# 1

**RESOLUTION NO. 02-110  
(APRIL 9, 2002)**

By Mr. Agan, Acting Chairman of the Finance Committee:

**FUNDS APPROPRIATED TO VARIOUS 2002 ACCOUNTS**

BE IT RESOLVED, That funds are hereby appropriated to the various 2002 accounts as follows:

<b>SOCIAL SERVICES</b>			
To acct. 01.39.6010.4.42475 Kids Venture w/rev acct 01.09.6010.2705 inc by same amount	\$500.00	\$500.00	<b>\$500.00</b>
To acct 23.90.6012.4.42450 FS Nutrition Ed 23.90.6019.4.42230 HEAP  w/rev accts 23.10.6012.282390 inc by 23.10.6019.282390 inc by	\$8,731.00 <u>\$2,725.00</u> \$11,456.00	\$8,731.00 <u>\$2,725.00</u> \$11,456.00	<b>\$11,456.00</b>
To acct 01.39.6010.4.42217 FS E&T 01.39.6010.4.42275 Merit Incentive 01.39.6010.4.43006 FS Nutrition Ed 01.39.6010.4.43015 HEAP  W/rev acct.01.12.6010.4610 inc. by same amount	\$2,834.00 2,010.00 8,731.00 <u>2,725.00</u> \$16,300.00	\$16,300.00	<b>\$16,300.00</b>
<b>MENTAL HEALTH</b>			
To acct 01.38.4324.4.42420 Psycho Social Club 01.38.4324.4.42464 MICA Programs 01.38.4324.4.42441 Misc. MH Programs 01.38.4324.4.42467 Outreach  w/rev acct 01.11.4324.349004 inc by same amount	\$12,500.00 \$18,000.00 2,000.00 <u>5,000.00</u> \$37,500.00	\$37,500.00	<b>\$37,500.00</b>

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To acct 01.38.4324.2.20201 Computer w/rev acct 01.11.4324.349004 inc by same amount	\$2,228.78	\$2,228.78	<b>\$2,228.78</b>
<b>OFFICE OF THE AGING</b>			
To acct 01.44.6772.4.42306 Misc. Other w/rev acct 01.03.6772.1289 inc by same amount	\$2,000.00	\$2,000.00	<b>\$2,000.00</b>
<b>PROBATION</b>			
To acct 01.37.3140.4.40701 Monitoring (Electronics) W/rev acct 01.03.3140.128914 inc by same amount	\$10,000.00	\$10,000.00	<b>\$10,000.00</b>
<b>HIGHWAY</b>			
To acct 04.53.5112.4.40948 Bridge Improvements W/rev acct 04.11.5112.308912 inc by same amount	\$250,000.00	\$250,000.00	<b>\$250,000.00</b>
<b>EMERGENCY SERVICES</b>			
To acct 01.37.3640.4.40409 Travel & Conf. 01.37.3640.4.41217 Training Facilities  W/rev acct 01.12.3640.4785 inc by same amount	\$5,212.00 <u>806.81</u> <b>\$6,018.81</b>	<b>\$6,018.81</b>	<b>\$6,018.81</b>
To acct. 01.37.3640.4.40308 Emergency Medical Services  W/rev acct 01.03.3640.1289 inc by From any funds available therefore	<b>\$12,000.00</b>	\$6,000.00 <u>\$6,000.00</u> <b>\$12,000.00</b>	<b>\$12,000.00</b>

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: 1404

Noes: 0

Absent: 214; Perry  
# 2

**RESOLUTION NO. 02-111  
(APRIL 9, 2002)**

By Mr. Agan, Acting Chairman of the Finance Committee:

**FUNDS TRANSFERRED TO VARIOUS 2002 ACCOUNTS**

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

<b>TREASURER</b>			
From acct 01.33.1230.4.40102 Prof Liability	60.43		
01.33.1230.4.40007 Basic	\$431.53		
01.33.1230.4.40008 Long Distance	458.73		

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01.33.1230.4.40009 Cellular Phone	572.28		
01.33.1230.4.40201 Membership	1,100.00		
01.33.1230.4.40103 Auto	424.10		
01.33.1230.4.40402 Conference	824.00		
01.33.1230.4.40405 Employee Exp	300.00		
01.33.1230.4.40503 Gas	350.00		
01.33.1230.4.40507 Hghwy Repairs	500.00		
01.33.1230.4.41010 Misc Office	500.00		
01.33.1230.4.41201 Postage	103.93		
01.33.1230.4.41204 Advertising	125.00		
01.33.1230.8.89001 Hosp	<u>3,000.00</u>		
	\$8,750.00	\$8,750.00	
To Acct 01.33.1325.2.20201 Computer	\$1,300.00		
01.33.1325.2.20401 Misc Equip	4,206.00		
01.33.1345.4.40007 Basic Phone	500.00		
01.33.1345.4.40008 Long Distance	450.00		
01.33.1345.4.41010 Misc. Office	1,500.00		
01.33.1325.4.41402 Computer Maint.	<u>794.00</u>		
	\$8,750.00	\$8,750.00	<b>\$8,750.00</b>
<b>PUBLIC DEFENDER</b>			
From acct 01.11.1171.3089 Other State Aid - IPP	\$30,000.00		
To acct 01.12.1171.448914 BYRNE (Day to Day)		\$30,000.00	<b>\$30,000.00</b>

Carried:

Supervisor Bush, Chairman of the Auditing Committee presented the bills in the amount of Two Million, One Hundred Sixty Two Thousand, Eight Hundred Forty Dollars Seventeen Cents (\$2,162,840.17) for the approval of payment. A voice vote was taken and the bills were passed.

Carried: Ayes: 1404 Noes: 0 Absent: 214; Perry

Chairman Berwanger, T/Arcade, asked that resolution office #'s 3 - 6 and 8 - 27 be consolidated for consent agenda. A voice vote was taken and the request was granted.

# 3

### RESOLUTION NO. 02-112 (April 9, 2002)

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

### “50 YEARS OF LEE’S AUTO UPHOLSTERY SHOP” RECOGNIZED

WHEREAS, That the Public Officials of this County do hereby acknowledge that Hollis “Lee” Carpenter did establish his business, Lee’s Auto Upholstery Shop, located at 15 Highland Avenue, Warsaw, New York on April

April 9, 2002

1, 1952, and that same business has operated for 50 (fifty) continuous years at it's present location, and

WHEREAS, That Lee's Auto Upholstery Shop has continuously supported numerous organizations within the Village and Town of Warsaw, and surrounding communities with his expertise and donations, now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors does hereby acknowledge Lee's ability to maintain a successful business for this period of time.

Carried:           Ayes: 1618           Noes: 0           Absent: 0

# 4

**RESOLUTION NO. 02-113  
(April 9, 2002)**

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

BE IT RESOLVED, That the Wyoming County Board of Supervisors  
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does hereby proclaim May 2002 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

# 5

**RESOLUTION NO. 02-114**  
**(April 9, 2002)**

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

**25<sup>th</sup> ANNIVERSARY CELEBRATION OF THE WYOMING  
 COUNTY YOUTH BUREAU/YOUTH BOARD DECLARED  
 FOR 2002**

WHEREAS, The Wyoming County Youth Bureau was created as an agency on April 12, 1977 by the Wyoming County Board of Supervisors to serve children and youth (0-20) years of age) our most valuable and vulnerable citizens, and

WHEREAS, The Wyoming County Board of Supervisors on behalf of the children, youth, and families throughout Wyoming County, support a meaningful and sustained const effective “investment” in positive youth development, and

WHEREAS, The Wyoming County Youth Bureau has dedicated itself for 25 years to provide a variety of structured youth development opportunities and programs that can help promote a positive future for children and families in Wyoming County, and

WHEREAS, The Wyoming County Youth Board as volunteer youth advocates has promoted the well being of youth in the county and has sought ways in which the county can best full fill its responsibilities to the youth of Wyoming County, now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors

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declares April 9, 2002 through December 31, 2002 as the 25<sup>th</sup> Anniversary Celebration of the Youth Bureau/Board which serves our most valuable resource - youth!

Carried:           Ayes: 1618           Noes: 0           Absent: 0

# 6

**RESOLUTION NO. 02-115  
(April 9, 2002)**

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 1<sup>st</sup> through April 7<sup>th</sup>, 2002 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

# 7

**RESOLUTION NO. 02-116  
(April 9, 2002)**

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By Mr. Miller, Chairman of the Planning Committee:

**2002 UNITED WAY CAMPAIGN SUPPORTED**

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

WHEREAS, The United Way has a 2002 campaign goal of \$305,000.00 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 2002 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”, by participating in the Campaign.

Carried:           Ayes: 1618           Noes: 0           Absent: 0

# 8

**RESOLUTION NO. 02-117**  
**(April 9, 2002)**

By Mr. Miller, Chairman of the Planning Committee:

**EXPRESSING SUPPORT FOR EXPANSION OF  
EMPIRE ZONES TO ALL NEW YORK STATE 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, 16 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;

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and

WHEREAS, Wyoming County hereby finds that having an Empire Zone is critical to the ability to attract business investments and jobs to Wyoming County and New York State; now therefore

BE IT RESOLVED, That Wyoming County supports the legislation proposed by the NYS Development Council to expand the Zones program so that every county can have a zone; 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

# 9

**RESOLUTION NO. 02-118  
(April 9, 2002)**

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

**UNFUNDED STATE MANDATE REGARDING THE  
FAMILY HEALTH PLUS MARKETING ACTIVITIES  
OPPOSED**

WHEREAS, The New York State Department of Health plans to transfer its responsibilities for monitoring Family Health Plus marketing plans on April 1, 2002 to local districts; and

WHEREAS, This action would result in imposing a new unfunded mandate on counties; and

WHEREAS, This monitoring function should remain the responsibility of the New York State Department of Health; and

WHEREAS, If the State is unable to fulfill its mandate, then the State should reimburse counties for this function; and

WHEREAS, Currently there is an administrative cap and a cap on managed care funding which prevent counties from receiving State

reimbursement for this additional role; and

WHEREAS, This requirement is an additional burden to all counties. Some counties have different plans for managed care and for Family Health Plus so they would need to take on additional organizations to monitor; and

WHEREAS, Districts are monitoring managed care activities related to people coming to the local Department of Social Services offices. Family Health Plus requires monitoring a system based outside of the local district offices. The difference between current Local Department of Social Services monitoring roles and this new mandate for Family Health Plus are significant; and

WHEREAS, This new marketing plan will make Local Districts responsible for ensuring that marketing activities undertaken by plans are consistent with approved marketing plans, approving any changes to the marketing plan, reviewing and approving any new county-specific marketing materials to be used by the plan including scripts or outlines for presentations, pre-enrollment written materials, informational brochures, and any direct mailings targeted to those potentially eligible for Family Health Plus, and monitoring marketing activities at community events and other locations at which marketing occurs; and

WHEREAS, Local districts would also be required to retain county-specific Family Health Plus marketing plans on file and approve any changes to the plan within 60 days of the request and forward them to the New York State Department of Health; now therefor

BE IT RESOLVED, That the state should retain responsibilities for the new Family Health Plus monitoring activities it wishes to delegate to counties until such time as it can fully reimburse counties for the additional mandates; and be it

FURTHER RESOLVED, That this Board of Supervisors goes on record opposing this unfunded mandate for Family Health Plus Marketing Activities; and be it

FURTHER RESOLVED, That the Clerk of this Board of Supervisors shall send a certified copy of this resolution to Governor of the State of New York, NYS Senator Dale M. Volker, NYS Assemblyman Daniel Burling, New York State Department of Health, New York State Association of Counties, Inter-County of Western New York, and any others deemed necessary and proper.

Carried: Ayes: 1404 Noes: 0 Absent: 214; Perry

April 9, 2002

**RESOLUTION NO. 02-119**

**(April 9, 2002)**

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 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 underinsured 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

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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

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: 1404 Noes: 0 Absent: 214; Perry

# 11

**RESOLUTION NO. 02-120  
(April 9, 2002)**

By Mr. Miller, Chairman of the Planning Committee:

**CHAIRMAN AUTHORIZED TO SIGN AN AMENDED  
AGREEMENT WITH THE NYS DEPARTMENT OF**

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**ECONOMIC DEVELOPMENT ON BEHALF OF THE**  
**PLANNING AND DEVELOPMENT OFFICE**

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 amended agreement with the New York State Department of Economic Development, 30 South Pearl Street, Albany, New York 12245, on behalf of the Wyoming County Planning and Development Office to continue as 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, 2002 through December 31, 2002.

Carried: Ayes: 1404 Noes: 0 Absent: 214; Perry

# 12

**RESOLUTION NO. 02-121**  
**(April 9, 2002)**

By Mr. Miller, Chairman of the Planning Committee:

**CHAIRMAN AUTHORIZED TO SIGN AN AMENDED**  
**LEASE AGREEMENT WITH WCCA, INC. ON BEHALF OF**  
**THE PLANNING AND DEVELOPMENT OFFICE**

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 amended lease agreement with Wyoming County Community Action, Inc., 6470 Route 20A, Perry, New York 14530, for a 5-year renewable lease, effective July 1, 1999 for the purpose of renting approximately 6,000 sq. ft.; amount not to exceed \$52,000.00 for the year 2002.

Carried: Ayes: 1404 Noes: 0 Absent: 214; Perry

# 13

**RESOLUTION NO. 02-122**  
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**(April, 9, 2002)**

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

**CHAIRMAN AUTHORIZED TO SIGN VARIOUS  
CONTRACTS ON BEHALF OF THE BUILDINGS AND  
GROUNDS DEPARTMENT**

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 the following contracts on behalf of the Buildings and Grounds Department:

A) Wolcott Farms lawn Care, 3820 Hermitage Road, Warsaw, NY for the provision of Lawn Care Services; effective April 1, 2002 through December 31, 2002; amount not to exceed \$12,900.00.

B) T.C.C.T. Inc., 2276 Silver Lake Road, Perry, NY for the provision of cleaning services at the Board of Elections, Human Services, Public Health and Courthouse; effective May 15, 2002 through May 14, 2003; amount not to exceed \$64,254.00.

C) Michael J. Hendry Cleaning Services, 12 East Court Street, Warsaw, NY for the provision of cleaning services of the Department of Social Services and Highway Administrative Office; effective May 15, 2002 through May 14, 2003; amount not to exceed \$28,620.00.

D) Thyssenkrupp Elevator, 245 Summit Point Drive, Suite 2-B, Henrietta, NY 14467 for the maintenance of the Public Safety Elevator; effective April 1, 2002 through March 31, 2005; amount not to exceed \$5,040.00.

E) Thyssenkrupp Elevator, 245 Summit Point Drive, Suite 2-B, Henrietta, NY 14467 for the maintenance of the Government Center Elevator; effective April 1, 2002 through March 31, 2005; amount not to exceed \$5,220.00.

Carried: Ayes: 1404 Noes: 0 Absent: 214; Perry

# 14

**RESOLUTION NO. 02-123**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT  
ON BEHALF OF THE HIGHWAY DEPARTMENT**

Authorizing the implementation, and funding in the first instance of the State Multi-Modal 2000 Program-aid (and State administered federal program-aid) eligible costs, of a capital project, and appropriating funds therefor.

WHEREAS, A Project for the replacement of the Middlebury No. 5 Bridge BIN 3319950, CR#7 East Main Street (Village of Wyoming) over the Oatka Creek P.I.N. #MS 2133.30A (the "Project") is eligible for funding (under Title 23 U.S. Code, as amended, and) New York State's Multi-Modal 2000 Program administered by the NYS Department of Transportation ("NYSDOT"); and

WHEREAS, The Wyoming County desires to advance the project by making a commitment of advance funding of the non-local share and funding of the full local share of the costs of the Project; and

WHEREAS, the Board of Supervisors of the County of Wyoming duly convened does hereby

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

RESOLVED, That the Board of Supervisors of the County of Wyoming hereby authorizes the County Treasurer to pay in the first instance 100% of the federal and non-federal share of the cost of \$250,000.00 work for the project or portions therefore; and be it further

RESOLVED, That the sum of \$250,000.00 is hereby appropriated to account #04.53.5112.4.40948 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 costs of the project exceeds the amount appropriated above, the Board of Supervisors of the County of Wyoming shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the Highway Superintendent thereof, and be it

FURTHER RESOLVED, That the Chairman of the is Board is hereby authorized to execute all necessary Agreements, certifications or reimbursement  
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request for Federal Aid and/or Multi-Modal 2000 Program Funding on behalf of the County of Wyoming with NYSDOT in connection with the advancement or approval of the project and providing for the administration of the Project and the County's first instance funding of project costs and permanent funding of the local share of federal-aid and all Project costs that are no so eligible, and be it

FURTHER RESOLVED, That a Certified Copy of this Resolution be filed with the Commissioner of Transportation of the State of New York by attaching it to any required and/or appropriate Agreements executed in connection with the project between the County of Wyoming and the State of New York; and be it

FURTHER RESOLVED, That this resolution shall take effect immediately.

Carried: Ayes: 1404 Noes: 0 Absent: 214; Perry

# 15

**RESOLUTION NO. 02-124  
(April 9, 2002)**

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

**CHAIRMAN AUTHORIZED TO SIGN A MEMORANDUM  
OF UNDERSTANDING ON BEHALF OF THE HIGHWAY  
DEPARTMENT**

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 memorandum of understanding with Bryant Associates, PC, 108 West Jefferson, Suite 400, Syracuse, NY 13020 on behalf of the Highway Department for the provision of engineering task as assigned; effective January 1, 2002 through December 31, 2002; amount per the language of the memorandum of understanding.

Carried: Ayes: 1404 Noes: 0 Absent: 214; Perry

April 9, 2002

**RESOLUTION NO. 02-125  
(April, 9, 2002)**

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 of Supervisors/Commissioner of the Wyoming County Department of Social Services, with the approval of the County Attorney is hereby authorized and directed to sign the following contracts on behalf of the Department of Social Services:

A) Pony Express, 35 West Buffalo Street, Warsaw, NY, to provide gasoline to TANF recipients; effective January 1, 2002 through December 31, 2002; amount not to exceed Five Thousand, Four Hundred Dollars (\$5,400.00) contingent upon the availability of funds.

B) Catholic Charities, 10 Chapel Street, Mt. Morris, NY, for the Auto Dream Program; effective April 15, 2002 through December 31, 2002; amount not to exceed Six Thousand, Six Hundred Sixty Six Dollars (\$6,666.00) contingent upon the availability of funds.

C) Genesee Valley BOCES, 27 Lackawanna Avenue, Mt. Morris, New York 14510 and 8250 State Street, Batavia, NY 14020, to provide educational services for Auto Mechanics, Pre-Licensing and Defensive Driving; effective April 15, 2002 through December 31, 2002; amount not to exceed Three Thousand, Nine Hundred Ten Dollars (\$3,910.00) contingent upon the availability of funds.

D) RGRT/WYTS, 1372 East Main Street, Rochester, NY 14609, for the provision of transportation to TANF recipients; effective April 15, 2002 through December 31, 2002; amount not to exceed Sixteen Thousand Dollars

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(\$16,000.00) contingent upon the availability of funds.

E) David Metsinger, 100 Lake Street, Perry, NY 14030, for a foster parent co-trainer to provide basic foster parent training; effective April 1, 2002 through December 31, 2002; amount not to exceed One Thousand Dollars (\$1,000.00) contingent upon the availability of funds.

F) Peers Helping Peers, 27 West Buffalo Street, Warsaw, NY, to provide transportation to TANF recipients and TANF eligible recipients; effective April 15, 2002 through December 31, 2002; amount not to exceed Seven Thousand, Two Hundred Dollars (\$7,200.00) contingent upon the availability of funds.

Carried: Ayes: 1404 Noes: 0 Absent: 214; Perry

# 17

**RESOLUTION NO. 02-126**  
**(April 9, 2002)**

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 is hereby authorized and directed to sign the following contracts on behalf of the Public Health Department:

A) New York State Department of Health, Corning Tower Building, Room 878, Empire State Plaza, Albany, NY 12237, for the provision of family planning education and information; effective April 1, 2002 through March 31, 2003; amount not to exceed One Hundred Fifty Seven Thousand, Five Hundred Fifty Five Dollars (\$157,555.00) contingent upon the availability of funds.

B) New York State Department of Health, Corning Tower Building, Room 878, Empire State Plaza, Albany, NY 12237, for Child Lead Poisoning Prevention; effective April 1, 2002 through March, 31, 2002; amount not to exceed Forty Thousand Dollars (\$40,000.00) contingent upon the availability of funds.

C) New York State Department of Health, Corning Tower Building,

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Room 878, Empire State Plaza, Albany, NY 12237, for children with special health care needs and early intervention; effective October 1, 2002 through September 30, 2002; amount not to exceed Fifty Four Thousand, Two Hundred Sixty Two Dollars (\$54,262.00) contingent upon the availability of funds.

Carried: Ayes: 1404 Noes: 0 Absent: 214; Perry

# 18

**RESOLUTION NO. 02-127  
(April 9, 2002)**

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

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

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

A) Hugh TenHagen, P.O. Box 348, Warsaw, NY for the provision of Pathways consultant services; effective May 1, 2002 through April 30, 2003; amount not to exceed Thirty Five Thousand Dollars (\$35,000.00) contingent upon the availability of funds.

B) Julie Calvert, 3198 Hermitage Road, Warsaw, NY, for the provision of Pathways data analysis; effective January 1, 2002 through December 31, 2002; amount not to exceed Five Thousand Dollars (\$5,000.00) contingent upon the availability of funds.

C) Wyoming County Sheriff's Department, 151 North Main Street, Warsaw, NY for the provision of a juvenile officer; effective April 9, 2002 through December 31, 2002; amount not to exceed Four Thousand, Seven Hundred Forty Eight Dollars, Fifty Cents (\$4,748.50) contingent upon the availability of funds.

Carried: Ayes: 1404 Noes: 0 Absent: 214; Perry

**RESOLUTION NO. 02-128**  
**(April 9, 2002)**

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

**FORENSIC LAB SERVICES CONTRACT APPROVED**

BE IT RESOLVED, That this Board of Supervisors approves a contract with the County of Monroe, in which they agree to furnish forensic laboratory services to the County of Wyoming; said contract to be in the amount of Seventeen Thousand, Five Hundred Dollars (\$17,500.00) for the period of January 1, 2002 through December 31, 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 execute said contract in the name of Wyoming County.

Carried: Ayes: 1404 Noes: 0 Absent: 214; Perry

# 20

**RESOLUTION NO. 02-129**  
**(April 9, 2002)**

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

**CHAIRMAN AUTHORIZED TO SIGN AN AGREEMENT  
WITH WILMAC ON BEHALF OF THE SHERIFF'S  
DEPARTMENT**

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 agreement with Wilmac, P.O. Box 14387, Rochester, NY, on behalf of the Sheriff's Department for the maintenance of the Racal Wordnet Digital Voice Logger; effective April 1, 2002 through March 31, 2003; amount not to exceed Two Thousand, Five Hundred Ninety Five Dollar (\$2,595.00).

Carried: Ayes: 1404 Noes: 0 Absent: 214; Perry

April 9, 2002

**RESOLUTION NO. 02-130  
(April 9, 2002)**

By Mr. Davis, 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, 2002 through September 30, 2003.

Carried: Ayes: 1404 Noes: 0 Absent: 214; Perry

# 22

**RESOLUTION NO. 02-131  
(April 9, 2002)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT  
ON BEHALF OF EMERGENCY SERVICES**

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 with Gregory J. Collins, DO, 4820 Darby Road, Avon, NY 14414, on behalf of Wyoming County Emergency Services for medical director services; effective January 1, 2002 through December 31, 2002; amount not to exceed Twelve Thousand Dollars (\$12,000.00); 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 memorandum of understanding with Wyoming County

**Proceedings of the Board of Supervisors**

Community Hospital, 400 North Main Street, Warsaw, NY on behalf of Wyoming County Emergency Services for medical director services; effective January 1, 2002 through December 31, 2002; amount not to exceed Six Thousand Dollars (\$6,000.00).

Carried: Ayes: 1404 Noes: 0 Absent: 214; Perry

# 23

**RESOLUTION NO. 02-132  
(April 9, 2002)**

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

**RESOLUTION NO. 01-306 AMENDED RE:  
MEMORANDUM OF UNDERSTANDING WITH  
WYOMING COUNTY COMMUNITY ACTION**

BE IT RESOLVED, That Resolution No. 01-306, passed by this Board of Supervisors on December 11, 2001, is hereby amended to increase the amount not to exceed from Two Thousand Dollars (\$2000.00) to Two Thousand, Five Hundred Ninety Four Dollars, Fifty Five Cents (\$2,594.55) and to extend the length of the memorandum of understanding through February 23, 2002.

Carried: Ayes: 1404 Noes: 0 Absent: 214; Perry

# 24

**RESOLUTION NO. 02-133  
(April 9, 2002)**

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

**RESOLUTION NO. 01-300 AMENDED RE: 2002 RENEWAL  
CONTRACTS ON BEHALF OF MENTAL HEALTH**

BE IT RESOLVED, That Resolution No. 01-300, passed by this Board of Supervisors on December 11, 2001, is hereby amended to reflect a change in the amount not to exceed as follows:

3) ARA, Inc. renewal contracts for the period of January 1, 2002 through

April 9, 2002

December 31, 2002:

One contract for Mental Health Services (\$394,219) + **\$23,000.00** =  
**\$417,219.00**

F. RIV-Mica Coordination, tx. & Case Management  
(\$23,556) + **\$18,000.00** = **\$41,556.00**

G. RIV-Geriatric Outreach (\$27,231) + **\$5,000.00** =  
**\$32,231.00**

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) + **\$12,500.00** =  
**\$206,347.00**

4. Mica & Psycho Social Club (\$76,027.00) + **\$12,500.00** =  
**\$88,527.00**

Carried: Ayes: 1404 Noes: 0 Absent: 214; Perry

# 25

**RESOLUTION NO. 02-134**  
**(April 9, 2002)**

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

**ED LAW REAPPOINTED TO THE CONDITIONAL  
RELEASE BOARD**

BE IT RESOLVED, That Edwin C. Law, 4324 Bug Road, Town of  
Warsaw, Warsaw, NY is hereby reappointed to the Conditional Release Board  
as an alternate member for a three (3) year term; said term to expire March 31,  
2005.

Carried: Ayes: 1404 Noes: 0 Absent: 214; Perry

**RESOLUTION NO. 02-135  
(April 9, 2002)**

By Mr. Miller, Chairman of the Planning Committee:

**ROSEMARY OTT APPOINTED TO THE GLOW  
WORKFORCE INVESTMENT BOARD**

BE IT RESOLVED, That Rosemary Ott, 5 Fillmore Avenue, Silver Lake, NY 14549, is hereby appointed to the GLOW Workforce Investment Board as a Private Sector Representative to fill the unexpired term of James Pierce, said term to expire December 31, 2004.

Carried: Ayes: 1404 Noes: 0 Absent: 214; Perry

# 27

**RESOLUTION NO. 02-136  
(April 9, 2002)**

By Mr. Gozelski, Chairman of the Agriculture Committee:

**2001 ANNUAL REPORT ON DOG LICENSE FEES  
ACCEPTED**

BE IT RESOLVED, That the report of the County Treasurer of Dog Monies received for the year 2001, be accepted and that this report be referred to the Auditing Committee:

COUNTY FINANCIAL OFFICER - DOG LICENSE REPORT

This report is filed pursuant to Section 111 of the Agriculture and Markets Law and covers the moneys remitted and the moneys expended by me under the provisions of Article 7 of the Agriculture and Markets Law for the period January 1, 2001 to December 31, 2001.

RECEIPTS

Total balance on hand January 1, 2001	\$	-0-
Dog license fees received	\$	12,930.54

April 9, 2002

**Proceedings of the Board of Supervisors**

125

Tag fees received	\$	115.50
Damages recovered from dog owners	\$	85.00
Total amount available for the year ending December 31, 2001	\$	13,131.04

**DISBURSEMENTS**

Paid 36% of dog license fees to Dept. of Ag. and Markets	\$	4,655.00
Paid tag fees to Dept. of Ag. & Markets	\$	115.50
Paid claims for damages done by dogs	\$	85.00
Paid for county dog control officers services	\$	8,275.54
Total disbursement during the year ending December 31, 2001	\$	13,131.04
Total surplus for the year ending December 31, 2001	\$	- 0-

Respectfully submitted,

JOHN B. EDWARDS  
Treasurer

Carried: Ayes: 1404 Noes: 0 Absent: 214; Perry

# 28

**RESOLUTION NO. 02-137  
(APRIL 9, 2002)**

By Mr. Agan, Acting Chairman of the Finance Committee:

**APPROVES CANCELLATION OF TAXES**

WHEREAS, At the February 2000 Eagle Town Board meeting, a motion was passed to forgive the delinquent Town portion of the 2000 Town/County Tax Bill, leaving a Fifty Dollar (\$50.00) Water Fee outstanding; and

WHEREAS, The Wyoming County Board of Supervisors wishes to forgive the 2000 County portion of said 2000 Tax Bill; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors, in accordance with RPTL § 558.1, does hereby cancel the above tax amounts; and be it

FURTHER RESOLVED, That the County Treasurer issue appropriate  
Regular Session

debts/credits to the Town of Eagle.

Carried: Ayes: 1404 Noes: 0 Absent: 214; Perry

# 29

**RESOLUTION NO. 02-138  
(April 9, 2002)**

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

**LEGAL RESEARCH INTERN (TEMPORARY) POSITION  
IN THE DISTRICT ATTORNEY'S OFFICE CREATED**

BE IT RESOLVED, That there is hereby created one (1) position of Legal Research Intern (Temporary) in the Wyoming County District Attorney's Office at a rate of Three Hundred Dollars (\$300.00) per week, not to exceed ten (10) weeks effective through December 31, 2002, with no other benefits except those mandated by law.

Carried: Ayes: 1404 Noes: 0 Absent: 214; Perry

# 30

**RESOLUTION NO. 02-139  
(April 9, 2002)**

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

**ONE TEMPORARY POSITION OF KEYBOARD  
SPECIALIST CREATED**

BE IT RESOLVED, That one (1) position of Keyboard Specialist temporary fte is hereby created in the County Clerk's Office, said position to be placed on Schedule A, Grade 2 of the CSEA Agreement, effective through the end of the current medical leave of absence.

Carried: Ayes: 1404 Noes: 0 Absent: 214; Perry

April 9, 2002

**RESOLUTION NO. 02-140  
(April 9, 2002)**

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

**ONE TEMPORARY POSITION OF CORRECTIONS  
OFFICER CREATED**

BE IT RESOLVED, That one (1) position of Corrections Officer temporary fte is hereby created in the Sheriffs Department (Jail), said position to be placed on Schedule A-3, Grade 3 of the Wyoming County Sheriff's Employee Agreement, effective through the end of the current medical leave of absence.

Carried: Ayes: 1404 Noes: 0 Absent: 214; Perry

# 32

**RESOLUTION NO. 02-141  
(April 9, 2002)**

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

**FEES FOR CIVIL SERVICE EXAMS INCREASED**

BE IT RESOLVED, That Resolution 99-206, passed by this Board of Supervisors on August 17, 1999, is hereby amended by substituting paragraph one (1) for a new paragraph as follows:

BE IT RESOLVED, that the County of Wyoming has establish a sliding scale fee as indicated below for the administration of Municipal Civil Service Examinations as prescribed in Civil Service Law Sections 23.2, 23.5, and 50.5(b) with a waiver of application fees for all labor and non-competitive class positions; and for Wyoming County residents who qualify as Dislocated Workers under the NYS Labor Law as a result of plant closing, relocation or reduction in work force (layoff).

**CIVIL SERVICE EXAMINATION FEE SCHEDULE  
FOR THE COUNTY OF WYOMING**

Regular Session

**APPLICATIONS FEES:**

UP TO \$27,000	\$15.00
\$27,001 to \$35,000	\$20.00
\$35,001 to \$44,999	\$25.00
LAW ENFORCEMENT* (including Correction Officers)	\$25.00
PROFESSIONAL POSTING	\$40.00

\*(Upon appointment of any law enforcement position (ex. Deputy Sheriff, Correction Officer, Police Officer, there will be a \$50.00 fee for the mandated physical.)

Carried: Ayes: 1404 Noes: 0 Absent: 214; Perry

# 33

**RESOLUTION NO. 02-142  
(April 9, 2002)**

By Mr. Agan, Acting Chairman of the Finance Committee:

**FUNDS TRANSFERRED TO TREASURER ACCOUNTS**

FROM:	01.31.1010.1.10101	CSEA Salary	17680.60	
	01.31.1010.8.83001	FICA	1096.20	
	01.31.1010.8.85001	Medicare	256.37	
	01.31.1010.8.89001	Health Ins	4954.00	
	01.31.1010.8.82002	CSEA Disability	86.22	
	01.31.1010.8.86001	EAP	11.88	
				<b>24085.27</b>
TO:	01.33.1325.1.10101	CSEA Salary	17680.60	
	01.33.1325.8.83001	FICA	1096.20	
	01.33.1325.8.85001	Medicare	256.37	
	01.33.1325.8.89001	Health Ins	4954.00	

April 9, 2002

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	01.33.1325.8.82002	DBL	86.22	
	01.33.1325.8.86001	EAP	11.88	
				<b>24085.27</b>

and be it

FURTHER RESOLVED, That one (1) position of Sr. Account Clerk, in the Office of the Clerk of the Board of Supervisors, is hereby re-assigned to the Office of the County Treasurer effective April 15, 2002.

Carried: Ayes: 1404 Noes: 0 Absent: 214; Perry

# 34

**RESOLUTION NO. 02-143  
(April 9, 2002)**

By Mr. Agan, Acting Chairman of the Finance Committee:

**CSEA LOCAL #1000, GENERAL UNIT CONTRACT  
APPROVED**

BE IT RESOLVED, That the Wyoming County Board of Supervisors hereby accepts the Memorandum of Agreement as the basis for a one (1) year contract effective January 1, 2002 through December 31, 2002 with the Wyoming County Employees Unit, Wyoming County Local #861, Civil Service Employees Association, Inc., Local 1000, AFSCME AFL-CIO, subject to language approval by the office of the County Attorney; and be it

FURTHER RESOLVED, That the Chairman of this Board of Supervisors and the members of the Finance Committee of this Board, are hereby authorized to execute the above mentioned agreement on behalf of the County of Wyoming.

This resolution shall become effective immediately, contingent on the ratification of said agreement by both parties.

Carried: Ayes: 1404 Noes: 0 Absent: 214; Perry

# 35

**RESOLUTION NO. 02-144  
(April 9, 2002)**

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



WHEREAS, It is the intent of the Board of Supervisors, on behalf of its members both past and present, County Officers, County Employees, and the many friends he has made in the performance of his duties, to honor and commemorate the retirement of Gary R. Weidman after 32 years of service to Wyoming County; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors declares April 15, 2002 as

**“GARY WEIDMAN DAY”**

and be it

FURTHER RESOLVED, That we extend our sincere Thanks and Best Wishes to Gary R. Weidman as he looks toward the future and to the new adventures that await him in his retirement years.

Carried: Ayes: 1404 Noes: 0 Absent: 214; Perry

\*\*\*\*\*

Mr. Herman moved to adjourn the meeting at 2:49 PM

**REGULAR SESSION****TUESDAY****May 14, 2002****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. Chairman Berwanger, T/Arcade, called the meeting to order and lead us in 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 Monroe County on Friday, May 17, 2002 at the Public Safety Training Center, 1190 Scottsville Road, Rochester, NY. The program will consist of a tour of the Public Safety Building. Registration will be at 9:30 AM.

Chairman Berwanger recognized the Wyoming County Youth Court with the following message:

It gives me great pleasure at this time to recognize the following individuals and organizations as Asset Builders for May, who were either Wyoming County Youth Board Award Winners or named Honorable Mention at the Youth Bureau Annual Awards Dinner held April 26<sup>th</sup>. Wyoming County should be proud of this recognition program coordinated by the Youth Board and Youth Bureau to recognize these outstanding achievements.

These individuals or organizations were recognized in four categories. Outstanding Service by Youth, Outstanding Adult Volunteer, Outstanding Adult Career Service to Youth and Outstanding Organization Service to Youth. It is only appropriate to recognize these awardees as Asset Builders, for the many contributions that they make to the Wyoming County community.

For example the three students recognized in the Outstanding Service by Youth category, are actively involved in their schools, churches, and community at large. They have taken leadership roles in the variety of activities they participate in. They demonstrate the **Empowerment and Constructive Use of Time** type of assets. They all demonstrate assets associated with the **Commitment to Learning and Social Competencies** asset types. These students were recognized from over 20 nominations received from throughout the county. Wyoming County should be proud of these three young adults and their accomplishments.

May 14, 2002

The Outstanding Adult Volunteers and Outstanding Adult Career Service to Youth are Asset Builders by the high level of **Support** they give to the young people of Wyoming County. They demonstrate **positive adult role models and behavior**. They establish **high expectations** for youth within their activities. They are role models demonstrating volunteerism and **service to others** in the community. They work in established programs such as 4-H and Scouting, others through the school system and the faith based community. I commend them for their efforts.

The Outstanding Organization Service to Youth encompasses many of the 40 Developmental Assets in the delivery of their programs to the youth of Wyoming County. Both of these organizations work within the educational component of the county, and are an important link in delivering the asset message to the youth of Wyoming County.

I would like to recognize these Youth Board Awardees and those receiving Honorable Mention in the following categories:

**Outstanding Service by Youth**

Winner	Jennifer Fisher	Town of Gainesville
Honorable Mention	Peter Golibersuch	Town of Gainesville
Honorable Mention	Sarah Meyer	Town of Sheldon

**Outstanding Adult Volunteer**

Winner	Jeanne Yencer	Town of Perry
Honorable Mention	Eulalia Ralph	Town of Castile
Honorable Mention	June “Mama” DeLude	Town of Attica

**Outstanding Adult Career Service to Youth**

Winner	Joan Sage	Town of Perry
Honorable mention	Susan Allen	Town of Attica
Honorable Mention	Joel Stroud	Town of Castile

**Outstanding Organization Service to Youth**

Winner	Wyoming County Business Education Council
Honorable Mention	Attica Central School Board

At this time Chairman Berwanger, T/Arcade, presented Mr. Ross Roberts with a plaque for his time of service and dedication to Wyoming County by serving as the Wyoming County Commissioner on the Rochester Genesee Regional Transportation Authority (RGRTA).

Immediately afterwards Chairman Berwanger announced the

**Proceedings of the Board of Supervisors**

Governors appointment of Frank Vitaliano, Jr. as the new RGRTA Wyoming County Commissioner.

**RESOLUTION NO. 02-146  
(May 14,2002)**

By Mrs. Humphrey, Chairman of the Finance Committee:

**FUNDS APPROPRIATED TO VARIOUS 2002 ACCOUNTS**

BE IT RESOLVED, That funds are hereby appropriated to the various 2002 accounts as follows:

<b>OFFICE FOR AGING</b>			
To acct. 01.44.6772.4.40401 Training & Educ.	\$500.00		
01.44.6772.4.40916 Food Service Contract	\$1,000.00		
01.44.6772.4.42302 Misc.	<u>\$12,764.67</u>		
	\$14,264.67		
w/rev acct 01.12.6772.477219 inc by same		\$14,264.67	<b>\$14,264.67</b>
<b>MENTAL HEALTH</b>			
To acct 01.38.4325.4.40301 Cntrct Prof Srves	\$1,200.00		
w/rev acct 01.03.4325.1289 me by same amt		\$1,200.00	
To acct. 01.38.4325.4.40926 ARA Services	\$4,730.00		
01.38.4325.4.41204 Advertising	1,000.00		
01.38.4325.4.42306 Misc. Other	6,000.00		
01.38.4325.4.42441 Misc MH Prog	<u>37,306.00</u>		
	\$49,036.00		
w/rev acct 01.12.4325.4490 inc by same amt		\$49,036.00	
To acct 01.38.4324.4.42441 Misc MH Program	\$108.00		
w/rev acct 01.11.4320.3490 inc by same		\$108.00	
To acct 01.38.4320.4.40926 ARA Services	\$5.00		
w/rev acct 01.11.4320.3490 inc by same		\$5.00	
To acct 01.38.4323.4.40926 ARA Services	(-\$37,234.00)		
w/rev acct 01.11.4323.3490 decrsd by same		(-\$37,234.00)	
To acct 01.38.4310.4.40402 Conf/Conv	(-\$76.00)		
w/rev acct 01.11.4310.3490 decrsd by same amt.		(-\$76.00)	<b>\$13,309.00</b>
<b>SOCIAL SERVICES</b>			
To acct 01.39.6010.4.40802 Cntrct Reprs Priv	\$3,531.00		
w/rev acct 01.08.6010.2680 inc by same		\$3,531.00	

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To acct	01.39.6010.2.20001	Furniture	\$16,605.00		
01.39.6010.2.20201	Computer	Equip	10,000.00		
01.39.6010.4.40001		Utilities-Gas	2,032.00		
01.39.6010.4.40002		Utilities-Electric	2,200.00		
01.39.6010.4.40005	Utilities	water/sewer	400.00		
01.39.6010.4.40007		Telephone	1,500.00		
01.39.6010.4.40008	Telephone	Long Dist	3,000.00		
01.39.6010.4.41010	Misc.	Supplies	4,768.00		
01.39.6010.4.41410	Software		<u>350.00</u>		
			\$40,855.00		
w/rev acct 01.12.6010.4610	inc by same amt.			\$40,855.00	<b>\$44,386.00</b>
<b>PUBLIC HEALTH</b>					
To acct 01.38.4010.2.20201	Computer Equip		\$2,400.00		
w/rev acct 01.12.4010.448904	inc by same amt.			\$2,400.00	
To acct 01.38.4050.4.40801	Cntrct Bldg Rep. Cnty		\$5,000.00		
01.38.4050.4.40808	Mow & Gen. Repair		\$5,000.00		
01.38.4050.4.40923	Registered Dietician		<u>\$7,200.00</u>		
			\$17,200.00		
w/rev acct 01.04.4050.161002	inc by same amt			\$17,200.00	<b>\$19,600.00</b>
<b>YOUTH BUREAU</b>					
To acct 01.45.7310.4.42434	Stars of Tomorrow		\$1,510.00		
w/rev acct 01.03.7310.1289	inc by same amt.			\$1,510.00	<b>\$1,510.00</b>
<b>EMERGENCY SERVICES</b>					
To acct 01.37.3640.2.20401	Misc Equipment		\$6,000.00		
From any funds available				\$6,000.00	<b>\$6,000.00</b>

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. 02-147  
(May 14, 2002)**

By Mrs. Humphrey, Chairman of the Finance Committee:

**FUNDS TRANSFERRED TO VARIOUS 2002 ACCOUNTS**

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

Proceedings of the Board of Supervisors

<b>COUNTY ADMINISTRATOR</b>			
From Acct 01.33.1230.1.10001 Salaries	\$7,154.02		
01.33.1230.4.40009 Cell Phone	14.68		
01.33.1230.4.40102 Prof Liability	7.57		
01.33.1230.4.40111 Computer Ins	20.00		
01.33.1230.4.40917 BRC Services	2,559.40		
01.33.1230.4.41201 Postage	23.89		
01.33.1230.8.81001 Retirement	3.00		
	9,782.56		
To acct 01.33.1230.1.10601 unused benefit time		5,202.48	
01.33.1230.4.40010 Computer Modem		17.68	
01.33.1231.4.40917 BRC Services		1,279.70	
01.33.1345.4.40917 BRC Services		1,279.70	
01.33.1325.4.41201 Postage		2,000.00	
01.33.1230.8.80001 Workers Comp		3.00	
		9,782.56	<b>\$9,782.56</b>
From acct. 01.33.1230.1.10001 Salaries	\$83,816.09		
01.33.1230.8.82001 Disability	299.42		
01.33.1230.8.83001 Fica	5,316.49		
01.33.1230.8.85001 Medicare	1,243.64		
01.33.1230.8.86001 EA Program	24.07		
01.33.1230.8.89001 Medical Ins.	6,965.18		
	\$97,664.89		
To acct 01.31.1010.4.40301 Prof Services		\$72,164.89	
01.31.1010.4.40407 Supervisor Mileage		15,000.00	
01.31.1010.4.40408 Suprvrs Expnses		10,000.00	
01.31.1010.4.41201 Postage		500.00	
		\$97,664.89	<b>\$97,664.89</b>
<b>PUBLIC DEFENDER</b>			
From acct 01.11.1171.3089 Other State Aid-IPP	\$10,000.00		
To acct 01.12.1171.448914 BYRNE (day to day)		\$10,000.00	<b>\$10,000.00</b>
<b>MENTAL HEALTH</b>			
From acct. 01.11.4324.349001 State Aid	\$14,525.00		
To acct 01.12.4324.4490 Federal Aid		\$14,525.00	<b>\$14,525.00</b>
From acct 01.11.4325.3490 State Aid	\$117,188.00		
To acct 01.12.4325.4490 Federal Aid		\$117,188.00	<b>\$117,188.00</b>

Carried: Ayes: 1618 Noes: 0 Absent: 0

Supervisor Bush, T/Gainesville, and Chairman of the Auditing Committee presented the bills in an amount of Eight Hundred Fifty Thousand, Six Hundred Thirty Eight Dollars Fifty Seven Cents (\$850,638.57) for the approval of payment. A voice vote was taken and the bills were passed.

Carried: Ayes: 1618 Noes: 0 Absent: 0

Chairman Berwanger, asked that resolution office #'s 3-27 be consolidated for consent agenda. A voice vote was taken and the request was granted. Chairman Berwanger asked the Clerk, Suzanne Aldinger read the titles of resolution office #'s 3-27.

Carried: Ayes: 1618 Noes: 0 Absent: 0

May 14, 2002

**RESOLUTION NO. 02-148**

**(May 14, 2002)**

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 of felt; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors does hereby declare June 12, 2002 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: 1618                   Noes: 0                   Absent: 0  
#4

**RESOLUTION NO. 02-149**

**(May 14, 2002)**

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

**Proceedings of the Board of Supervisors**  
**CHAIRMAN AUTHORIZED TO SIGN VARIOUS  
MEMORANDUMS OF UNDERSTANDING ON BEHALF OF  
THE OFFICE OF THE AGING**

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 the following memorandum of understandings on behalf of the Office of the Aging:

A. Alzheimer's Assoc.-WNY Chapter, 1284 French Road, Depew, NY 14043-4882, to target caregivers within the County Long Term Care Facilities to provide them with information to assist them in their caregiving; effective June 1, 2002 through December 31, 2002; amount not to exceed One Thousand, Five Hundred Dollars (\$1,500.00), contingent upon the availability of funding.

B. Pioneer Library System, 4595 Route 21N., Canandaigua, NY 14424, for the provision of a caregiver resource center to improve access to education information for caregivers and their families; effective June 1, 2002 through December 31, 2002; amount not to exceed Four Thousand Dollars (\$4,000.00), contingent upon the availability of funds.

C. WCJW, 3258 Merchant Road, P.O. Box 251, Warsaw, NY 14569, to target caregivers in Wyoming County with information to assist them in their caregiving endeavors; effective June 1, 2002 through December 31, 2002; amount not to exceed Four Thousand Dollars (\$4,000.00), contingent upon the availability of funds.

Carried:           Ayes:   1618                   Noes:   0                   Absent: 0  
#5

**RESOLUTION NO. 02-150**  
**(May 14, 2002)**

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

**CHAIRMAN AUTHORIZED TO SIGN A MEMORANDUM  
OF UNDERSTANDING WITH ANIMAL CONTROL ON  
BEHALF OF THE PUBLIC HEALTH DEPARTMENT**

May 14, 2002

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 memorandum of understanding with Wyoming County Animal Control on behalf of the Public Health Department for the provision of animal control services; effective January 1, 2002 through December 31, 2002; amount not to exceed Ten Thousand, Five Hundred Two Dollars (\$10,502.00), contingent upon the availability of funds.

Carried:           Ayes: 1618                   Noes: 0                   Absent: 0  
#6

**RESOLUTION NO. 02-151  
(May 14, 2002)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT  
WITH NYS DEPARTMENT OF HEALTH ON BEHALF OF  
THE PUBLIC HEALTH DEPARTMENT**

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 with the New York State Department of Health on behalf of the Public Health Department for the provision of maintaining and/or raise the statewide percentage of youngsters who are fully immunized and educate people about immunizations; effective April 1, 2002 through March 31, 2003; amount not to exceed Forty Five Thousand Dollars (\$45,000.00), contingent upon the availability of funds.

Carried:           Ayes: 1618                   Noes: 0                   Absent: 0  
#7

**RESOLUTION NO. 02-152  
(May 14, 2002)**

By Mr. Miller, Chairman of the Planning Committee:

**CHAIRMAN AUTHORIZED TO EXECUTE  
Regular Session**

**Proceedings of the Board of Supervisors**  
**NYS AGRICULTURE & MARKETS GRANT**  
**APPLICATION**

WHEREAS, the County of Wyoming is interested in developing a comprehensive Agricultural & Farmland Protection & Development Plan as recommended in Target Tomorrow: A Strategic Plan for Wyoming County's Future; and

WHEREAS, the County's Agricultural and Farmland Protection Board has unanimously requested the Board of Supervisors to apply for available grant funding to prepare such a Plan; be it

RESOLVED, That the Chairman of this Board of Supervisors is hereby authorized as the official representative of the Wyoming County, New York, to execute and submit a grant application to the NYS Department of Agriculture and Markets for an Agricultural and Farmland Protection and Development Plan, 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 and assistance as may be necessary.

Carried:           Ayes: 1618                   Noes: 0                   Absent: 0  
#8

**RESOLUTION NO. 02-153**  
**(May 14, 2002)**

By Mr. Miller, Chairman of the Planning Committee:

**CHAIRMAN AUTHORIZED TO SIGN AN AGREEMENT**  
**BETWEEN WYOMING COUNTY AND THE**  
**WORKFORCE INVESTMENT BOARD**

BE IT RESOLVED, That with the approval of the County Attorney and on behalf of the County of Wyoming, the Chairman of this Board of Supervisors is hereby authorized and directed to execute an agreement with the Workforce Investment Board for the purpose of defining the functions, powers, duties, relationships and operating procedures of the consortium (Genesee, Livingston, Orleans and Wyoming Counties), Grant Recipient, the Workforce Investment Board and the Chief Elected Officials, in order to facilitate the provision of policy guidance for, and the exercise of over sight of the Workforce Investment Area; said contract shall become effective July 1, 2002 and terminate June 30, 2004.

Carried:           Ayes: 1618                   Noes: 0                   Absent: 0

May 14, 2002

**RESOLUTION NO. 02-154**

**(May 12, 2002)**

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

**CHAIRMAN AUTHORIZED TO SIGN AN AMENDED  
CONTRACT FOR REGISTER DIETICIAN ON BEHALF OF  
THE PUBLIC HEALTH DEPARTMENT**

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 amended contract on behalf of the Public Health Department for the provision of dietician services; effective June 3, 2002 through December 31, 2002; amount not to exceed Thirty Dollars (\$30.00) per hour, inclusive of mileage and phone calls, contingent upon the availability of funds.

Carried:           Ayes: 1618                   Noes: 0                   Absent: 0  
#10

**RESOLUTION NO. 02-155**

**(May 14, 2002)**

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

**CHAIRMAN/COMMISSIONER OF SOCIAL SERVICES  
AUTHORIZED TO SIGN A CONTRACT WITH DENNIS  
COHEN**

BE IT RESOLVED, That the Chairman/Commissioner of this Board of Supervisors, with the approval of the County Attorney, is hereby authorized and directed to sign a contract with Dennis Cohen, 3099 Main Street, Caledonia, NY 14423, for the purpose of legal services, for the period of January 1, 2002 through December 31, 2002, amount not to exceed Ten Thousand Dollars (\$10,000.00), contingent upon the availability of funds.

Carried:           Ayes: 1618                   Noes: 0                   Absent: 0

**RESOLUTION NO. 02-156**  
**(May 14, 2002)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT  
WITH STEPHEN TARBELL ON BEHALF OF THE YOUTH  
BUREAU**

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 with Stephen Tarbell, 68 South Main Street, Silver Springs, NY 14550 for the provision of Youth Court Consultant, for the period of February 24, 2002 through December 31, 2002, amount not to exceed Four Thousand, Five Hundred Dollars (\$4,500.00), contingent upon the availability of funds.

Carried:           Ayes:   1618                   Noes:   0                   Absent: 0

#12

**RESOLUTION NO. 02-157**  
**(May 14, 2002)**

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

**CHAIRMAN AUTHORIZED TO SIGN AN AMENDED  
CONTRACT WITH NYS DOC ON BEHALF OF THE  
SHERIFF'S 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 a amended contract with the NYS DOC on behalf of the Wyoming County Sheriff's Department, the amendment is regarding paragraph 13 of the contract for housing state ready inmates with NYS DOCS which will alter the term of the contract as follows:

“ This contract shall remain in effect until such time as Correction Law Sec. 95 is repealed or five years from the date hereof, whichever first occurs, provided, however, that no monies shall be due pursuant to this contract during any period

May 14, 2002

or periods of time that funds are unavailable.”

Carried:           Ayes: 1618                           Noes: 0                           Absent: 0  
#13

**RESOLUTION NO. 02-158  
(May 14, 2002)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT  
WITH NYS DCJS ON BEHALF OF EMERGENCY  
SERVICES**

BE IT RESOLVED, That the Chairman of the this Board, with the approval of the County Attorney, is hereby authorized and directed to sign a contract with the New York State Department of Corrections and Juvenile Services on behalf of Wyoming County Emergency Services, for the issuance of equipment for responding to acts of terrorism

through the Federal Domestic Preparedness Equipment Program; the term of said contract

shall be for five (5) years per the language of the contract.

Carried:           Ayes: 1618                           Noes: 0                           Absent: 0  
#14

**RESOLUTION NO. 02-159  
(May 14, 2002)**

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

**CHAIRMAN TO AWARD BID AND AUTHORIZED TO  
SIGN CONTRACT WITH MONROE AMBULANCE FOR  
PARAMEDIC SERVICES**

BE IT RESOLVED, That subject to the approval of the Bureau of Fire Coordinator/Civil Defense Director of the Wyoming County Office of Emergency Services and the approval of the Wyoming County Attorney, the

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Chairman of the Board of Supervisors is authorized to award and execute a contract with Monroe Ambulance for paramedic services, under the relevant sections of the New York Public Health Law. Contract shall not require the expenditure of any County funds and shall be structured so as to provide paramedic services on a fee-for-service basis.

Carried:           Ayes: 1618                   Noes: 0                   Absent: 0  
#15

**RESOLUTION NO. 02-160  
(May 14, 2002)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT  
WITH QC MICROSYSTEMS, INC. ON BEHALF OF THE  
PROBATION DEPARTMENT**

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 with QC Microsystems, Inc., 409 East Main Street, Madison WI 53703 on behalf of the Probation Department for the provision technical support and software maintenance; effective April 10, 2002 through April 10, 2003; amount not to exceed Three Thousand, One Hundred Eighty Dollars (\$3,180.00), contingent upon the availability of funds.

Carried:           Ayes: 1618                   Noes: 0                   Absent: 0  
#16

**RESOLUTION NO. 02-161  
(May 14, 2002)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT  
WITH NYS OCFS ON BEHALF OF THE PROBATION  
DEPARTMENT**

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

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sign a contract with New York State Office of Children and Family Services on behalf of the Probation Department for the provision of the Mental Health/Juvenile Justice Diversion Project; effective April 1, 2002 through December 31, 2002; amount not to exceed Fifteen Thousand Dollars (\$15,000.00), contingent upon the availability of funds.

Carried:           Ayes: 1618                   Noes: 0                   Absent: 0  
#17

**RESOLUTION NO. 02-162  
(May 14, 2002)**

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

**RESOLUTION NO. 02-50 AMENDED RE: INDIGENT  
PAROLEE PROGRAM CONTRACT TO DECREASE THE  
AMOUNT AND CHANGE THE DATES**

BE IT RESOLVED, That Resolution No. 02-50, passed by this Board of Supervisors on February 12, 2002, is hereby amended to change the effective date to April 1, 2002 through September 15, 2003; and amend the amount not to exceed to One Hundred Forty Thousand Dollars (\$140,000.00); contingent upon the availability of funds.

Carried:           Ayes: 1618                   Noes: 0                   Absent: 0  
#18

**RESOLUTION NO. 02-163  
(May 14, 2002)**

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

**CHAIRMAN/COMMISSIONER OF SOCIAL SERVICES  
AUTHORIZED TO SIGN A CONTRACT WITH SANTO W.  
BENTIVEGNA, Ph.D.**

BE IT RESOLVED, That the Chairman/Commissioner of this Board of Supervisors, with the approval of the County Attorney, is hereby authorized and directed to sign a contract with Santo W. Bentivegna, Blossom Medical Center,

**Proceedings of the Board of Supervisors**

780 Blossom Road, Rochester, NY 14610, for the provision of Mental Health evaluations for use in making determinations in CPS, Foster Care and Preventive Cases, for the period of January 1, 2002 through December 31, 2002, amount not to exceed Seven Thousand, Five Hundred Dollars (\$7,500.00), contingent upon the availability of funds.

Carried:           Ayes:   1618                   Noes:   0                                   Absent: 0  
#19

**RESOLUTION NO. 02-164  
(May 14, 2002)**

By Mrs. Humphrey, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A MEMORANDUM  
OF UNDERSTANDING WITH THE BUSINESS  
EDUCATION COUNCIL**

BE IT RESOLVED, That the Chairman of this Board of Supervisors, with the approval of the County Attorney, is hereby authorized, on behalf of the County of Wyoming, to execute a Letter of Understanding in regard to grants for 2002 activities between Wyoming County and the Business Education Council; in the amount of Seven Thousand, Five Hundred Dollars (\$7,500.00).

Carried:Ayes:   1618                   Noes:   0                                   Absent: 0  
#20

**RESOLUTION NO. 02-165  
(May 14, 2002)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT  
WITH JAMES MCGUINNESS & ASSOCIATES, INC.  
ON BEHALF OF THE YOUTH BUREAU**

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 with James McGuinness & Associates, Inc., 267 State Street, Schenectady, NY 12305 for the provision of Pre-School support consultant

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services, for the year 2002, amount not to exceed Five Thousand Dollars (\$5,000.00), contingent upon the availability of funds.

Carried: Ayes: 1618                      Noes: 0                      Absent: 0

#21

**RESOLUTION NO. 02-166  
(May 14, 2002)**

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

**RESOLUTION NO. 01-300 AMENDED RE: 2002 RENEWAL  
CONTRACTS ON BEHALF OF MENTAL HEALTH**

BE IT RESOLVED, That Resolution No. 01-300, passed by this Board of Supervisors on December 11, 2001, is hereby amended to reflect a change in the amount not to exceed as follows:

3) ARA, Inc. renewal contracts for the period of January 1, 2002 through December 31, 2002:

J) Telemedicine Grant (\$4,730) + **\$4,730 = \$9460.00**

One contract for Alcohol, Substance Abuse and Men’s Group

A). Alcohol Treatment/Education & Substance Abuse tx. Increased by \$37,500.00 totaling \$376,625.00.

4) Wyoming County Community Hospital - renewal contracts for the period of January 1, 2002 through December 31, 2002.

B) Jail based Mental Health services in the jail (\$63,208) + **\$1,500 = \$64,708**

E) Telemedicine Grant (\$4,730) + **\$4,730 = \$9,460**

5) Chautauqua County Mental Health Dept. - renewal contract for Telemedicine Grant for the period of January 1, 2002 through December 31, 2002 (\$4,730) + **\$4,730 = \$9,460**

Carried: Ayes: 1618                      Noes: 0                      Absent: 0

**RESOLUTION NO. 02-167  
(May 14, 2002)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT  
WITH WYOMING COUNTY-ATTICA LEGAL AID  
BUREAU, INC.**

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 with Wyoming County-Attica Legal Aid Bureau, Inc., on behalf of the Wyoming County Public Defenders Office for the provision of paralegal services; effective January 1, 2002 through December 31, 2002; amount not to exceed Eighteen Thousand, Nine Hundred Dollars (\$18,900.00), contingent upon the availability of funds.

Carried: Ayes: 1618

Noes: 0

Absent: 0

#23

**RESOLUTION NO. 02-168  
(May 14, 2002)**

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

**CHAIRMAN AUTHORIZED TO SIGN A 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 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, 2002 through March 31, 2003 in the amount of Nine Thousand, Six Hundred Forty Dollars (\$9,640.00).

May 14, 2002

Carried: Ayes: 1618                      Noes: 0                      Absent: 0

#24

**RESOLUTION NO. 02-169  
(May 14, 2002)**

By Mrs. Humphrey, Chairman of the Finance Committee:

**APPROVE PROPERTY SALES**

WHEREAS, the County has acquired the right to transfer the following property 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 property and recommends the acceptance thereof, namely:

PARCEL # 1 ADELE BLASZAK, has offered to purchase property located in the Village of                      Castile, South Main Street, Parcel Number, 147.-7-1.15 for \$150.00

Now, therefore, be it

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

Carried: Ayes: 1618                      Noes: 0                      Absent: 0

#25

**RESOLUTION NO. 02-170  
(May 14, 2002)**

By Mrs. Humphrey, Chairman of The Finance Committee:

**APPROVES CORRECTION OF ERRORS IN THE TOWN  
OF BENNINGTON AND LETCHWORTH SCHOOL  
DISTRICT**

Regular Session

**Proceedings of the Board of Supervisors**

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 Bennington: Tax Map 30.-1-47.211

ASSESSED TO: Alexander Toth Jr.

ERROR: Clerical

AUTHORITY: RPTL 558.1

CORRECTION: Cancellation of Void Tax 2000,2001,2002 plus penalties and interest

**PARCEL TWO:** Town of Gainesville: Tax Map 146.-1-23.112

ASSESSED TO: Karen A. Evans

Douglas C. Jett

ERROR: Clerical

AUTHORITY: RPTL 550.2(i)

CORRECTION: Add Letchworth School Re-levy of \$1,060.24

Carried: Ayes: 1618

Noes: 0

Absent: 0

#26

**RESOLUTION NO. 02-171**

**(May 14, 2002)**

By Mrs. Humphrey, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT FOR  
2000 FORECLOSURE OF DELINQUENT PROPERTY  
TAXES**

BE IT RESOLVED, That the Chairman of this Board of Supervisors, with the approval of the County Attorney, is hereby authorized and directed to execute a contract with Phillips, Lytle, Hitchcock, Blaine & Huber, LLP, 1400

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First Federal Plaza, Rochester, New York 14614, for the purpose of collection of FY 2000 delinquent Town and County real property taxes pursuant to New York State Real Property Tax Law Article 11; and be it

FURTHER RESOLVED, That as its legal fee for such services shall be one hundred fifty dollars (\$150.00) per redeemed parcel or such other sum as may be allowed by New York State Real Property Tax Law.

Carried: Ayes: 1618

Noes: 0

Absent: 0

#27

**RESOLUTION NO. 02-172  
(May 14, 2002)**

By Mr. Gozelski, Chairman of the Agriculture Committee:

**KYLE GLOSSER REAPPOINTED TO THE FOREST  
PRACTICE BOARD**

BE IT RESOLVED, That Kyle Glosser, 2460 Orangeville Center Road, Town of Orangeville, Varysburg, NY is hereby reappointed to the Forest Practice Board as a Woodland Representative for a three (3) year term; said term to expire May 31, 2005.

Carried: Ayes: 1618

Noes: 0

Absent: 0

A short recess was requested by Supervisor Humphrey so a brief discussion can take place regarding some upcoming resolutions. Chairman Berwanger granted her request and the Board of Supervisors went into recess at 2:20 pm. Business resumed at 2:45 pm.

Supervisor Agan, T/Attica, Chairman of the Public Works Committee withdrew resolution office #28 regarding the appointment of J. Beachel as Acting Highway Superintendent.

#29

**RESOLUTION NO. 02-173  
(May 14, 2002)**

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

Regular Session

**PETTY CASH FUND IN THE DEPARTMENT OF MENTAL  
HEALTH RESCINDED**

BE IT RESOLVED, That the petty cash fund in the amount of \$100.00 for the Substance Abuse Prevention Program, in the Department of Mental Health is hereby rescinded; effective immediately.

Carried: Ayes: 1618

Noes: 0

Absent: 0

# 30

**RESOLUTION NO. 02-174  
(May 14, 2002)**

Mrs. Humphrey, Chairman of the Finance Committee, presented the SEMI-ANNUAL MORTGAGE TAX REPORT for the period of October 1, 2001 through March 31, 2002 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 Three Hundred Seventeen Thousand, Three Hundred Fifty Five Dollars Forty One Cents (\$317,355.41) to the several tax districts of Wyoming County, in accordance with the report filed with the Clerk of the Board of Supervisors, as follows:

<b>TAX DISTRICTS</b>	<b>MORTGAGE TAX DISTRIBUTED</b>	<b>VILLAGE</b>	<b>TOWN</b>
Arcade	\$51,365.40	\$13,223.14	\$38,142.26
Attica	\$28,327.15	\$7,375.23	\$20,951.92
Bennington	\$35,796.07	\$0.00	\$35,796.07
Castile	\$28,946.37	\$2,084.83	\$25,115.25
Perry Village		\$1,746.29	
Covington	\$9,400.49	\$0.00	\$9,400.49

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Eagle	\$7,305.10	\$0.00	\$7,305.10
Gainesville	\$9,446.53	\$376.15	\$7,818.60
Silver Springs Village		\$1,251.78	
Genesee Falls	\$2,429.19	\$0.00	\$2,429.19
Java	\$20,601.61	\$0.00	\$20,601.61
Middlebury	\$7,740.49	\$684.08	\$7,056.41
Orangeville	\$13,535.53	\$0.00	\$13,535.53
Perry	\$30,397.24	\$7,180.79	\$23,216.45
Pike	\$4,665.71	\$285.76	\$4,379.95
Sheldon	\$25,140.65	\$0.00	\$25,140.65
Warsaw	\$36,073.60	\$9,741.94	\$26,331.66
Wethersfield	\$6,184.28	\$0.00	\$6,184.28
<b>TOTAL</b>	\$317,355.41	\$43,949.99	\$273,405.42

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 14th day of May 2002.

S/ Suzanne Aldinger, Clerk  
Board of Supervisors

Carried: Ayes: 1618

Noes: 0

Absent: 0

Supervisor Humphrey, T/Perry, Chairman of the Finance Committee withdrew resolution office #31 regarding the creation of schedule Y of the Wyoming County Salary Plan.

Supervisor Rogers, T/Pike, Chairman of the Health & Human Services Committee withdrew resolution office #32 regarding the creation/abolishment of positions in the Department of Social Services.

Chairman Berwanger asked that Vice-Chairman Humphrey finish the meeting and excused himself from the floor.

After a lengthy discussion the following resolution was presented.

Regular Session

**RESOLUTION NO. 02-175**  
**(May 14, 2002)**

By Mr. Agan, Acting Chairman of the Finance Committee:

**TEMPORARY REIMBURSEMENT AND COMPENSATION**  
**FOR CHAIRMAN AUTHORIZED**

WHEREAS, The Board of Supervisors for the County of Wyoming acknowledges and recognizes that the County of Wyoming has been required to operate on a day-to-day basis without the services of a County Administrator since February 1, 2002; and

WHEREAS, The Board recognizes that the vacancy of the position of the County Administrator was unanticipated and that it is necessary and appropriate for the Chairman of the Board of Supervisors to take on and discharge the duties formerly undertaken by the County Administrator; and

WHEREAS, The Board recognizes the need of the County to maintain its day-to-day operations in a professional and responsible manner until such time as the Wyoming County Board of Supervisors is able to replace the County Administrator or make other provisions for the discharge of the duties formerly discharged by the County Administrator; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors, by operation of this resolution, authorizes the temporary payment to the Chairman of the Wyoming County Board of Supervisors as reimbursement and compensation for the rendering of additional services created by the absence of a County Administrator in the amount of \$1,000.00 per month for the months of January 2002 through December 2002 unless prior to that a full time County Administrator is engaged by the County of Wyoming or as terminated by further resolution of this Board.

Carried: Ayes: 1267 Noes: 189; (96) Bush, (93) Brunner Absent: 162; Berwanger

A voice vote was taken to present Unanimous Consent Resolution Office #34. There were not objections and UC#34 was presented to the full board.

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**RESOLUTION NO. 02-176  
(May 14, 2002)**

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

**J. BEACHEL APPOINTED TEMPORARY HIGHWAY  
SUPERINTENDENT**

BE IT RESOLVED, That John Beachel, 62 East Mill Street, Castile, NY is hereby appointed as Temporary Highway Superintendent of the Wyoming County Highway Department, and be it;

FURTHER RESOLVED, That Schedule D of the Wyoming County Salary Plan is hereby amended to provide for such position at a salary for the Temporary Highway Superintendent of \$50,612.00; and be it

FURTHER RESOLVED, That this position and salary are temporary until such time as the Board of Supervisors appoints a permanent Highway Superintendent.

Carried: Ayes: 1456                      Noes: 0                      Absent: 162;Berwanger

A voice vote was taken to present Unanimous Consent Resolution Office #35. There were not objections and UC#35 was presented to the full board.

UC# 35

**RESOLUTION NO. 02-177  
(May 14, 2002)**

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

**POSITIONS CREATED/ALTERED IN  
THE DEPARTMENT OF SOCIAL SERVICES**

BE IT RESOLVED, That Schedule S of the Wyoming County Salary Plan is hereby amended to set the salary of Deputy Commissioner of Social  
Regular Session

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Services, full time at \$5,000.00 annually effective immediately ; and be it

FURTHER RESOLVED, That there is hereby created one (1) full time position of Administrative Assistant within the Department of Social Services; said position shall be placed on Schedule S, Step 1 of the Wyoming County Salary Plan at an annual rate of Twenty Four Thousand, Two Hundred Seventy Four Dollars (\$24,274.00) effective immediately.

Carried: Ayes: 1456                      Noes: 0                      Absent: 162;Berwanger

\*\*\*\*\*

Supervisor Herman moved to adjourn the meeting at 3:22 PM.

**REGULAR SESSION**

**TUESDAY**

**June 11, 2002**

**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 for Supervisor Herman, T/Wethersfield. Also present was County Attorney, Eric T. Dadd. Chairman Berwanger, T/Arcade, called the meeting to order and lead us in 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 Cattaraugus County on Friday, June 21, 2002 at the Sprague's Maple Farms, 1 Maple Lane, Portville, NY. The program will consist of the Dept. of Economic Development, Planning & Tourism and Smart Development for Quality Communities. Registration will be at 9:30 AM.

C-2. There will be a Audit Committee meeting immediately following the Board meeting in Room 202.

C-3. Any supervisor planning on attending the Forest Tour tomorrow at 9:30 AM, please let Melane or Sue know before you leave today.

Chairman Berwanger recognized the Wyoming County's High School Valedictorians and Salutatorians with the following message:

It gives me great pleasure at this time to recognize the following individual students of Wyoming County schools, who have been selected as Valedictorians and Salutatorians for their respective schools. I would like to welcome them to Board of Supervisors meeting this afternoon. As we recognize them for their academic achievements, we are also recognizing them for being Asset Builders. They may not realize it, but they are shining examples of the five internal assets that make up the **Commitment to Learning** Asset Group, of the Search Institute's 40 Development Asset Model. These assets are as follows: **Achievement Motivation** – Students are motivated to do well in school. **School Engagement** – Students are actively engaged in learning. **Homework** – Students report doing at least one hour of homework every school day. **Bonding to School** - Students care about school. **Reading for Pleasure** – Students read for pleasure three or more hours per week.

I encourage these young adults to keep up their academic success in the

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next step of their lives, as they pursue higher education. As we bid them farewell from Wyoming County in the near future, may their past success be a foundation for them as they face future challenges. However, as we recognize these students for their academic achievements, we must realize that it is important that Assets apply to all of our kids.

Several members of the Board of Supervisors had the pleasure of meeting with Dr. Peter Benson, the President of the Search Institute, as he was a guest of Wyoming County at the historic Hillside Inn in Wyoming last month. One of the key concepts that Dr. Benson shared with us was the importance that school's play as part of a larger community, rather than as a separate entity within the community. The partnerships that have been established with Wyoming County schools in helping all of our kids within the community is important, and we should be proud of the educational system in Wyoming County, as clearly demonstrated by these students that we are recognizing today, and the hundreds of their fellow graduating students that they represent.

I would like to recognize these Valedictorians and Salutatorians for the Class of 2002.

	<b><u>Valedictorian</u></b>	<b><u>Salutatorian</u></b>
<b>Attica Central School</b>	Suzanne Perry	Jessica Choate
<b>Letchworth Central School</b>	Megan Miller	Diana Reding
<b>Perry Central School</b>	Joel Logan	Andrew Hale
<b>Pioneer Central School</b>	Rachel George	Kyle Burmester
<b>Warsaw Central School</b>	Andrew Maimone	Kimberly .Daniel

Chairman Berwanger introduced Amber Stackhouse to the Full Board as the Employee of the Month of May at the Wyoming County Social Services Department.

Randy Sickler who is a architect for SWBR, SWBR was awarded a check for \$1,000.00 for the replacement of the windows in the Government Center. Randy in return wanted the check to be donated to a Wyoming County not for profit organization or foundation, so, after discussion with the Chairman, Randy decided to award the \$1,000.00 to the Wyoming County Community Hospital Foundation.

Next, Chairman Berwanger introduced Marty Mucher from Wyoming

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County Community Action. At this time Marty challenged every town in Wyoming County to enter the annual Wyoming County Community Action Golf Tournament.

Business resumed.

**RESOLUTION NO. 02-178  
(June 11, 2002)**

By Mrs. Humphrey, Chairman of the Finance Committee:

**FUNDS APPROPRIATED TO VARIOUS 2002 ACCOUNTS**

BE IT RESOLVED, That funds are hereby appropriated to the various 2002 accounts as follows:

<b>PUBLIC HEALTH</b>			
To acct. 01.38.4035.4.41706 med & safety sply w/rev accts 01.04.4035.168903 increased by 01.04.4035.168904 increased by	\$10,000.00	\$7,000.00 <u>3,000.00</u> \$10,000.00	<b>\$10,000.00</b>
<b>SOCIAL SERVICES</b>			
To acct 01.39.6010.4.42264 Comm Solution Trans w/rev acct.01.12.6010.4610 inc. by same amt	\$46,000.00	\$46,000.00	<b>\$46,000.00</b>
<b>MENTAL HEALTH</b>			
To acct 01.38.4325.4.42441 Misc. MH Programs w/rev acct 01.12.4325.4491 inc by same amt	\$44,809.00	\$44,809.00	<b>\$44,809.00</b>
<b>COUNTY ATTORNEY</b>			
To acct. 01.34.1420.4.42304 arbitration From any funds available	\$315.33	\$315.33	<b>\$315.33</b>
<b>HISTORIAN</b>			
To acct. 01.46.7510.8.89001 Employee Health Ins From any funds available	\$3,676.50	\$3,676.50	<b>\$3,676.50</b>
<b>SHERIFF'S</b>			
To acct. 01.37.3110.4.40301 Prof Svcs Contract w/rev acct. 01.12.3110.4389 inc by same amt.	\$3,309.46	\$3,309.46	<b>\$3,309.46</b>

and be it

FURTHER RESOLVED, That the County Treasurer is hereby

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authorized and directed to transfer the said amounts from any funds available therefore.

Carried: Ayes: 1583 Noes: 0 Absent: 35; Herman

**RESOLUTION NO. 02-179  
(June 11, 2002)**

By Mrs. Humphrey, Chairman of the Finance Committee:

**FUNDS TRANSFERRED TO VARIOUS 2002 ACCOUNTS**

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

<b>TREASURER</b>			
From acct. 01.51.9748.7.70001 serial bond interest To acct. 01.51.9746.6.60002 CH renovations BAN	\$72,000.00	\$72,000.00	<b>\$72,000.00</b>
<b>SOCIAL SERVICES</b>			
From acct 01.39.6030.4.42256 Managed Care Ctrct To acct 01.39.6010.8.80001 Work Comp 01.39.6010.8.84001 Unemployment Ins.	\$11,898.00	\$1,368.00 \$10,530.00 \$11,898.00	<b>\$11,898.00</b>
<b>BUILDINGS &amp; GROUNDS</b>			
From acct. 01.34.1620.4.40301 Professional Srvc To acct. 01.34.1620.1.10202 Temp wages 01.34.1620.8.83001 FICA 01.34.1620.8.85001 Medicare	\$5,565.85	\$5,170.32 320.56 74.97 \$5,565.85	\$5,170.32 320.56 74.97 <b>\$5,565.85</b>

Carried: Ayes: 1583 Noes: 0 Absent: 35; Herman

Supervisor Bush, T/Gainesville, and Chairman of the Auditing Committee presented the bills in an amount of Four Hundred Eighty Two Thousand, Five Hundred Eleven Dollars Twenty One Cents (\$482,511.21) for the approval of payment. A voice vote was taken and the bills were passed.

Carried: Ayes: 1583 Noes: 0 Absent: 35; Herman

Chairman Berwanger, asked that resolution office #'s 3-15 be consolidated for consent agenda. A voice vote was taken and the request was granted. Chairman Berwanger asked the the Clerk, Suzanne Aldinger read the

titles of resolution office #'s 3-15.

Carried: Ayes: 1583                      Noes: 0                      Absent: 35; Herman

#3

**RESOLUTION NO. 02-180  
(June 11, 2002)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT  
WITH G.A. KEENE, INC.**

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 Sheriff's Department, to sign an agreement with George A. Keene, Inc., 1101 Niagara Falls Blvd., Buffalo, New York, for the purpose of preventative maintenance of doors and locks in the Wyoming County Jail in an amount not to exceed Four Thousand, Five Hundred Dollars (\$4,500.00) effective April 1, 2002 through March 31, 2003.

Carried: Ayes: 1583                      Noes: 0                      Absent: 35;                      Herman  
# 4

**RESOLUTION NO. 02-181  
(June 11, 2002)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT FOR  
THE INTERIM ANNUAL PLAN UPDATE ON BEHALF OF  
THE YOUTH BUREAU**

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 on the behalf of the Youth Bureau for the Interim Annual Plan Update - Strategic Component for the provision of the County Comprehensive Plan effective July 1, 2002 through December 31, 2003.

Carried: Ayes: 1583                      Noes: 0                      Absent: 35;                      Herman  
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**RESOLUTION NO. 02-182  
(June 11, 2002)**

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

**RESOLUTION NO. 01-300 AMENDED RE: 2002 RENEWAL  
CONTRACTS ON BEHALF OF MENTAL HEALTH  
DEPARTMENT**

BE IT RESOLVED, That Resolution No. 01-300 re: 2002 renewal contracts on behalf of Mental Health authorizing the Chairman to sign the following amendment:

6) Mental Health Assoc. of Rochester/Monroe County, renewal contract for the period of January 1, 2002 through December 31,2002:

A. Contract with Mental Health Assoc. of Rochester/Monroe County to manage:

**ADD:** 7. Vocational Rehabilitation (\$30,336.00)

Carried: Ayes: 1583                      Noes: 0                      Absent: 35; Herman

#6

**RESOLUTION NO. 02-183  
(June 11, 2002)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT ON  
BEHALF OF OFA WITH WYOMING COUNTY  
COMMUNITY ACTION**

BE IT RESOLVED: That the Chairman of this Board of Supervisors, with the approval of the County Attorney, is hereby authorized to sign a contract on behalf of the Office of the Aging with Wyoming County Community Action, 6470 Route 20A, Perry, NY for the provision of the Title V Senior Employment

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Program and services for the period of July 1, 2002 through June 30, 2003;  
amount not to exceed Thirty Four Thousand, Sixteen

Dollars (\$34,016.00); contingent upon the availability of funds.

Carried: Ayes: 1583                      Noes: 0                      Absent: 35; Herman

#7

**RESOLUTION NO. 02-184  
(June 11, 2002)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT  
WITH BUFFALO HOSPITAL SUPPLY ON BEHALF OF  
PUBLIC HEALTH**

BE IT RESOLVED, That the Chairman of the Board of Supervisors,  
with the approval of the County Attorney, is hereby authorized to sign a contract  
with Buffalo Hospital Supply, 4039 Genesee Street, Buffalo, NY 14225 on  
behalf of Public Health for the provision of Medical Supplies, effective June 3,  
2002 through December 31, 2002, amount not to exceed Thirty

Thousand Dollars (\$30,000.00); contingent upon the availability of funds.

Carried: Ayes: 1583                      Noes: 0                      Absent: 35;                      Herman

#8

**RESOLUTION NO. 02-185  
(June 11, 2002)**

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

**CHAIRMAN AUTHORIZED TO SIGN CONTRACT WITH  
HEALTH RESEARCH INSTITUTE ON BEHALF OF THE  
PUBLIC HEALTH DEPARTMENT**

BE IT RESOLVED, That the Chairman of this Board of Supervisors,

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with the approval of the County Attorney, is hereby authorized to sign a contract with Health Research Institute, One University Place, Rensselaer, NY, for the provision of Public Health Preparedness/Response for Bio-terrorism effective May 1, 2002 through August 31, 2003; amount not to exceed Seventy

Five Thousand Dollars (\$75,000.00); contingent upon the availability of funds.

Carried: Ayes: 1583                      Noes: 0                      Absent: 35;                      Herman  
#9

**RESOLUTION NO. 02-186  
(June 11, 2002)**

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

**CHAIRMAN/COMMISSIONER OF SOCIAL SERVICES  
AUTHORIZED TO SIGN A CONTRACT WITH  
COMMUNITY CARE OF WESTERN NEW YORK**

BE IT RESOLVED, That the Chairman/Commissioner of Social Services, with the approval of the County Attorney, is hereby authorized and directed to sign a contract with Community Care of Western New York, Inc., of behalf of Social Services, for the provision of Parent Aide Services for families referred to Community Care of Western New York, effective January 1, 2002 through December 31, 2002; amount not to exceed Thirty Thousand Dollars

(\$30,000.00), contingent upon the availability of funds.

Carried: Ayes: 1583                      Noes: 0                      Absent: 35;                      Herman  
#10

**RESOLUTION NO. 02-187  
(June 11, 2002)**

By Mrs. Humphrey, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT  
WITH ZIENTEK REALTY & AUCTION CO.**

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BE IT RESOLVED, That the Chairman of this Board, 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 2002.

Carried: Ayes: 1583                      Noes: 0                      Absent: 35;                      Herman  
#11

**RESOLUTION NO. 02-188  
(June 11, 2002)**

By Mrs. Humphrey, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT  
WITH LUMSDEN & McCORMICK, LLP**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, are hereby authorized and directed to sign a contract with Lumsden & McCormick, LLP, 403 Main Street, Suite 430, Buffalo, NY 14203 a Certified Public Accountants agency to provide an impartial assessment of the performance to the Sheriff's Departments Civil Office and Jail; amount not to exceed Seven Thousand, Five Hundred Dollars (\$7,500.00).

Carried: Ayes: 1583                      Noes: 0                      Absent: 35;                      Herman  
#12

**RESOLUTION NO. 02-189  
(June 11, 2002)**

By Mr. Miller, Chairman of the Planning Committee:

**2003 MATCHING FUNDS PROGRAM APPROVED ON  
BEHALF OF THE WYOMING COUNTY TOURISTS  
PROMOTION AGENCY**

BE IT RESOLVED, That the Wyoming County Board of Supervisors does hereby approve taking part in the 2003 Matching Funds Program for tourist promotional activities; and be it

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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: 1583                      Noes: 0                      Absent: 35;                      Herman  
#13

**RESOLUTION NO. 02-190  
(June 11, 2002)**

By Mr. Miller, Chairman of the Planning Committee:

**FUNDS APPROVED FOR MATCHING FUNDS PROGRAM  
FOR TOURIST PROMOTION**

BE IT RESOLVED, That the Wyoming County Board of Supervisors hereby approves taking part in the 2003 Matching Funds Program for tourists promotional activities and hereby commits the County of Wyoming to Thirty Thousand Dollars (\$30,000) in matching funds, which is over and above the regularly appropriated amount to be included in the year 2003 County Budget.

Carried: Ayes: 1583                      Noes: 0                      Absent: 35;                      Herman  
#14

**RESOLUTION NO. 02-191  
(June 11, 2002)**

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

**MEMBERS APPOINTED/REAPPOINTED TO THE  
FIRE ADVISORY BOARD**

BE IT RESOLVED, That the following named persons are hereby 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:

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<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 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

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Strykersville	Donald Simons	425 Factory Road Strykersville, NY 14145
Varysburg	William Gerhardt	2295 Route 98 Varysburg, NY 14167
Warsaw	Todd MacConnell	66 Mt. View Warsaw, NY 14569
Wyoming	Joe Lee	6108 W. Middlebury Road Wyoming, New York 14591

Members At-Large for towns without Departments:

Orangeville	Town Supervisor	Town of Orangeville
Covington	Town Supervisor	Town of Covington

Carried: Ayes: 1583                      Noes: 0                      Absent: 35;                      Herman  
#15

**RESOLUTION NO. 02-192  
(June 11, 2002)**

By Mr. Miller, Chairman of the Planning Committee:

**JOHN C. PREMO APPOINTED TO THE GLOW  
WORKFORCE INVESTMENT BOARD**

BE IT RESOLVED: That John C. Premo, 138-140 North Main Street, Albion, NY, 14411, of Rural Opportunities, Inc. , is hereby appointed to the GLOW Workforce Investment Board as the Migrant Seasonal Farm Worker Representative.

Carried: Ayes: 1583                      Noes: 0                      Absent: 35;                      Herman

Mr. Miller, Chairman of the Planning Committee asked to have Resolution Office No. 16 withdrawn and the request was granted.

#17

**RESOLUTION NO. 02-193**

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By Mr. Miller, Chairman of the Planning Committee:

**DATE OF PUBLIC HEARING FOR PROPOSED RENEWAL  
OF THE SOLID WASTE COLLECTION CONTRACT**

Whereas, Wyoming County wishes to continue providing a curbside collection program for solid waste and recyclable materials; and

Whereas, a contract renewal proposal from BFI Waste Systems has been reviewed by the Supervisor's Planning Committee and the municipalities participating in the curbside collection program; now therefore

BE IT RESOLVED, that a public hearing on the proposed contract renewal will be held in the Supervisors' Chambers at the County Government Center in the Village of Warsaw, NY on July 9, 2002 at 2:00 p.m.; and be it

FURTHER RESOLVED, that the Clerk of the Board is hereby directed to publish a notice of said public hearing in the official newspapers published in the County of Wyoming

Carried: Ayes: 1583                      Noes: 0                      Absent: 35;                      Herman  
#18

**RESOLUTION NO. 02-194**  
**(June 11, 2002)**

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

**RESOLUTION NO 02-26 AMENDED RE: TEMPORARY  
POSITION OF CLEANER IN THE BUILDING AND  
GROUNDS DEPARTMENT**

BE IT RESOLVED, That Resolution No. 02-26, passed by this Board of Supervisors on January 8, 2002 is hereby amended to extend one (1) temporary, fte, position of Cleaner in the Building and Grounds Department, to be placed on Schedule B, Grade 2 of the CSEA Agreement through July 30, 2002.

Carried: Ayes: 1583                      Noes: 0                      Absent: 35;                      Herman  
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**RESOLUTION NO. 02-195**  
**(June 11, 2002)**

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

**POSITION CREATED/ABOLISHED IN**  
**THE DEPARTMENT OF SOCIAL SERVICES**

BE IT RESOLVED, That one (1) fte position of Senior Caseworker is hereby created in the Department of Social Services, to be placed on Schedule A, Grade 14 of the CSEA Agreement; and be it

FURTHER RESOLVED, That one (1) fte Case Supervisor Grade B is hereby abolished, effective immediately.

Carried: Ayes: 1583                      Noes: 0                      Absent: 35;                      Herman  
# 20

**RESOLUTION NO. 02-196**  
**(June 11, 2002)**

By Mrs. Humphrey, Chairman of the Finance Committee

**BOND RESOLUTION OF THE COUNTY OF WYOMING,**  
**NEW YORK, DATED JUNE 11, 2002, FOR THE ISSUANCE**  
**AND SALE OF BONDS OF THE COUNTY OF WYOMING,**  
**NEW YORK, IN THE AMOUNT OF \$500,000.00 FOR THE**  
**ACQUISITION OF HOSPITAL EQUIPMENT FOR 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 authorized to acquire by purchase the following equipment for Wyoming County Community Hospital.

June 11, 2002

<b>Item</b>	<b>Estimated Maximum Cost</b>
PC's "Small Office Options"	\$1,880.00
Connecting Wires	600.00
Laptop Computer	1,700.00
ENT Microscope - OR	30,000.00
OR Autoclave	24,000.00
Computers (PCs) for PT and OR	3,000.00
Audiometer - E. Intervention	1,000.00
Cystoscope - OR	6,570.00
Endoscope Cabinet - ASU	2,000.00
Stretchers - ASU	4,810.00
Apron Rack - Radiology	675.00
Nellcor Pulse Oximeters	2,912.00
Dual Gamma Camera	332,000.00
<b>Less Trade-in</b>	<b>(19,000.00)</b>
Zoll-Biphasic Monitor Defibrillator for ED-6710	9,552.00
Recline Mobile Chair for Mental Health Room and Patients in ED-6710	1,105.00
Linstar Data Card on Demand Labeler - Admissions	7,000.00
Ritter 309 Pediatric Exam Table with Digital Scale for Clinic - 6940	1,600.00
Pediatric Clinic Office Furniture and Flat Computer Screen - 6940	2,700.00
Pilot Audiometer for Pediatric Clinic - 6940	1,649.00
Nellcor Pulse Oximeters	1,456.00
Pulse Oximeter for Overnight Studies - 7420	3,445.00
(2) PCS 414 Timeter Compressors - 7420	1,500.00
Quinton Scanner Software - 6957	8,800.00
(5) Recorders	10,000.00
Computer	1,700.00
<b>Less Trade-in</b>	<b>(3,000.00)</b>
Lap Top Computer with CD ROM - 8749	1,300.00
Windows File Server	8,000.00

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Pharmacy Software	3,894.00
Holbart Slicer	4,000.00
(2) Transport Stretchers	6,000.00
(12) Computers	15,000.00
(25) Wheelchairs	6,550.00
(24) Resident Dining Chairs	5,056.00
Mechanical Lifts	7,634.00
(4) Nellcor Pulse Oximeters	2,912.00

The estimated maximum cost of the acquisition of such equipment is the sum of \$500,000.00 and said amount is hereby appropriated therefor. The plan of financing involves the issuance of \$500,000.00 in serial bonds of the County of Wyoming to finance the appropriation, and the levy and collection of taxes upon all the taxable real property in the County in an amount sufficient to pay the principal of and interest of said bonds.

Section 2. Serial bonds of said County of Wyoming in the principal amount of \$500,000.00 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law of the State of New York, to finance the said appropriation.

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

a. In accordance with Section 11 of the Local Finance Law, the period of probable usefulness for which said bonds are to be issued, is hereinabove set forth in Section 1 for each item or items 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

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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: 1652 Noes: 0 Absent: 35; Herman

A voice vote was taken to present Unanimous Consent Resolution Office No.'s 21-25. There were not objections and UC#21-25 was presented to the full board.

UC#21

**RESOLUTION NO. 02-197  
(June 11, 2002)**

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

**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

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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 nations vast dairy industry -- one-sixth of the nation's farm economy -- whose daily work and dedication contribute so much to the nations 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, hereby proclaims June, 2002 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: 1583                      Noes: 0                      Absent:                      35; Herman  
UC#22

**RESOLUTION NO. 02-198  
(June 11, 2002)**

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

**CHAIRMAN/COMMISSIONER OF SOCIAL SERVICES  
AUTHORIZED TO SIGN A CONTRACT WITH CORNELL  
COOPERATIVE EXTENSION**

BE IT RESOLVED, That the Chairman/Commissioner of Social Services, with the approval of the County Attorney, is hereby authorized and directed to sign a contract with Cornell Cooperative Extension, of behalf of

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Social Services, for the provision of the New York State Food Stamp Nutrition Education Plan, effective October 1, 2002 through September 30, 2003; amount not to exceed One Hundred Sixty Seven Thousand Dollars (\$167,000.00), contingent upon the availability of funds.

Carried:           Ayes: 1583      Noes: 0           Absent:           35; Herman  
UC#23

**RESOLUTION NO. 02-199**

**(June 11, 2002)**

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

**CSEA LOCAL #1000, GENERAL UNIT CONTRACT  
APPROVED**

BE IT RESOLVED, That the Wyoming County Board of Supervisors hereby accepts the Memorandum of Agreement as the basis for a one (1) year contract effective January 1, 2002 through December 31, 2002 with the Wyoming County Employees Unit, Wyoming County Local #861, Civil Service Employees Association, Inc., Local 1000, AFSCME AFL-CIO, subject to language approval by the office of the County Attorney; and be it

FURTHER RESOLVED, That the Chairman of this Board of Supervisors and the members of the Finance Committee of this Board, are hereby authorized to execute the above.

Carried:           Ayes: 1583      Noes: 0           Absent: 35; Herman  
UC#24

**RESOLUTION NO. 02 -200**

**(June 11, 2002)**

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

**CAPITAL IMPROVEMENT PLAN 2002 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

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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:

**BUILDING & EQUIPMENT CAPITAL RESERVE**

To 12.61.9950.9.99004 interfund transfer

**EMERGENCY SERVICES CAPITAL PROJECTS**

To 25.72.3640.2.22001 Capital Projects

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: 1583        Noes: 0            Absent: 35; Herman

C#25

**RESOLUTION NO. 02-201  
(June 11, 2002)**

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

**FOUR (4) TEMPORARY CORRECTIONS OFFICERS  
POSITIONS CREATED IN THE SHERIFF'S  
DEPARTMENT**

BE IT RESOLVED, That there are hereby created four (4) positions of Correction Officer within the Sheriff's Department; said positions to be placed on Grade 3, Cadet Step of the Sheriff's Employee Association Contract at an hourly rate of Twelve Dollars Twenty Two Cents (\$12.22/hr) effective immediately until the end of the MLOA.

Carried:            Ayes:1583        Noes: 0 Absent: 35; Herman

June 11, 2002

\*\*\*\*\*

Supervisor Humphrey moved to adjourn the meeting at 2:48 PM.

**REGULAR SESSION****TUESDAY****July 9, 2002****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 for Supervisor Agan, T/Attica. Also present was County Attorney, Eric T. Dadd. Chairman Berwanger, T/Arcade, called the meeting to order and lead us in the Pledge of Allegiance to the Flag.

There were no communications.

Chairman Berwanger, introduced the Wyoming County Dairy Princess, Jennifer Rowe to present a proclamation that was passed last month declaring June as Dairy Month. (Jennifer was not able to attend the June meeting so she was asked if she would please attend the July meeting, in order that the Board could present the Proclamation to her.) Jennifer graciously accepted the proclamation and thanked the Board of Supervisors for the recognition.

Chairman Berwanger recognized the Wyoming County's High School Valedictorians and Salutatorians with the following message: (This was the presentation of the Asset Builders in June. Unfortunately the students from Pioneer and Letchworth Central were not able to attend. These award recipients were asked to attend the July meeting so that they could be properly recognized

It gives me great pleasure at this time to recognize the following individual students of Wyoming County schools, who have been selected as Valedictorians and Salutatorians for their respective schools. I would like to welcome them to Board of Supervisors meeting this afternoon. As we recognize them for their academic achievements, we are also recognizing them for being Asset Builders. They may not realize it, but they are shining examples of the five internal assets that make up the **Commitment to Learning** Asset Group, of the Search Institute's 40 Development Asset Model. These assets are as follows: **Achievement Motivation** – Students are motivated to do well in school. **School Engagement** – Students are actively engaged in learning. **Homework** – Students report doing at least one hour of homework every school day. **Bonding to School** - Students care about school. **Reading for Pleasure** – Students read for pleasure three or more hours per week.

I encourage these young adults to keep up their academic success in the next step of their lives, as they pursue higher education. As we bid them farewell from Wyoming County in the near future, may their past success be a foundation for them as they face future challenges. However, as we recognize

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these students for their academic achievements, we must realize that it is important that Assets apply to all of our kids.

Several members of the Board of Supervisors had the pleasure of meeting with Dr. Peter Benson, the President of the Search Institute, as he was a guest of Wyoming County at the historic Hillside Inn in Wyoming last month. One of the key concepts that Dr. Benson shared with us was the importance that school's play as part of a larger community, rather than as a separate entity within the community. The partnerships that have been established with Wyoming County schools in helping all of our kids within the community is important, and we should be proud of the educational system in Wyoming County, as clearly demonstrated by these students that we are recognizing today, and the hundreds of their fellow graduating students that they represent.

I would like to recognize these Valedictorians and Salutatorians for the Class of 2002.

	<b><u>Valedictorian</u></b>	<b><u>Salutatorian</u></b>
<b>Letchworth Central School</b>	Megan Miller	Diana Reding
<b>Pioneer Central School</b>	Rachel George	Kyle Burmester

(The July recipients were not available for the Assest Builders award. The July awards will be given out at the August meeting along with the August recipients.)

Chairman Berwanger introduced Vivian Wetmore to the Full Board as the Employee of the Month of June at the Wyoming County Social Services Department. Vivian has been employed by the Social Services since 1999. She began as a contractor in March, 1999 and was appointed permanently in February, 2001. Vivian is instrumental in assisting caseworkers to transport foster children and supervise visits between foster children and their biological parents.

Next, Chairman Berwanger called upon Supervisor Humphrey, T/Perry, to address the Board.

Supervisor Humphrey, introduced to Charlotte Bernard from the Town of Perry. Charlotte was instrumental in compiling a book for locating veteran's graves in the Town of Perry and Town/Village of Castile. Charlotte and her husband have done extensive research in finding graves of veteran's that nobody new were there. She has mapped the cemeteries in these towns and villages, along with the Veterans Names, Birthdate, Date of Death and the war they served our Country in. This book has been given to the Veteran's Services

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Office, Historian’s Office and Local Libraries in memory of her husband.

Business resumed.

#1

**RESOLUTION NO. 02-202  
(July 9, 2002)**

By Mrs. Humphrey, Chairman of the Finance Committee:

**FUNDS APPROPRIATED TO VARIOUS 2002 ACCOUNTS**

BE IT RESOLVED, That funds are hereby appropriated to the various 2002 accounts as follows:

<b>PUBLIC DEFENDER</b>			
To acct 01.32.1171.4.40902 Legal Services from any funds available	\$1,533.33	\$1,533.33	<b>\$1,533.33</b>
To acct 01.32.1171.4.40902 Legal Services w/rev acct 01.11.1171.3089 increased by 01.12.1171.448914 increased by	\$104,400.00	\$81,200.00 <u>23,200.00</u> \$104,400.00	<b>\$104,400.00</b>
<b>SHERIFF</b>			
To acct 01.37.3110.4.41307 Navigation w/rev acct. 01.12.3110.4389 increased by same amt.	\$650.00	\$650.00	<b>\$650.00</b>
<b>PUBLIC HEALTH</b>			
To acct 01.38.4013.2.20601 instruct audio equip 01.38.4013.4.40301 Prof Srvc Contract 01.38.4013.4.40401 Training & Education 01.38.4013.4.40405 Employee Expenses 01.38.4013.4.41510 Educational Materials 01.38.4013.4.40406 Employee Mileage 01.38.4013.4.41214 Supplies Purchased 01.38.4013.4.41706 Medical & Safety Spply w/rev acct 01.12.4013.448916 inc by same amount	\$3,000.00 55,000.00 5,000.00 2,000.00 3,000.00 3,000.00 2,000.00 <u>2,000.00</u> \$75,000.00	\$75,000.00	<b>\$75,000.00</b>

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: 1454 Noes: 0 Absent: 164; Attica

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Supervisor Bush, T/Gainesville, and Chairman of the Audit Committee presented the bills in the amount of One Million, One Thousand, Three Hundred Thirty Seven Dollars, Seventy Two Cents (\$1,001,337.72) for the approval of payment. A voice vote was taken and the bills were passed.

Carried: Ayes: 1454 Noes: 0 Absent: 164; Attica

Chairman Berwanger, asked that resolution office #'s 2-14 be consolidated for consent agenda. A voice vote was taken and the request was granted. Chairman Berwanger asked that the Clerk, Suzanne Aldinger read the titles of resolution office #'s 2-14. A voice vote was taken and resolution office #'s 2-14 were passed.

Carried: Ayes: 1454 Noes: 0 Absent: 164; Attica

#2

**RESOLUTION NO. 02-203  
(July 9, 2002)**

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

**CHAIRMAN AUTHORIZED TO SIGN NEW AND  
RENEWAL CONTRACTS FOR PHC/EI PROGRAMS**

BE IT RESOLVED, That with the approval of the County Attorney, the Chairman of this Board is hereby authorized to sign new and renewal contracts and related documents to provide programs and services for the education of pre-school handicapped children as required by the New York State Education Department and for the provision of early intervention services as required by the New York State Department of Health through the Wyoming County Youth Bureau, contingent upon the availability of funds:

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Deaf Adult Services Inc. of WNY, 2495 Main Street, Suite 450, Buffalo, NY 14214 for the provision of interpreting services for Early intervention; July 9, 2002 through July 8, 2004; amount not to exceed \$2,500.00.

ARC of Orleans Rainbow Preschool, 243 Main St., Suite 220, Albion, New York 14411, for the provision of centerbase service for the Pre-K children; July 1, 2002 through June 30, 2005; amount not to exceed \$35,000.00.

League for Handicapped, 393 North Street, Springville, NY 14141 for the purpose of providing pre-k and early intervention evaluations and center based related services; July 1, 2002 through June 30, 2005; amount not to exceed \$100,000.00.

Aurora Audiology Services, 112 Olean St., Suite 124, East Aurora, NY 14052 for the provision of pre-k and early intervention evaluations, speech, language and hearing therapy; July 1, 2002 through June 30, 2005; amount not to exceed \$5,000.00.

Julie Canton, 6990 North Pearl Street, Oakfield, NY 14125, pre-k psychologist services; July 1, 2002 through June 30, 2005; amount not to exceed \$5,000.00.

Adam Finley, 9621 Savage Road, Holland NY 14080 for the provision of pre-k and early intervention services; July 1, 2002 through June 30, 2005; amount not to exceed \$15,000.00.

Terry Humberstone, 7064 Sandpipe Rd., Perry, NY 14530 for the purpose of pre-k and early intervention services; July 1, 2002 through June 30, 2005; amount not to exceed \$15,000.00.

Integrated Therapy Services, 25 Liberty Street, Batavia, NY 14020 for the purpose of pre-k and early intervention services; July 1, 2002 through June 30, 2005; amount not to exceed \$40,000.00.

Carla Jennetti, 251 South Grove Street, East Aurora, NY14052 for the purpose of pre-k and early intervention services; July 1, 2002 through June 30, 2005; amount not to exceed \$10,000.00.

Sarah Miller, 2845 Maxon Road, Varysburg, NY, 14167 for the purpose of pre-k and early intervention services; July 1, 2002 through June 30, 2005; amount not to exceed \$10,000.00.

Karen Nelson, 7138 Lyman Road, Bergen, NY 14416 for the purpose of pre-

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k and early intervention social work and counseling; July 1, 2002 through June 30, 2005; amount not to exceed \$10,000.00.

Nancy Small, 10455 Greiner Road, Clarence, NY 14031 for the purpose of pre-k nutritional counselor; July 1, 2002 through June 30, 2005; amount not to exceed \$5,000.00.

Wyo. Co. Community Hospital, 400 N. Main Street, Warsaw, NY 14569 for the purpose of pre-k and early intervention evaluations and related services (speech therapy, physical and occupational therapy); July 1, 2002 through June 30, 2005; amount not to exceed \$100,000.00.

Carried: Ayes: 1454 Noes: 0 Absent: 164; Attica

#3

**RESOLUTION NO. 02-204  
(July 9, 2002)**

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

**CHAIRMAN AUTHORIZED TO SIGN A LETTER OF  
AGREEMENT WITH THE NEW YORK STATE  
DEPARTMENT OF HEALTH**

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 Drinking Water Enhancement Grant application and necessary documents with the New York State Department of Health (NYSDOH) in the amount of Ninety Six Thousand Dollars (\$96,000.00) for the period of April 1, 2002 through March 31, 2003; contingent upon the availability of funds.

Carried: Ayes: 1454 Noes: 0 Absent: 164; Attica

#4

**RESOLUTION NO. 02-205  
(July 9, 2002)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT**

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**WITH ERIE COUNTY 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 Erie County for Bio-terrorism in the amount of Twenty Five Thousand Dollars (\$25,000.00) for the period of May 1, 2002 through August 31, 2003; contingent upon the availability of funds.

Carried: Ayes: 1454 Noes: 0 Absent: 164; Attica

#5

**RESOLUTION NO. 02-206**  
**(July 9, 2002)**

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

**CHAIRMAN AUTHORIZED TO SIGN A LETTER OF**  
**AGREEMENT WITH THE NEW YORK STATE 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 Health Insurance Information, Counseling and Assistance Program Grant application and necessary documents with the New York State Office for the Aging in the amount of Two Thousand, Three Hundred Fifty Dollars (\$2,350.00) for the period of April 1, 2002 through March 31, 2003; contingent upon the availability of funds.

Carried: Ayes: 1454 Noes: 0 Absent: 164; Attica

#6

**RESOLUTION NO. 02-207**  
**(July 9, 2002)**

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

**CHAIRMAN AUTHORIZED TO SIGN A LETTER OF**  
**APPROVAL WITH THE NYS DEPARTMENT OF**

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**PROBATION AND CORRECTION ALTERNATIVE**

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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, 2002 through December 31, 2002; contingent upon the availability of funds.

Carried: Ayes: 1454 Noes: 0 Absent: 164; Attica

#7

**RESOLUTION NO. 02-208**  
**(July 9, 2002)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT  
WITH THE NEW YORK STATE UNIFIED COURT  
SYSTEM**

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, 2002 through March 31, 2003, in the amount of One Hundred Thirty Eight Thousand, Eight Hundred Forty Four Dollars (\$138,844.00) renewable annually; contingent upon the availability of funds.

Carried: Ayes: 1454 Noes: 0 Absent: 164; Attica

#8

**RESOLUTION NO. 02-209**  
**(July 9, 2002)**

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

**AUTHORIZE CHAIRMAN TO SIGN A GRANT AWARD**

Regular Session

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**FROM NYSDCJS ON BEHALF OF WYOMING ATTICA**  
**LEGAL AID**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign a contract with the New York State Department of Criminal Justice Services for Indigent Parolee Program on behalf of Wyoming Attica Legal Aid in the amount of One Hundred Eighty One Thousand, Five Hundred Thirty Three Dollars (\$181,533.00), for the period of June 1, 2002 through March 31, 2003; contingent upon the availability of funds.

Carried: Ayes: 1454 Noes: 0 Absent: 164; Attica

#9

**RESOLUTION NO. 02-210**  
**(July 9, 2002)**

By Mr. Miller, Chairman of the Planning Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT**  
**WITH WYOMING COUNTY COMMUNITY ACTION ON**  
**BEHALF OF GLOW WIB**

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, New York, 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, 2002 through June 30, 2007, renewable annually.

Carried: Ayes: 1454 Noes: 0 Absent: 164; Attica

#10

**RESOLUTION NO. 02-211**  
**(July 9, 2002)**

By Mr. Miller, Chairman of the Planning Committee:

**WORKFORCE INVESTMENT ACT**

July 9, 2002

**EQUAL OPPORTUNITY AND NONDISCRIMINATION  
POLICY AND COMPLAINT PROCESSING PROCEDURES  
ADOPTED**

WHEREAS, The GLOW Workforce Investment Board, an agency responsible for carrying out the administrative responsibilities for the local workforce investment area established pursuant to Section 116 of the Workforce Investment Act of 1998, on behalf of Wyoming County; now therefore

BE IT RESOLVED, That this Wyoming County Board of Supervisors does hereby adopt the Workforce Investment Act Equal Opportunity and Nondiscrimination Policy and the Complaint Processing Procedures for filing a discrimination complaint under Section 188 of WIA applicable to all recipients as defined in 29 C.F.R. Part 37.

Carried: Ayes: 1454 Noes: 0 Absent: 164; Attica

#11

**RESOLUTION NO. 02-212  
(July 9, 2002)**

By Mrs. Humphrey, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN AN AGREEMENT  
WITH CELLULAR ONE**

BE IT RESOLVED, That the Chairman of this Board of Supervisors is hereby authorized and directed to sign an agreement with Cellular One, 59 E. Main Street, Westfield, NY 14787, for the provision of cellular phone services to the various Departments of the County of Wyoming at a cost not to exceed \$1,399.99 per month for the period of two (2) years effective July 9, 2002 through July 8, 2004.

Carried: Ayes: 1454 Noes: 0 Absent: 164; Attica

#12

**RESOLUTION NO. 02-213  
(July 9, 2002)**

By Mrs. Humphrey, Chairman of the Finance Committee:

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**COOPERATIVE PURCHASING AGREEMENT**  
**BETWEEN WYOMING-ERIE COUNTIES APPROVED**

Whereas, it is in the public interest for government entities to obtain goods and services, of maximum quality, at the most economical price and;

Whereas, by participating in a multi-county cooperative purchasing agreement, both Wyoming and Erie Counties would benefit from a program designed to purchase those items that are in common use under the umbrella of a cooperative bidding policy, and;

Whereas, Article 5-G of the New York State General Municipal Law authorizes municipal corporations to enter into cooperative agreements for the performance of those functions or activities in which they could engage individually and;

Whereas, Section 119-N of the NY State General Municipal Law defines the term "Municipal Corporation" as including a County, City, Town, Village, School District and Board of Cooperative Educational Services and;

Whereas, The inter-municipal purchasing agreement between Wyoming and Erie Counties is proposed to foster similar joint municipal initiatives and;

Whereas, Wyoming and Erie Counties agree to utilize, wherever it is to the financial advantage of each county, a cooperative use of each County's competitively awarded bids and;

Whereas, neither Erie or Wyoming County would be bound to any greater degree than at present, when bids are taken, and would include said entities in selected bid specifications thereby affording each the opportunity for cost savings at no additional cost burden, and;

Whereas, under this agreement it is understood and agreed that each participating county will make its own separate purchasing agreement with selected bidders and that each county shall only be liable to a successful bidder for materials/supplies/services contracted by that county, without any liability for purchases contracted for by the other county and each bid winner shall be required to bill each participating County directly for purchases contracted for by that county and;

Whereas, it is further understood that in the event of any dispute between participating counties and an individual bid winner, arising after a contract of purchase has been executed, such dispute shall be handled by and

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between the affected parties, with said parties holding harmless the other county in the agreement and;

Whereas, the specifications, as prepared by either Erie or Wyoming County and made available to each other, under this agreement, shall be accepted for purchase at the lowest responsible bid price and;

Whereas, each county has the right to reject all or part of the designated recommendation for the local bid award and;

Whereas, each county shall have the option to take financial advantage of each other's bids, but not be required, in any manner, to be bound by the award and its terms, and;

Whereas, the invitation to bid and pertinent specifications will be advertised in the designated legal publications in accordance with the requisite provisions of Section # 103 of the NY State General Municipal Law, and;

Whereas, NY State General Municipal Law sets forth the policies and procedures that govern all municipal purchasing practices, those regulations in their entirety will be incorporated in all such inter-municipal agreements; now therefore

Be It Resolved, that Wyoming County hereby agrees to participate in cooperative bidding initiatives with Erie County for the acquisition of commodities and services requested and approved by the appropriate fiscal officer of Wyoming County;and be it

Further Resolved, That the Wyoming County Board of Supervisors authorizes the Chairman of this Board enter into an inter-municipal agreement, with Erie County, for the purpose of accruing cost savings by utilizing "economies of scale" in joint purchasing initiatives; and be it

Further Resolved, such agreement shall be considered automatically annually renewable unless or until the Wyoming County Board of Supervisors determines to revoke this authorization at the end of the contract's expiration; and be it

Further Resolved, that certified copies of this resolution be sent to the Erie County Executive; the Erie County Division of Purchase; the Wyoming County Treasurer; the Wyoming County Purchasing Administrator; and the Department of Law.

Carried: Ayes: 1454 Noes: 0 Absent: 164; Attica

**RESOLUTION NO. 02-214**  
**(July 9, 2002)**

**CORRECTION OF ERRORS IN THE**  
**TOWN OF WETHERSFIELD APPROVED**

WHEREAS, Pursuant to the Real Property Tax Law §550(3)a, applications have been made for refund of a duplicate assessment or levy on the parcel(s) of real property hereafter described, said application having been reviewed by the Finance Committee, now, therefore, be it

RESOLVED, That the indicated error on parcel 565000 118.-1-2.1, for the Tax Years 2000, 2001, 2002 are hereby corrected in accordance with Real Property Tax Law §550(3)a, and the Wyoming County Treasurer shall issue the appropriate refunds and 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:

AND BE IT FURTHER RESOLVED. That the refund applications for parcel 565000 117.-2-17, Tax Years 2000, 2001, 2002 and parcel 565000 130.-1-33, Tax Years 2000, 2001, 2002 be DENIED in accordance with Real Property Tax Law §550(3)a, as no correctable error exists

**PARCEL ONE: APPLICATIONS APPROVED**

Town of Wethersfield  
Tax Map # 565000 118.-1-2.1

ASSESSED TO: Gerald Seewaldt  
ERROR: Error in Essential Fact  
AUTHORITY: RPTL §550(3)a  
CORRECTION:

Refunds as follows:	Tax Year 2000 - \$6,384.97	REVISED
	Tax Year 2001 - \$5,535.28	REVISED
	Tax Year 2002 - \$6,184.62	REVISED

**PARCEL TWO: APPLICATIONS DENIED**

Town of Wethersfield

Tax Map # 565000 117.-2-17

ASSESSED TO: Gerald Seewaldt

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ERROR: NO ERROR FOUND - DENY Applications for Tax  
Years 2000, 2001 & 2002  
AUTHORITY: RPTL §550(3)a

**PARCEL THREE: APPLICATIONS DENIED**  
Town of Wethersfield  
Tax Map # 565000 130.-1-33

ASSESSED TO: Gerald Seewaldt  
ERROR: NO ERROR FOUND - DENY Applications for Tax  
Years 2000, 2001 & 2002  
AUTHORITY: RPTL §550(3)a

Carried: Ayes: 1454                      Noes: 0                      Absent: 164; Attica  
#14

**RESOLUTION NO. 02-215**  
**(July 9, 2002)**

By Mr. Miller, Chairman of the Planning Committee:

**MEMBERS REAPPOINTED TO THE  
MICRO-ENTERPRISE 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 State Department of Housing and Urban Development (HUD) through the Community Development Block Grant (CDBG) Program for the purpose of establishing and implementing a micro-enterprise assistance program; and

WHEREAS, A Micro-Enterprise 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 micro-enterprise business activity with in Wyoming County; and

WHEREAS, The Wyoming County Industrial Development Agency will be providing partial matching loan funding for approved micro-enterprise applicants; and will have responsibility for administering all aspects of the Micro-Enterprise Loan Fund on behalf of Wyoming County; now therefore be it

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RESOLVED, That Richard Clapp, 678 West Main Street, Town of Arcade, Arcade, New York is hereby reappointed to the Micro-enterprise Loan Review Committee for a term to expire June 13, 2003; and be it

FURTHER RESOLVED, That Richard Tindell, 56 Mt. View Avenue, Town of Warsaw, Warsaw, New York is hereby reappointed to the Micro-Enterprise Loan Review Committee for a term to expire December 31, 2003.

Carried: Ayes: 1454 Noes: 0 Absent: 164; Attica #15

**RESOLUTION NO. 02-216**  
**(July 9, 2002)**

By Mr. Gozelski, Chairman of the Agriculture Committee:

**D. NELSON APPOINTED TO RC&D COUNCIL**

BE IT RESOLVED, That Doug Nelson, 3468 Cooley Road, Bliss, NY 14024, is hereby appointed to the Resource Conservation and Development Council to fill the unexpired term of J. Youngers, said term to expire December 31, 2004.

Carried: Ayes: 1454 Noes: 0 Absent: 164; Attica #16

**RESOLUTION NO. 02-217**  
**(July 9, 2002)**

By Mr. Davis, Acting Chairman of the Public Works Committee:

**J. BEACHEL APPOINTED HIGHWAY SUPERINTENDENT**

BE IT RESOLVED, That John Beachel, 62 East Mill Street, Castile, NY 14427, is hereby appointed as the Wyoming County Highway Superintendent to be placed on Schedule D, Step One of the Wyoming County Salary Plan; said term is a four year term to expire July 8, 2006.

Carried: Ayes: 1454 Noes: 0 Absent: 164; Attica

July 9, 2002

**RESOLUTION NO. 02-218  
(July 9, 2002)**

By Mrs. Humphrey, Chairman of the Finance Committee:

**STUDENT AIDE SEASONAL POSITION IN THE  
WYOMING COUNTY INFORMATION AND  
TECHNOLOGY DEPARTMENT CREATED**

BE IT RESOLVED, That there is hereby created one (1) positions of Student Aide (Seasonal) in the Wyoming County Information and Technology 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: 1454                      Noes: 0                      Absent: 164; Attica

Supervisor Kushner, T/Eagle, stated the following, "I think it is not statistically responsible for us at this time, I am basing this on the premise that we have indicated to the County that we have had some financial difficulties. It is still early in the year and this could be put on hold, and we are not sure of the inflation rate in this County yet is 100%. We do not need a 2% raise. With that being said, what if we have revenues go flat? Also, can we really say that all these people really deserve a raise. Have they all done such a superior job? Yes your being equal, but are you being equitable. If your going to go this course, then perhaps you would like to give yourselves a raise, as our state and federal government often does. Thank you."

The following response was made by Supervisor Herman, T/Wethersfield, "I would like to dispute what Mr. Kushner has said. He was on the negotiating team, we given the CSEA people 2%. In order to keep a equal balance to our people that as our representatives in office I think it should also be given to them. Thank you."

**RESOLUTION NO. 02-219**  
**(July 9, 2002)**

By Mrs. Humphrey, Chairman of the Finance Committee:

**SALARY SCHEDULES “S” “D” “F” AND “G” 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”, “D” “F” and “G” annexed hereto shall be substituted for the existing Schedule “S”, “D” “F” and “G”, adopted on April 10, 2001. Commencing January 1, 2002, 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: 1405      Noes: 49; Eagle      Absent: 164; Attica

Supervisor Humphrey, T/Perry, asked that resolution office #19 be amended to change the date of the public hearing. Mrs. Humphrey stated that, “The legal language that is currently in the law and the changes it provides, making us probably the most restricted County in New York State as far as smoking goes, that we should hold the public hearing in the evening when the majority of the people can attend, and should not be in the afternoon.” After a short discussion the supervisors have decided on Wednesday, September 4<sup>th</sup> at 7:00 p.m. A voice vote was taken to accept the amendment.

#19

**RESOLUTION NO. 02-220**  
**(July 9, 2002)**

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

July 9, 2002

**INTRODUCTORY LOCAL LAW B; Yr. 2002 PRESENTED  
RE: BANNING SMOKING IN PUBLIC PLACES IN  
WYOMING COUNTY**

WHEREAS, There has been duly presented and introduced at a meeting of this Board, held on this 9<sup>th</sup> day of July, 2002, a proposed local law entitled Local Law No. B, Year 2002, County of Wyoming, establishing and relating to Banning Smoking In Public Places in the County of Wyoming, to be adopted in the year 2002, 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 4<sup>th</sup> day of September, 2002, at 7:00 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: 1327      Noes: 127; Castile      Absent: 164; Attica

\*\*\*\*\*

Supervisor Herman, T/Wethersfield moved to adjourn the meeting at 2:40 PM

Chairman Berwanger, T/Arcade, declared the Public Hearing open in regards to the proposed four-year extension of an existing contract with BFI Waste Systems for the continued curbside collection of residential solid waste and recyclable materials in various participating municipalities.

Chairman Berwanger asked if anyone has any questions in regards to the Public Hearing. No questions were presented. Chairman Berwanger declared the Public Hearing Closed

**REGULAR SESSION****TUESDAY****August 13, 2002****2:00 PM**

The Regular Session of the Wyoming County Board of Supervisors was held at the Wyoming County Fair, Youth Building, Pike, New York with all members present. Also present was County Attorney, Eric T. Dadd. Chairman Berwanger, T/Arcade, called the meeting to order and introduced Barbara Boyer, Executive Director of Cornell Cooperative Extension, to introduce the August Asset Builders.

Welcome to the Youth Building and good afternoon to our distinguished guest - US Rep to the Congress, the honorable Tom Reynolds, NY Assemblyman, Dan Burling, Chairman Berwanger and the Board of Supervisors.

Could I ask you all to stand and say the pledge to the flag?

Could I ask Larry Rogers to come forward to lead the 4-Her's past and present in the 4-H pledge.

On behalf of the 4-H Youth Dev. Organization of Wyoming County, and all the 4-Her's from the past 100 years, we are happy to have you present today. We hope you have some time to visit the displays in the building and on the grounds, and see all the salutes to the 4-H organization.

It is also my privilege to tell you that this month as the ongoing accolades for asset builders, we are asking you to honor 4-H persons. We have a very large 4-H membership in this county, and these young people possess a large number of the 40 assets. One reason for this county's success is this 4-H also has a very large number of volunteer leaders. They are the asset builders, too. The adults being honored today have volunteered as 4-H leaders for 30 years or longer, and the young members honored have demonstrated many of the assets in their behaviors.

Chairman Berwanger with the assistance of Congressman Reynolds and Assemblyman Burling presented the certificates to this months (4-H) asset builders.

It is my pleasure to present this months recognition of persons demonstrating and fostering the 40 developmental assets in themselves and others.

When we discuss the assets, there are characteristics of asset building

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adults. They are:

- Values young people for who they are and not just who they will become.
  - Has a sense of hope and optimism for young people and the future.
  - Recognizes personal responsibility for children and adolescents in the community.
  - Celebrates the gifts, commitments and zeal of the adolescent years.
  - Respects, affirms and builds long-term relationships with young people.
  - Models healthy attitudes like life-long learning.
  - Makes caring for young people a lifelong priority.
- Those adults we honor today with 30 years or more of service are:

- Gary Bray-Town of Arcade
- Diana Henry-Town of Eagle
- Patricia Hume-Town of Gainesville
- Elizabeth Meacham-Town of Castile
- Bruce Merle-Town of Bennington
- Milton Merle-Town of Attica
- Hazel Parker-Town of Perry
- Joan Sage-Town of Perry
- Velma Seewaldt-Town of Java
- Nelson Todd-Town of Gainesville
- Etta Winter-Town of Perry

The 4-H youth being honored possess the assets listed below and probably more than the ones listed. They are of service to others in the community. They promote positive behavior with their younger friends and model responsibility.

They are involved in creative activities, many being in the confines of 4-H programming, is comfortable being at home with their families. They are motivated to do well in school as well in any projects they are involved with.

These young people are honest, trustworthy, and can exhibit restraint when asked to do things not really acceptable. They know they have the power to achieve in any area they choose, they feel good about themselves, and they will continue to serve others.

These young 4-H asset builders with the number of years being involved in the 4-H program are:

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- Rachel Bark 9 yrs-Town of Perry
- Kailan Barnes 4 yrs-Town of Perry
- Patrick Chandler 10 yrs-Town of Orangeville
- Jenna Fontaine 4 yrs-Town of Sheldon
- Cheryl Schabloski 9 yrs-Town of Orangeville
- Samantha Sims 7 yrs-Town of Perry

Because of scheduling problems in July, we are also recognizing the Asset Builders for the month of July. Chairman Berwanger asked Supervisor Hickey, T/Bennington, to come up and help with the presentations. It is Supervisor Hickey's family that is being recognized and when you hear this you will truly understand why. Chairman Berwanger continued with the following speech:

For the month of July we are recognizing heroic acts that young people of Wyoming County have done. Even though we do not have many acts for public recognition today, there are probably many more that have been accomplished, with only the personal satisfaction that the young person received that they made a positive difference in someone else's life.

A firm base of developmental assets give all young people the strength they need to thrive and be resilient when they face challenging situations. Young people with more assets are likely to help others and act with courage, qualities that will serve them well into adulthood.

These heroic acts embrace the following specific assets such as **Caring** – Young person places high value on helping other people. And **Responsibility** – Young person accepts and takes personal responsibility. And **Personal Power** – Young person feels he or she has control over things that happen to them. **High Expectations** – Both parents and teachers encourage young people to do well.

Recognition of these heroic acts demonstrate the assets that the **Community Values, Youth and Youth as Resources**. These acts were done as a response to unexpected situations that these young people faced.

Today we are recognizing the efforts of four sisters who range in age from 4 to 17 who saved an eighty five year old neighbor's life in the Town of Bennington. It is also special for us as members of the Wyoming County Board of Supervisor's as they are the children of Town of Bennington Supervisor Chris Hickey. The sisters were outside playing and heard the faint yells of their neighbor, Mr. James Ewert. Who seriously injured himself, after falling down a steep embankment into a pond on his property, also suffering hypothermia. The girls were initially over 500 yards away from the pond, when they realized that the neighbor was in trouble and was calling for help, they returned home and summoned their parents who immediately responded and investigated the situation further. As their father was helping Mr. Ewert from the water, Siobhan already made a call to the 911 Dispatcher, and Stephanie described the

emergency situation to the dispatcher. The sisters displayed a sense of teamwork, cool headedness and a willingness to act. They realized the danger their neighbor was in and immediately took action to address the situation.

It gives me great pleasure to recognize these sisters today.

Chairman Berwanger asked that Chris Hickey introduce his family and present the certificates on behalf of the Board of Supervisors.

Stephanie Hickey, Siobhan Hickey, Sydney Hickey, Sinead Hickey and wife Cindy Hickey.

Chairman Berwanger explained that today, with the large crowd, would be a good day to also recognize some of our true heroes in our community and local EMT's and Fire Fighters. Chairman Berwanger continued on with presentations of two (2) Proclamations from the Board of Supervisors honoring the following individuals:

- Lori Roche with on the occasion of her receiving the Registered Professional Nurse of Excellence Award from the Wyoming and Erie County Emergency Medical Services on Wednesday, July 10, 2002.

- Kathryn Landahl on the occasion of her receiving the Harriet C. Weber Leadership Award for Outstanding Service to the Community from the Wyoming and Erie County Emergency Medical Services on Wednesday, July 10, 2002.

The awards for our local Firefighters were continued with certificates to the following individuals: Christopher Curry, Fire Service Award for 0-5 years; Sean Speyer, Fire Service Award for 5-20 years; Donald Ash, Fire Service Award for 20 years plus of service; Jack L. Hurlburt, Fire Service Award for 20 plus years of service; Perry Rotary Club, Community Service Award; Robert Gibson, Emergency Medical Service Award and Eric Kirsch, Junior Firefighter Award.

Chairman Berwanger gave the Board members permission to remove their suit coats due to the heat.

Chairman Berwanger introduced our NYS Assemblyman Daniel Burling of the 147<sup>th</sup> Assembly District.

Assemblyman Burling thanked all the recipients of the awards presented today, and also thanked all his constituents for their support. Assemblyman Burling also expressed how proud and honored he is to be an American and from Wyoming County and be able to celebrate the 100 years of 4-H being a past member of the organization.

Chairman Berwanger then introduced our NYS Congressman, Thomas Reynolds of the 27<sup>th</sup> Congressional District.

Congressman Reynolds addressed the Board of Supervisors and those from Department Heads and Citizens with the following about team work:

I as a congressman, Dale Volker as a Senator, Dan Burling as a Assemblyman and Board of Supervisors as representatives for the County work as a team, that team is not coming up with ideas for Washington, D.C., or

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Albany but as to what should be happening here for Wyoming County. It's the skill of coming from Local Government, Dan Burling coming from Local Government, Senator Volkens years of representing Wyoming County and I from Local Government and representing Wyoming County, we listen to what the Board sets up for a Agenda. Can you help us from the State Level? Can you help from the Federal Level? It comes from two ways, one-it comes from time to time like the North Java Fire Department- in a competitive national grant, securing \$27,000 for their firematic activities. So bringing assistance in wether it's for records management from Burling, Crime Assistance from Senator Volker.

The other is listening very carefully to the Board on getting assistance on some of these mandates off the local taxpayers, off the County of Wyoming and they have been stewards at making sure that at the Federal and State Level we know full well what's been opposed by those mandates that come down and are passed down to those local governments, wether at the town or county level. I would like to salute the Board for setting the agenda for us, the team at the state and federal level, Senator Volker, Assemblyman Burling and I at the Congressional level.

I also just want to say to the Hickey family as we look at post 911, our communities are made up of hero's everyday that sometimes we don't think about, until a tragedy like September 11, and if you recognize for saving a woman's life or the opportunity for doing good citizens heroic duty that the Board did the Asset Builders recognition today, and when we think of our fireman and EMS today, there isn't a greater network than what this country was founded on volunteerism. Out volunteer Firefighters, EMS and Police are front line responders and we learned that on September 11 on our Nations Greatest Tragedy. So as we salute them today it gives us pause in each one our communities, those volunteer efforts, the frame work of what made America as what it is today in giving up selfless time dedicate to training, and then performance, of risking their life and limb to protect our families and personal properties. To salute them for their efforts and quality of life.

Finally, I would like to thank the Board for continuing to set our agenda, and keeping the high standard and quality of life here in Wyoming County. It has been a pleasure to represent you in Washington and I will continue to work at the best of my ability. Thank you and God bless you.

Chairman Berwanger, introduced Senator Volker's staff, Joan Harrison and Mark Rieman. The Chairman went on to read a letter written by Senator Volker pertaining to good news from the Senator that has not been released yet. The letter read as follows:

Dear Chairman Berwanger,

I am pleased to inform you that as part of the New York State adopted 2002-2003 New York State Budget, I was able to secure \$50,000.00 to assist

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Wyoming County in rehabilitating it's Emergency Training Facility.

Since the terrorist attack on the World Trade Center in New York City, the need for our emergency response personnel, both, fire and police, have the facilities and tools needed to do their jobs well is critical. It has been thoroughly communicated to me, by the representatives of Wyoming County, that its Emergency Training Facility is in need of renovations and upgrades, to allow our regions Fire and Police personnel to train within realistic emergency environments, in order to perfect their life saving skills. Renovations for your Emergency Training Facility are imperative, not only in the immediate area, but essential to the entire Western New York Region, in order for these dedicated men and women to enhance, as well as maintain their skills.

I am pleased to have secured State resources in the amount of \$50,000.00 for such a very honorable purpose.

Very truly yours,  
Dale M. Volker

Chairman Berwanger went on to say:

On behalf of the Board of Supervisors I would like to take this opportunity to thank our representatives in the New York State Legislator and in Congress, Thomas Reynolds for their help. This year they delivered millions of dollars to Wyoming County, we are truly grateful for their assistance. We have a great relationship with them and we look forward to continuing that in the future.

Also at this time I would like to introduce the 2002 Fair Queen, Brittany Blujus of Attica, 2<sup>nd</sup> Runner Up, Bethany Keem of Eagle, and 3<sup>rd</sup> Runner Up, Molly Bayliss of Attica.

Chairman Berwanger asked Supervisor Gozelski, T/Castile and Chairman of the Agriculture Committee to come up and present a Proclamation Declaring the week of August 10 through August 17, 2002 as Wyoming County Fair Week. Business resumed

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 at the Pleasant Valley Winery on Friday, August 16, 2002 at 9:30 AM. Any interested Supervisor should contact the office today if you plan on attending.

C-2. Letter from the Governor of New York State, George E. Pataki. The Governor regrets that he was not able to attend the meeting due to time constraints in his schedule, and thanked the Board for the invitation. He also asked that we continue to invite him to upcoming events and meetings in the future.

**RESOLUTION NO. 02-221**  
**(August, 13, 2002)**

By Mrs. Humphrey, Chairman of the Finance Committee:

**FUNDS APPROPRIATED TO VARIOUS 2002 ACCOUNTS**

BE IT RESOLVED, That funds are hereby appropriated to the various 2002 accounts as follows:

<b>TREASURER</b>			
To acct 01.35.1930.4.40110 Risk Retention w/rev. acct 01.05.1930.2401 inc. by same amt.	<b>\$15,000.00</b>	<b>\$15,000.00</b>	
To acct 18.67.1620.4.42306 other w/rev acct 18.05.1620.2401 inc. by same amt.	<b>\$15,357.73</b>	<b>\$15,357.73</b>	<b>\$30,357.73</b>
<b>PUBLIC HEALTH</b>			
To acct 01.38.4010.4.42459 West Nile Virus w/rev acct 01.12.4010.448907 inc by same amt.	<b>\$2,500.00</b>	<b>\$2,500.00</b>	
To acct 01.38.4050.4.40406 mileage 01.38.4050.4.40928 OT-therapy 01.38.4050.4.40929 SP-therapy w/rev acct no. 01.04.4050.161002 CHHA Medicare inc by same amt.	<b>\$2,500.00</b> <b>8,000.00</b> <u><b>3,000.00</b></u> <b>\$13,500.00</b>	<b>\$13,500.00</b>	<b>\$16,000.00</b>
<b>SHERIFF</b>			
To acct 01.37.3110.4.41413 Recorder w/rev acct 01.12.3110.4389 inc by same amt	<b>\$4,736.00</b>	<b>\$4,736.00</b>	<b>\$4,736.00</b>
<b>PROBATION</b>			
To acct 01.37.3140.2.20401 Office Machines 01.37.3140.4.41404 Maint. Agreement  From any funds available	<b>\$2,300.00</b> <u><b>\$750.00</b></u> <b>\$3,050.00</b>	<b>\$3,050.00</b>	<b>\$3,050.00</b>

and be it

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

Carried: Ayes: 1618 Noes: 0 Absent: 0

August 13, 2002

**RESOLUTION NO. 02-222  
(August, 13, 2002)**

By Mrs. Humphrey, Chairman of the Finance Committee:

**FUNDS TRANSFERRED TO VARIOUS 2002 ACCOUNTS**

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

<b>HISTORIAN</b>			
From acct. 01.46.7510.1.10001 S/D/I Salaries To acct 01.46.7510.8.89001 Medical Insurance	<b>\$990.00</b>	<b>\$990.00</b>	<b>\$990.00</b>

Carried: Ayes: 1618 Noes: 0 Absent: 0

Supervisor Bush, T/Gainesville, and Chairman of the Audit Committee presented the bills in the amount of Two Million, Nine Hundred Sixty Two Dollars, Eighty Five Cents (\$2,000,962.85) for the approval of payment. A voice vote was taken and the bills were passed.

Carried: Ayes: 1618 Noes: 0 Absent: 0

Chairman Berwanger, asked that resolution office #'s 3-21 be consolidated for consent agenda. A voice vote was taken and the request was granted. Chairman Berwanger asked that the Clerk, Suzanne Aldinger read the titles of resolution office #'s 3-21. A voice vote was taken and resolution office #'s 3-21 were passed.

Carried: Ayes: 1618 Noes: 0 Absent: 0

**RESOLUTION NO. 02-223  
August 13, 2002**

By Mr. Gozelski, Chairman of the Agriculture Committee:

**Proceedings of the Board of Supervisors**  
**WYOMING COUNTY FAIR WEEK PROCLAIMED**

WHEREAS, The Wyoming County Fair will be held from August 10th through the 17th 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 10th through August 17th in the year 2002 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

#4

**RESOLUTION NO. 02-224**  
**(August 13, 2002)**

By Mr. Gozelski, Chairman of the Agriculture Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT FOR  
HARVESTING AND SALE OF TIMBER OF COUNTY  
FOREST**

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 James E. Cheeseman, 2336 Coe Road, Perry, New York, for the purpose of harvesting and the sale of timber, of all county forests, terms and conditions per the language of the contract.

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Carried: Ayes: 1618 Noes: 0 Absent: 0

#5

**RESOLUTION NO. 02-225  
(August 13, 2002)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT  
WITH MONROE COUNTY PUBLIC SAFETY  
LABORATORY ON BEHALF OF THE SHERIFF'S  
DEPARTMENT**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney and on behalf of the Wyoming County Sheriff's Department, is hereby authorized and directed to sign a contract with Monroe County Public Safety Laboratory, 524 Public Safety Building, Rochester, New York 14614 for the provision of forensic laboratory services; effective January 1, 2003 through December 31, 2003; amount not to exceed Eighteen Thousand Dollars (\$18,000.00); contingent upon the availability of funds.

Carried: Ayes: 1618 Noes: 0 Absent: 0

#6

**RESOLUTION NO. 02-226  
(August 13, 2002)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT  
WITH NYS DIVISION OF CRIMINAL JUSTICE SERVICES  
ON BEHALF OF THE SHERIFF'S DEPARTMENT**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney and on behalf of the Wyoming County Sheriff's Department, is hereby authorized and directed to sign a contract with NYS Division of Criminal Justice Services, 4 Tower Place, Albany, New York 12203 for a legislative grant to purchase equipment to assist in the investigation

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and prosecution of drug cases; effective April 1, 2002 through September 15, 2004; amount not to exceed Ten Thousand Dollars (\$10,000.00); contingent upon the availability of funds.

Carried: Ayes: 1618 Noes: 0 Absent: 0

#7

**RESOLUTION NO. 02-227  
(August 13, 2002)**

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

**CHAIRMAN AUTHORIZED TO SIGN A LOCAL LAW  
ENFORCEMENT BLOCK GRANT (LLEBG)**

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 2002 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 Twelve Thousand, Nineteen Dollars (\$12,019.00), and to provide the required local match of One Thousand, Three Hundred Thirty Five Dollars (\$1,335.00).

Carried: Ayes: 1618 Noes: 0 Absent: 0

#8

**RESOLUTION NO. 02-228  
(August 13, 2002)**

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

**CHAIRMAN AUTHORIZED TO SIGN A LETTER OF  
APPROVAL/ACCEPTANCE OF THE PROBATION-  
ELIGIBLE REDUCTION INITIATIVE**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is authorized and directed to sign a letter of approval/acceptance for the Probation-Eligible Reduction Initiative, to provide supervision and treatment to felony offenders eligible for probation, authorized by the Division of Probation and Correctional Alternatives, on behalf of

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Wyoming County in an amount of Fifteen Thousand, Eight Hundred Dollars (\$15,800.00), for FY 2002/2003.

Carried: Ayes: 1618 Noes: 0 Absent: 0

#9

**RESOLUTION NO. 02-229**  
**August 13, 2002**

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

**CHAIRMAN AUTHORIZED TO SIGN VARIOUS  
CONTRACTS/GRANTS ON BEHALF OF THE PUBLIC  
HEALTH DEPARTMENT**

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 the following contracts/grant on behalf of the Public Health Department:

A.) Erie County Public Health Lab, 95 Franklin Street, Buffalo, NY for the provision of Vector and Pest Field Lab Identifications, for the period of June 1, 2002 through December 31, 2002; amount not to exceed Two Thousand, Five Hundred Dollars (\$2,500.00); contingent upon the availability of funds.

B.) Pathology Association of Syracuse, 600 East Genesee Street, Suite 305, Syracuse, NY , for the provision of HPV Typing and Specimen Pathology Services, for the period of August 1, 2002 through December 31, 2002; amount not to exceed One Thousand Dollars (\$1,000.00); contingent upon the availability of funds.

C.) Health Research Incorporated, One University Place, Rensselaer, New York 12144 for West Nile Virus, for the period of April 1, 2002 through December 31, 2002; amount not to exceed Two Thousand, Five Hundred Dollars (\$2,500.00); contingent upon the availability of funds.

Carried: Ayes: 1618 Noes: 0 Absent: 0

#10

**RESOLUTION NO. 02-230**

Regular Session

**Proceedings of the Board of Supervisors**  
**August 13, 2002**

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

**CHAIRMAN/COMMISSIONER AUTHORIZED TO SIGN A  
 CONTRACT WITH YWCA ON BEHALF 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 Department of Social Services, is hereby authorized and directed to sign a Contract with YWCA of Genesee County, 301 North Main Street, Batavia, NY, for the provision of family day care and school-age child care registration services; effective August 1, 2002 through July 31, 2003; amount not to exceed Twenty Seven Thousand, Five Hundred Dollars (\$27,500); contingent upon the availability of funds.

Carried: Ayes: 1618    Noes: 0    Absent: 0

#11

**RESOLUTION NO. 02-231**  
**August 13, 2002**

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

**RESOLUTION NO. 01-300 AND RESOLUTION NO. 02-166  
 AMENDED RE: RENEWAL CONTRACTS ON BEHALF OF  
 MENTAL HEALTH**

BE IT RESOLVED, That Resolution No. 01-300, passed by this Board of Supervisors on December 11, 2002, and Resolution No. 02-166, passed by this Board of Supervisors on May 14, 2002, is hereby amended to reflect a change in amount as follows:

4) Wyoming County Community Hospital - renewal contracts for the period of January 1, 2002 through December 31, 2002.

B) Jail Based Mental Health services in the jail (\$64,708.00) + **\$1,500**  
 = **\$66,208.00**

Carried: Ayes: 1618    Noes: 0    Absent: 0

August 13, 2002

**RESOLUTION NO. 02-232**  
**August 13, 2002**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT  
WITH WASTE MANAGEMENT ON BEHALF OF THE  
BUILDING AND GROUNDS COMMITTEE**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney and on behalf of the Buildings and Grounds Department, is hereby authorized and directed to sign a contract with Waste Management, 3327 Walden Avenue, Depew, New York 14043 for the provision of garbage removal at Public Safety and the Department of Social Services; effective August 15, 2002 through August 14, 2005; amount not to exceed Ten Thousand, Eight Hundred Dollars (\$10,800.00); contingent upon the availability of funds.

Carried: Ayes: 1618 Noes: 0 Absent: 0

**RESOLUTION NO. 02-233**  
**(August 13, 2002)**

By Mr. Miller, Chairman of the planning Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT  
WITH H. SICHERMAN & COMPANY FOR SMALL CITIES  
CONSULTING SERVICES**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney and on behalf of the Wyoming County IDA, is hereby authorized and directed to sign a contract with H. Sicherman & Company, 5852 Forest Creek Drive, Amherst, NY 14051 to prepare a CDBG Small Cities grant application of Two Hundred Sixty Thousand Dollars (\$260,000.00). If the grant funds are received they will be used by the

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Wyoming County IDA to provide loan financing to American Classic Outfitters to support their business and employment expansion. Total cost of said contract not to exceed Five Thousand Dollars (\$5,000.00), contingent upon the availability of funds. Fifty-percent (50%) of contract will be paid by the Wyoming County IDA.

Carried: Ayes: 1618 Noes: 0 Absent: 0

#14

**RESOLUTION NO. 02-234  
(August 13, 2002)**

By Mr. Miller, Chairman of the Planning Committee:

**CHAIRMAN AUTHORIZED TO SIGN AN AGREEMENT  
WITH LU ENGINEERS FOR ENVIRONMENTAL  
CONSULTING 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 Lu Engineers, 2230 Penfield Road, Penfield, NY 14526 to prepare a U.S. EPA Brownfield Grant Application and a NYS DEC Environmental Bond Grant Application for the former Westinghouse site, Attica, NY. If the grant funds are received they will be used to remediate and redevelop said site. Total cost of said contract not to exceed Four Thousand Dollars (\$4,000.00), contingent upon the availability of funds. Fifty-percent (50%) of contract cost will be paid by the Village and Town of Attica.

Carried: Ayes: 1618 Noes: 0 Absent: 0

#15

**RESOLUTION NO. 02 -235  
(August 13, 2002)**

By Mr. Miller, Chairman of the Planning Committee:

**CONTRACT FOR CURBSIDE SOLID WASTE  
COLLECTION RENEWED**

WHEREAS, Wyoming County wishes to continue providing a curbside collection program for the collection of solid waste and recyclable materials;  
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and

WHEREAS, a contract renewal proposal from BFI Waste Systems has been reviewed by the Supervisors' Planning Committee and the municipalities participating in the curbside collection program; and

WHEREAS, a public hearing on the proposed contract renewal was held in the Supervisors' Chambers at the County Government Center in the Village of Warsaw, NY on July 9, 2002 at 2:00 p.m.; now therefore

BE IT RESOLVED, That this Board of Supervisors, on behalf of the County of Wyoming, does hereby determine that the proposed contract renewal for 2003-2006 with BFI Waste Systems meets the solid waste collection needs of county residents and does hereby approve renewing the contract with BFI Waste Systems, Kenmore, New York, for the curbside collection of mixed municipal solid waste and recyclable materials; and be it

FURTHER RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign a renewal contract with BFI Waste Systems, for the period of January 1, 2003 through December 31, 2006; and be it

FURTHER RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign Inter-municipal Agreements with Wyoming County Municipalities that have decided to participate in the County solid waste curbside collection program.

Carried: Ayes: 1618    Noes: 0    Absent: 0

#16

**RESOLUTION NO. 02 -236  
(August 13, 2002)**

By Mr. Miller, Chairman of the Planning Committee:

**CHAIRMAN AUTHORIZED TO EXECUTE UNIFIED  
PLANNING WORK PROGRAM AGREEMENT WITH  
GENESEE TRANSPORTATION COUNCIL**

WHEREAS, 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

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information to promote economic benefits for the County; and

WHEREAS, The Genesee Transportation Council has notified the County that its funding application has been approved; and

WHEREAS, a County cash match of less than 10% of the federal funding, and not to exceed Two Thousand Dollars (\$2,000.00), is available from appropriate budgetary sources; now therefore

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign a Unified Planning Work Program Agreement with the Genesee Transportation Council, Rochester, NY; and be it

FURTHER RESOLVED, That the County Planning Board will act as the lead agency for this county project and will work with the County Tourism Agency and other organizations as needed, and that Supervisor Jean Totstline, Genesee Falls is appointed to the Project Advisory Committee.

Carried: Ayes: 1618 Noes: 0 Absent: 0

#17

**RESOLUTION NO. 02-237**  
**(August 13, 2002)**

By Mrs. Humphrey, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT**  
**WITH APPLIED BUSINESS SYSTEMS ON BEHALF OF**  
**REAL PROPERTY TAX**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney and on behalf of Real Property Tax, is hereby authorized and directed to sign a contract with Applied Business Systems, 26 Harvester Avenue, Batavia, NY 14021 for the printing of tax bills; effective July 15, 2002 through July 14, 2003; amount not to exceed Thirteen Thousand, Three Hundred Ninety Three Dollars Forty Cents (\$13,393.40); contingent upon the availability of funds.

Carried: Ayes: 1618 Noes: 0 Absent: 0

August 13, 2002

**RESOLUTION NO. 02-238  
(August 13, 2002)**

By Mrs. Humphrey,, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT  
WITH MAXIMUS**

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 Maximus, 50 Franklin Street, Suite 4, Boston, MA 02110-1301 to provide the Infrastructure of Wyoming County Roads for the compliance of GASB 34; effective per the language of the contract; amount not to exceed Five Thousand Dollars (\$5,000.00); contingent upon the availability of funds.

Carried: Ayes: 1618 Noes: 0 Absent: 0

#19

**RESOLUTION NO. 02-239  
(August 13, 2002)**

By Mrs. Humphrey, Chairman of the Finance Committee:

**PROPERTY SALES APPROVED AND RESOLUTION NO.  
02-169 RESCINDED**

WHEREAS, The County has required the right to transfer the following property pursuant to a Judgment of Foreclosure under Article 11 of the Real Property Tax Law, and

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

PARCEL #1 VILLAGE OF CASTILE, has offered to purchase property located in the Village of Castile, South Main Street, Parcel Number, 147.-7-1.15 for \$1.00

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now, therefore,

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

FURTHER RESOLVED, Resolution No. 02-169 regarding approved property sales, passed by this Board on May 14, 2002 is hereby rescinded.

Carried: Ayes: 1618 Noes: 0 Absent: 0

#20

**RESOLUTION NO. 02-240**  
**(August 13, 2002)**

By Mr. Miller, Chairman of the Planning Committee:

**J. RUTOWSKI APPOINTED TO THE IDA BOARD**

BE IT RESOLVED, That James Rutowski, 18 West Court Street, Warsaw, New York 14569, is hereby appointed to the Industrial Development Agency Board for a two year term; said term to expire August 12, 2004.

Carried: Ayes: 1618 Noes: 0 Absent: 0

#21

**RESOLUTION NO. 02-241**  
**August 13, 2002**

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

**DR. LEVY APPOINTED TO THE BOARD OF HEALTH**

BE IT RESOLVED, That Dr. Jules Levey, 37 East Court Street, Warsaw, New York 14569, is hereby appointed to the Wyoming County Board of Health to fill the unexpired term of Dr. Logan; said term to expire June 10, 2004.

Carried: Ayes: 1618 Noes: 0 Absent: 0

August 13, 2002

**RESOLUTION NO. 02-242**

**August 13, 2002**

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

**D. FUEST APPOINTED OFFICE OF THE AGING  
DIRECTOR**

BE IT RESOLVED, That Deborah Fuest, 70 Liberty Street, Warsaw, NY 14569, is hereby appointed as the Wyoming County Office of the Aging Director, to be placed on Schedule D, Step 4 of the Wyoming County Salary Plan, effective September 16, 2002 for a two year term.

Carried: Ayes: 1618    Noes: 0    Absent: 0

#23

**RESOLUTION NO. 02-243**

**August 13, 2002**

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

**POSITIONS CREATED/ABOLISHED IN THE  
DEPARTMENT OF SOCIAL SERVICES**

BE IT RESOLVED, That one (1) fte position of Social Services Specialist/Trainee position, is hereby created in the Department of Social Services, to be placed on Schedule A, Grade 8/10 of the CSEA Agreement; and be it

FURTHER RESOLVED, That one (1) fte Caseworker Schedule A, Grade 14 is hereby abolished, effective immediately.

Carried: Ayes: 1618    Noes: 0    Absent: 0

**RESOLUTION NO. 02-244  
August, 13, 2002**

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 to cover a medical leave of absence; said position to be placed on Schedule B, Grade 2 of the CSEA Agreement effective through the end of the medical leave of absence.

Carried: Ayes: 1618    Noes: 0    Absent: 0

#25

**RESOLUTION NO. 02-245  
(August 13, 2002)**

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

**TEMPORARY POSITION OF CLERK IN THE  
DISTRICT ATTORNEY'S OFFICE CREATED**

BE IT RESOLVED, That there is hereby created one (1) temporary, fte, position of Clerk in the District Attorney's Office to cover a family medical leave of absence (FMLA); for a period not to exceed six (6) months; said position to be placed on Schedule A, Grade 2 of the CSEA Agreement.

Carried: Ayes: 1618    Noes: 0    Absent: 0

#26

**RESOLUTION NO. 02-246  
(August 13, 2002)**

August 13, 2002

**Proceedings of the Board of Supervisors**

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

**SUBSTITUTE PER DIEM RATES SET IN PUBLIC HEALTH**

BE IT RESOLVED, That this Board of Supervisors hereby approves setting the substitute per diem hourly rates of pay for the Registered Nurses in the Department of Public Health, with no other benefits except those mandated by law, effective August 19, 2002. Per Diem rates set as follows:

Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7
\$16.95 hr.	\$17.54 hr.	\$17.94 hr.	\$18.37 hr.	\$18.79 hr.	\$19.21 hr.	\$19.65 hr.

Carried: Ayes: 1618 Noes: 0 Absent: 0

#27

**RESOLUTION NO. 02-247  
(August 13, 2002)**

By Mrs. Humphrey, Chairman of the Finance Committee:

**SALARY SCHEDULES "S" AMENDED**

BE IT RESOLVED, That the Wyoming County Salary Plan Schedule "S" which became effective January 1, 1967, as amended, is hereby amended as follows:

POSITIONS	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6
(1 <sup>st</sup> ) Asst District Attorney	<b>\$42,010</b>	\$43,060	\$44,136	\$45,240	\$46,371	\$47,530
stipend to 1 <sup>st</sup> Asst. District	<b>\$5,000</b>	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000
(2 <sup>nd</sup> ) Asst. District Attorney	<b>\$35,700</b>	\$36,593	\$37,507	\$38,445	\$39,406	\$40,391
stipend to 2 <sup>nd</sup> Asst District	<b>\$1,800</b>	\$1,800	\$1,800	\$1,800	\$1,800	\$1,800
(3 <sup>rd</sup> ) Asst. District	<b>\$35,000</b>	\$35,875	\$36,772	\$37,691	\$38,633	\$39,599

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Attorney					
Deputy County Historian	\$10,000	Effective August 5, 2002 through December 31, 2002			

Carried: Ayes: 1618 Noes: 0 Absent: 0

#28

**RESOLUTION NO. 02-248**  
**August 13, 2002**

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

**PUBLIC HEARING ON THE PROPOSED LOCAL LAW B,  
YEAR 2002, RE: BANNING SMOKING IN PUBLIC  
PLACES IN WYOMING COUNTY, CANCELLED**

BE IT RESOLVED, That the Public Hearing on the proposed Introductory Local Law B, Year 2002 scheduled for Wednesday, September 4, 2002 at 7:00 PM, in the Wyoming County Government Center, 143 N. Main Street, Warsaw, New York, re: Banning Smoking in Public Places in Wyoming County is hereby canceled, and be it

FURTHER RESOLVED, That Introductory Local Law B; Yr 2002, re: Banning Smoking in Public Places in Wyoming County is hereby referred to the Wyoming County Health and Human Services Committee for further study.

Carried: Ayes: 1618 Noes: 0 Absent: 0

#29

**RESOLUTION NO. 02 -249**  
**(August 13, 2002)**

By Mr. Miller, Chairman of the Planning Committee:

**INTRODUCTORY LOCAL LAW C, Yr. 2002 PRESENTED  
RE: AUTHORIZING THE WYOMING COUNTY BOARD  
OF SUPERVISORS TO MAKE APPLICATION FOR**

August 13, 2002

**Proceedings of the Board of Supervisors**  
**DESIGNATION OF CERTAIN AREAS WITHIN**  
**WYOMING COUNTY AS AN EMPIRE ZONE**

WHEREAS, There has been duly presented and introduced at a meeting of this Board, held on this 13<sup>TH</sup> day of August, 2002, a proposed local law entitled Introductory Local Law No. C, Year 2002, County of Wyoming, establishing and relating to authorizing the Wyoming County Board of Supervisors to make an application for designation of certain areas within Wyoming County as an Empire Zone; 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 27<sup>th</sup> day of August, 2002, at 1:00 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:       1618       Noes:   0       Absent: 0

\*\*\*\*\*

Supervisor Herman, T/Wethersfield moved to adjourn the meeting at 3:04 PM.

**INTRODUCTION OF PROPOSED LOCAL LAW**  
**NO. C OF YEAR 2002, COUNTY OF WYOMING**

**AUTHORIZING THE CHAIRMAN, WYOMING COUNTY BOARD OF SUPERVISORS**  
**TO MAKE APPLICATION FOR DESIGNATION OF CERTAIN AREAS WITHIN WYOMING COUNTY AS AN EMPIRE ZONE.**

WHEREAS, Section 961 of Article 18-B of the General Municipal Law has authorized applications by counties for designation of an Empire Zone within the meaning of said statute; and

WHEREAS, such designation could greatly benefit Wyoming County in that new businesses would be encourage to locate in the zone area, existing businesses would be encourage to expand in the zone area, and new and expanded businesses would generate new jobs for county residents; now therefore

**BE IT ENACTED BY THE BOARD OF SUPERVISORS OF THE**  
**Regular Session**

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COUNTY OF WYOMING, as follows:

Section 1. The Chairman of this Board is hereby authorized and directed to sign and submit an application for designation of certain areas within Wyoming County as an Empire Zone; provided, however, that such authorization shall be conditioned upon the concurrence with respect to such application of the governing bodies of any and all towns and villages in which such zone is located.

Section 2. The boundaries of said areas to be included in said Empire Zone shall be as set forth in Schedule A, which is attached hereto and made a part hereof.

Section 3. Pursuant to requirements of Section 963 of the General Municipal Law, the County Director of Planning & Development shall serve as the Local Empire Zone Certification Officer of the Wyoming County Empire Zone, and shall perform the following duty, to wit: certify, jointly with the New York State Commissioner of Economic Development and the New York State Commissioner of Labor, those business enterprises that are eligible to receive benefits referred to in Section 966 of the General Municipal Law, and any other applicable statutes.

Section 4. Pursuant to Article 18-B of the General Municipal Law, a Local Empire Zone Administrative Board is hereby established to consist of not less than six (6) members. All appointments to the Board shall be made by the Chairman, Wyoming County Board of Supervisors subject to approval of the Board of Supervisors. The members shall not include the Local Empire Zone Certification Officer, and shall include a representative of local business, organized labor, financial institutions, local educational institutions, community organizations and at least one resident of the Empire Zone. The Chairperson of the Board shall be the Chairman of the Wyoming County Board of Supervisors Planning Committee. The Local Empire Zone Administrative Board shall perform all duties required of it pursuant to Section 963(b) of the General Municipal Law.

Section 5. This local law shall take effect upon filing in the Office of the Secretary of State as provided by Section 27 of the Municipal Home Rule Law.

**SPECIAL SESSION**

**TUESDAY**

**(August 27, 2002)**

**2:00 PM**

The Special Session of the Wyoming County Board of Supervisors was held at the Wyoming County Government Center, in the Board of Supervisors Chambers, 143 North Main Street, Warsaw, New York with all members present except for Supervisor Hickey, T/Bennington; Supervisor Totstline, T/Genesee Falls; Supervisor Brunner, T/Java; Supervisor Glosser, T/Orangeville and Supervisor Herman, T/Wethersfield. Also present was County Attorney, Eric T. Dadd. Chairman Berwanger, T/Arcade, called the meeting to order and asked that the Girl Scouts of Genesee Valley Color Guard to lead us in the Pledge of Allegiance to the Flag.

Communications were read and filed with the Clerk of the Board, Suanne Aldinger.

There were no communications.

Chairman Berwanger declared the Public Hearing open in regards to Local Law Introductory No. C, Year 2002, authorizing the Chairman, Wyoming County Board of Supervisors to make application for designation of certain areas within Wyoming county as an Empire Zone. Chairman Berwanger, T/Arcade introduced Mr. Richard Tindell, Director of Economic Development for Wyoming County for a brief explanation of Local Law C, Year 2002.

Mr. Tindell thanked everyone for coming today and apologized for such the short notice for the Public Hearing. Empire Zones are designated area within certain Towns and Villages. In those areas if we get an Empire Zone from the State of New York, it would entitle businesses to certain tax credits on their New York State Income Tax return if those companies make large investments into the business of create jobs. There are only six zones that the State is going to award. There are 25 to 30 areas that are applying for an Empire Zone. The competition is very intense, and the chances are slim of Wyoming County getting an Empire Zone. Orleans County, Genesee County and Livingston County are all planning on applying and have had their public hearings already. Wyoming County is applying for one square mile of acreage which is the most any county can apply for. This gives the County 640 acres that can be applied for in the zone. 480 acres have to be clustered together in three areas. 160 acres have to be designated to specific sites. Attica, Arcade, Perry and Warsaw are the four major areas designated due to the infrastructure that they have, along with water and sewer and cheaper electric. Also the sites chosen needed to have land for development, impact on zoning regulations,

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commercial and industrial use going on in the area, and to keep them from our prime agricultural areas and residential areas. Also it was said that they tried not to pick sites where there is serious developmental restrictions due to various environmental issues such as wetlands. There are some sites on the map that they hope could be re-developed, some of them are considered brownfield sites, others have vacant buildings on them that they hope could be torn down and the site re-developed and made more attractive.

The first primary area is the Village of Perry and Town of Perry, second is the North and South ends of the Village of Warsaw, the third area is the Arcade area, starting on route 98 northeast of the village, on the west side of route 98, these three primary areas make up our 480 acres that needed to be clustered together.

Our scattered sites include the village of Attica who has two sites. They use to be the Westinghouse sites which the village has been cleaning up and hoping to have a company come in. Another site is in Wyoming on Lamb Road. Town of Warsaw further south on route 19, the Village of Perry where the elementary school use to be, a couple of parcels in the Town of Castile, one being where the former Walkley Farm Equipment use to be and a site behind the Walkley Farm Equipment building that is a prime spot for development. Also included is a site in the Town of Gainesville, adjacent to the co-generation plant and village of Silver Springs. Another site in the Village of Castile which is vacant property. Castile has a cheap electric which is also appealing to industry. A site in the Village of Arcade where the old Ames store use to be. Also another site in Arcade south on Route 98 going towards Cattaraugus County which is vacant.

Richard went on to invite anyone who has questions to ask at this time. The following are questions and answers that pertain to the Empire Zone.

Q. Mr. Miller - If there is a existing business is in an Empire Zone, do they get a Tax Credit?

A. Only if they make a significant new investment into their business or create jobs.

Q. Mr. Kushner - How do you know how much tax credit a business would receive? Do they have to invest so much money in the business or create a certain amount of jobs in order to get the tax credit?

A. That is a formula the State has and uses. We do not have that formula but could probably get it if you if you would like it. Just call my office and I will get it to you. I do know that they would have to make some kind of investment in order to create the jobs. And then they would have to submit and prove it with the State. I would also notify the State of any investments and job creations.

Q. Constituent - Does a business have to be located in one of these empire zones in order to get the tax credit?

A. Yes.

Q. Constituent - What if they were not or wanted to be?

A. We could if we desired to, modify the Zones with the State or designate it a Empire Zone with the allotted acreage that we have not used yet.

Q. Mr. Kushner - In the Empire Zone, could it be a one person operation?

A. Yes. This is a good thing because it gives the smaller businesses a chance for expansion.

Q. Constituent - What if a business creates jobs that require skills that we do not have in Wyoming County? How does it benefit us then.

A. First of all 40% of our residents do not work in Wyoming County today. Secondly, I don't think we want to tell our employers that they can not hire outside of Wyoming County. That would not make good business relations. Thirdly, the people that do work here and live outside of the County still shop here. Either during lunch, before work or after work which will generate revenue.

Q. Jane Smith - I know that the State runs Empire Zones. Who pays for it?

A. I don't know. The Government?

Q. What is to stop a company from coming into Wyoming County if we do not have a Empire Zone?

A. If a company was to look for a location in Western New York and we do not have a Empire Zone and Genesee County does. Most companies will choose Genesee County for that tax credit. Every year we lose businesses coming to Wyoming County because we do not have a Empire Zone.

Q. Do you lose a lot of business and how do you know?

A. Every year the Buffalo-Niagara Enterprise notifies us when a company is looking to locate in Western New York. I would have to say we lose about 10 companies a year.

Q. Is that information in the Chamber's Annual Report?

A. No.

Q. Mr. Gozelski - In Wyoming County, how would this effect Agriculture?

A. Agriculture already receives many tax benefits. That would probably not go well. This is to bring in industry. Although there are some agriculture businesses that could be considered in an empire zone such as the production of cheese, etc.

Q. Mr. Gozelski - Could a Dairy farm that was expanding and hiring more people apply for an Empire Zone?

A. They could, but that is a decision that would have to be considered locally. We also would not want to use up our allotted acreage in fields. The main purpose is to bring in Industry.

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Q. Constituent - How does Empire Zones fit into the County Plan Target Tomorrow?

A. One of the main goals for Wyoming County in the Target Tomorrow plan was Industry. 90% of the Empire Zone sites are already zoned for industry.

Q. Constituent - Can't the IDA give such incentives to businesses.

A. Yes, but not to the extent that the State can.

Q. Constituent - By having a business in the Empire Zone and receiving the benefits from it, won't it effect us locally on our taxes.

A. No. The company will continue to pay its local taxes. Then the company turns in what he has paid to the State on their income tax return. The State then can give the business the money back. So the State is actually paying the businesses local taxes.

Q. Constituent - What if the business gives us a payment in lieu of taxes or the IDA gives them assistance? Can they then turn around and claim that payment with the State?

A. I don't know. I would have to check on that.

Q. How much money have we invested in this process so far in applying for the Empire Zone? What if we decide not to pass this local law for an Empire Zone, how much money did we waste?

A. Applying for the Empire Zone is a very complex and lengthy process. The Planning Development Office has been doing all the work with in-kind services so there has been no additional cost from the County for grant writing services or a consultant.

Q. Can a company move to a new Empire Zone to get a additional 10 years?

A. There has been problems in the past where companies have been caught moving and changing their name so that they could get a additional 10 years. That is something that we would have to be very careful about and take safeguards against it.

Mr. Daniel Moran, Mayor of the Village of Warsaw stated that his full Board is in support for an Empire Zone and has passed a resolution in support of it. If we do not get an Empire Zone we will be at a greater disadvantage and Wyoming County can not afford to lose business going to other areas because they were granted an Empire Zone. We already have too many vacated sites because of New York State taxes and need to keep the businesses that we have.

Mr. Chuck Davenport, constituent from the town of Covington stated the following: "Good afternoon. My name is Chuck Davenport. I live in the Town of Covington. I'm here today because I am concerned not only about Empire Zones, but how Wyoming County Board of Supervisors and its agents have proceeded on this matter, as well. Specifically, I am referring to openness and public participation in the governmental decision making process in

Wyoming County.”

“It is disturbing to me that our elected Board of Supervisors continues to hold its meetings during the workday, which is a time when most citizens of the county are unable to attend. Yet in certain circumstances, when supervisors think the matter is important enough to warrant public input, meeting dates/times are changed to be more accommodating to the public.”

“For example, according to Anne Humphrey, Supervisor of Perry, hearing regarding the proposed Introductory Local Law B: Banning Smoking in Public Places in Wyoming County, should be held in the evening when the majority of the people can attend, and should not be in the afternoon. By a voice vote, the Board of Supervisors agreed to move the public meeting to a 7:00 pm time slot.”

“Every supervisors meeting is important and every effort should be made to encourage and facilitate Wyoming County residents’ involvement in those meetings. Banning smoking may be an important issue, but other issues are at least as important such as discussions concerning a comprehensive plan, the Target Tomorrow, the regular updates that Mrs. Humphrey and Mr. Jerry Davis are to be giving to their constituents in regard to the Route 63 Corridor Study, budget matters, awards, and so on and so forth right down the list.”

“Before us today is a prime example. Today’s discussion regarding the local law allowing Wyoming County to apply for an Empire Zone stands to affect the land use patterns that have the potential to increase development pressures on our precious open spaces. Certainly this impact is as important to citizens as where smoking can take place, yet no one on this board (according to the minutes) even suggested on behalf of the citizens that this meeting be in the evening.”

“In Genesee County, the Legislature meets at 7:00 pm and standing committee meetings are held no earlier that 3:30 pm on weekdays. In Monroe County legislatures meets at 6:00 pm and every meeting includes a standing agenda item called Public Forum during which time citizens are welcome to address the board and make their comments part of the public record.”

“I strongly recommend that you follow the leadership initiatives exemplified by these counties. Such openness, responsiveness, and participation by the citizens that elected you would go a long way toward gaining and maintaining the public trust. Thank you.”

Karen McCully from the Town of Covington made the following statement: “Good afternoon. My name is Karen McCully from Covington.”

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“I too would like to comment on opening government to include the governed. To become a truly world class rural community (the stated goal of the 2001 Target Tomorrow Strategic Plan adopted by this very board) Wyoming County should take immediate and bold steps to become a leader in participatory government. It can do this by taking the following simple steps:

(a) Scheduling legislative and standing committee sessions during the evening.

(b) Making agendas and minutes of both Board and Committee meetings available immediately on the County’s web site. Here is the Boards of Supervisors page printed off on last Friday. It contains exactly one live link: to minutes of a July 9<sup>th</sup> meeting.

How exactly are residents supposed to become educated or involved if the County places so little emphasis on making public information available to the public?

(c) Providing a e-mail link to enable citizens to provide feedback electronically to the Board of Supervisors. An excellent example can be found on Erie County’s eb site.

(d) A “Public Forum” should become a standing agenda item for each and every Board and Committee meeting, and residents should be encouraged to attend and participate.

(e) Finally, employee of the county should be held accountable to respond to citizen inquiries on a timely basis. I have been waiting since August 6<sup>th</sup>, 11 days, for a response from Richard Tindell on a simple question about Target Tomorrow and I’ve waited since late June for a response from my own Town Supervisor, Jerry Davis, on another matter. (I most recently reminded Mr. Davis on August 14<sup>th</sup>.)”

“I Recognize that this kind of responsiveness and openness in government represents a 180 degree departure from the way things are done at present. I also recognize there are costs associated with making changes. The County could easily accommodate these costs if it were to cease giving tax holidays of 10 years or more to certain favored businesses, tax dollars that could, for example, support the employment of a Public information Officer for the County. This position could be funded today if not for the tax abatements given to Sallie Mae earlier this year.”

“For these reasons, I strongly register my opinion against the application for an Empire Zone for Wyoming County. In order to improve the ability of all County residents to participate in their government, we need to keep the tax dollars new businesses (like Sallie Mae) generate. To forgive taxes on new or expanding businesses unfairly puts an increased burden on the common citizen.”

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Mark Cali from the Perry Development committee in Wyoming County stated that the committee strongly supports Wyoming County for an Empire Zone and feels that it necessary for the economy of County.

Jane Smith, constituent from the Town of Warsaw does not support Wyoming County having a Empire Zone.

Jim Dacey, a constituent from the Town Perry, signed up to speak but left the meeting before the comment period began.

Chairman Berwanger declared the Public Hearing Closed in regards to Local Law C, Year 2002; Authorizing the Wyoming County Board of Supervisors to make application for designation of certain areas within Wyoming County as an Empire Zone.

Chairman Berwanger requested Mr. Miller, Chairman of the Planning committee to present resolution office number one.

# 1

**RESOLUTION NO. 02-250  
(August 27, 2002)**

By Mr. Miller, Chairman of the Planning Committee:

**DIRECTOR OF PLANNING AND DEVELOPMENT  
AUTHORIZED TO PREPARE A NEGATIVE  
DECLARATION**

WHEREAS, Section 961 of Article 18-B of the General Municipal Law has authorized applications by counties for designation of an Empire Zone within the meaning of said statute; and

WHEREAS, such designation could greatly benefit Wyoming County in that new business would be encouraged to locate in the zone area, existing businesses would be encouraged to expand in the zone area, and new and expanded businesses would generate new jobs for county residents; now therefore

BE IT RESOLVED, That an Environmental Assessment has been prepared and reviewed, and it has been determined that the preparation and submittal of an application for designation of certain areas within Wyoming County as an Empire Zone will not have significant environmental impact, and

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the Director of Planning and Development is hereby authorized and directed to prepare a Negative Declaration.

Carried: Ayes:1295 Noes: 0 Absent: 323, Hickey (127),  
Totstline (20), Brunner (93), Glosser (48), Herman (35)

**RESOLUTION NO. 02-251  
(August 27, 2002)**

By Mr. Miller, Chairman of the Planning Committee:

**LOCAL LAW INTRODUCTORY NO. C, YEAR 2002  
ADOPTED**

WHEREAS, there was duly presented and introduced at a meeting of this Board, held on the 13th day of August, a proposed local law of the County, designated as Local Law Introductory No. C, for the year 2002, entitled A Local Law of the County of Wyoming, Authorizing the Wyoming County Board of Supervisors to make application for designation of certain areas within Wyoming County as an Empire Zone; and

WHEREAS, in accordance with the provisions of Resolution No. 02-248, there was a public hearing held by this Board of Supervisors on this 27<sup>th</sup> day of August, 2002 at 1:00 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. C, Year 2002, County of Wyoming, New York, as presented to this Board on the 27<sup>th</sup> day of August, 2002, is hereby adopted, enacted and passed by this Board in its original form as follows:

Section 1. The Chairman of this Board is hereby authorized and directed to sign and submit an application for designation of certain areas within Wyoming County as an Empire Zone; provided, however, that such authorization shall be conditioned upon the concurrence with respect to such application of the governing bodies of any and all towns and villages in which  
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such zone is located.

Section 2. The boundaries of said areas to be included in said Empire Zone shall be as set forth in Schedule A, which is attached hereto and made a part hereof.

Section 3. Pursuant to requirements of Section 963 of the General Municipal Law, the County Director of Planning & Development shall serve as the Local Empire Zone Certification Officer of the Wyoming County Empire Zone, and shall perform the following duty, to wit: certify, jointly with the New York State Commissioner of Economic Development and the New York State Commissioner of Labor, those business enterprises that are eligible to receive benefits referred to in Section 966 of the General Municipal Law, and any other applicable statutes.

Section 4. Pursuant to Article 18-B of the General Municipal Law, a Local Empire Zone Administrative Board is hereby established to consist of not less than six (6) members. All appointments to the Board shall be made by the Chairman, Wyoming County Board of Supervisors subject to approval of the Board of Supervisors. The members shall not include the Local Empire Zone Certification Officer, and shall include a representative of local business, organized labor, financial institutions, local educational institutions, community organizations and at least one resident of the Empire Zone. The Chairperson of the Board shall be the Chairman of the Wyoming County Board of Supervisors Planning Committee. The Local Empire Zone Administrative Board shall perform all duties required of it pursuant to Section 963(b) of the General Municipal Law.

Section 5. This local law shall take effect upon filing in the Office of the Secretary of State as provided by Section 27 of the Municipal Home Rule Law.

Carried: Ayes:1295 Noes: 0 Absent: 323, Hickey (127),  
Totstline (20), Brunner (93), Glosser (48), Herman (35)

\*\*\*\*\*

Mr. Bush, Supervisor for the Town of Gainesville adjourned the meeting at 2:36  
PM

**REGULAR SESSION**  
**September 10, 2002** **2:00 PM**  
**TUESDAY**

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. Chairman Berwanger, T/Arcade, called the meeting to order and lead us in the Pledge of Allegiance to the Flag.

Chairman Berwanger recognized the Upward Bound Youth with the following message:

It gives me great pleasure at this time to recognize several members of the Upward Bound

Program that serves the Attica, Letchworth, Perry and Warsaw Central School Districts as the Wyoming County Asset Builders for September 2002

Upward Bound is a federally funded grant program that is part of a larger network of grant programs known as trio. Upward Bound offers 70 Wyoming County High School students opportunities to succeed in pre-college performance and ultimately in higher education. Upward Bound provides qualified students with free academic support, counseling, a six-week enrichment summer program, and other valuable resources. The main objective of Upward Bound is to help 9<sup>th</sup>, 10<sup>th</sup>, or 11<sup>th</sup> grade students achieve their college degrees.

The Upward Bound Program, sponsored by Genesee Community College, serves Attica, Letchworth, Perry, and Warsaw High Schools. Accepted students receive one-on-one academic and college financial aid advisement along with subject tutoring. They participate in enrichment and self-worth building activities, attend cultural and educational events, explore career and college options, and visit various colleges and universities. In addition, participants attend a six-week enrichment summer program that includes free travel, wilderness adventure, enrichment classes in math, science, literature, and other subjects, working on learning and study skills, and field trips to various outdoor, cultural, and educational events.

UPWARD BOUND is a truly Asset rich program, and builds upon the Commitment to Learning type of Assets. It is only appropriate as September is the traditional start of the school year that we recognize the efforts of the Upward Bound program to enhance the academic standing of these Wyoming County students.

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I would like to recognize these members of Upward Bound individually:

Beth Eames – Town of Sheldon  
Samantha Humel – Town of Gainesville  
Sara Frens – Town of Attica  
Nicole Lawton – Town of Perry  
Lindsay Seipel – Town of Bennington  
Amanda Mower – Town of Warsaw

Charisse Jackson – Town of Warsaw  
Samantha Sims – Town of Perry  
Tim Hawley – Town of Perry  
Tim Lawton – Town of Warsaw  
Natalie Naschke – Town of Perry  
Kellie Robertson – Town of Warsaw

Communications were read and filed with the Clerk of the Board, Suzanne Aldinger.

C-1. Reminder: Inter-County Association of Western New York will be held the last day of the NYSAC Conference Friday, September 27, 2002 in Rochester.

C-2. The WCCH Board of Managers/Compensation Committee has been scheduled for Tuesday, September 19, 2002 at 5:00 PM.

#1

**RESOLUTION NO. 02-252  
(September 10, 2002)**

By Mrs. Humphrey, Chairman of the Finance Committee:

**FUNDS APPROPRIATED TO VARIOUS 2002 ACCOUNTS**

BE IT RESOLVED, That funds are hereby appropriated to the various 2002 accounts as follows:

<b>PATHWAYS</b>			
To acct 23.90.6010.1.10101 salary CSEA	\$1,519.37		
23.90.6010.8.83001 FICA	93.90		
23.90.6010.8.85001 Medicare	22.00		
23.90.6010.8.89001 Hosp. Insurance	<u>367.68</u>		
	\$2,002.95		
w/rev. acct 23.10.6010.282390 inc by same amt		\$2,002.95	\$2,002.95
<b>PUBLIC HEALTH</b>			
To acct 01.38.4050.4.40002 Utilities-gas	\$860.00		
01.38.4050.4.40009 Cellular Phones	1,000.00		
01.38.4050.4.40406 Mileage	6,000.00		
01.38.4050.4.40928 OT	8,000.00		
01.38.4050.4.40929 Speech Therapy	3,400.00		
01.38.4050.4.40930 Physical Therapy	40,000.00		
01.38.4050.4.40924 Home Health Aides	40,000.00		

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01.38.4050.4.40502 Car Leasing w/rev acct 01.04.4050.161002 inc by same amt.	<u>35,913.00</u> \$135,173.00	\$135,173.00	
To acct 01.38.4050.2.20201 computers w/rev acct 01.04.4050.161002 inc by same amt	\$6,000.00	\$6,000.00	\$141,173.00
<b>SHERIFF</b>			
To acct 01.37.3110.4.40401 train & education 01.37.3110.2.20501 law enforce equip w/rev acct 01.12.3110.48914 inc by same amt	<u>\$5,360.00</u> <u>9,950.00</u> \$15,310.00	\$15,310.00	\$15,310.00
<b>CIVIL SERVICE</b>			
To acct 01.34.1430.4.41201 Postage w/rev acct 01.08.1430.2680 inc by same amt.	\$579.49	\$579.49	\$579.49
<b>FIRE &amp; BUILDING CODES</b>			
To acct 01.37.3640.4.42306 Other w/rev acct 01.11.3640.3389 inc by same amt.	\$223.12	\$223.12	\$223.12

and be it

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

Carried:      Ayes:    1618      Noes: 0    Absent: 0

#2

### RESOLUTION NO. 02- 253 (September 10, 2002)

By Mrs. Humphrey, Chairman of the Finance Committee:

#### FUNDS TRANSFERRED TO VARIOUS 2002 ACCOUNTS

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

<b>SOCIAL SERVICES</b>			
From: acct. 01.39.6010.4.40406 Employee Mileage 01.39.6010.4.41203 Microfilm/Imaging 01.40.6123.4.42263 Juvenile Delinquent To acct 01.39.6010.2.20401 Misc. Equipment	<u>\$10,000.00</u> <u>20,000.00</u> <u>10,000.00</u> \$40,000.00	\$40,000.00	\$40,000.00
<b>MENTAL HEALTH</b>			
From acct 01.38.4220.1.10101 Salary/Wages To acct 01.38.4220.4.42441 Misc. Programs	\$11,200.00	\$11,200.00	\$11,200.00

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<b>FIRE &amp; BUILDING CODES</b>			
From acct 01.37.3620.1.10101 ft. CSEA Employees To acct 01.37.3620.2.20201 Computers 01.37.3620.4.40107 Liability Insurance 01.37.3620.4.40201 Assoc. Membership Dues 01.37.3620.4.40507 Highway Dept. Repairs 01.37.3620.4.41201 Postage 01.37.3620.4.41202 Printing 01.37.3620.4.42301 Books/Publishing	<b>\$1,353.33</b>	375.00 5.00 15.00 248.00 61.83 248.50 <u>400.00</u> \$1,353.33	\$1,353.33
<b>DEPARTMENT OF MOTOR VEHICLES</b>			
From acct 01.34.1411.4.41201 Postage To acct 01.34.1411.1.10202 Temporary 01.34.1411.1.10301 Over Time	<b>\$793.74</b>	\$775.60 <u>18.14</u> \$793.74	\$793.74

Carried: Ayes: 1618 Noes: 0 Absent: 0

Supervisor Bush, T/Gainesville, and Chairman of the Audit Committee presented the bills in the amount of Seven Hundred Fifty Nine Thousand, One Hundred Ninety Dollars, Seventy Seven Cents (\$759,109.77) for the approval of payment. A voice vote was taken and the bills were passed.

Carried: Ayes: 1618 Noes: 0 Absent: 0

Chairman Berwanger, asked that resolution office #'s 3-17 be consolidated for consent agenda. A voice vote was taken and the request was granted. Chairman Berwanger asked that the Clerk, Suzanne Aldinger read the titles of resolution office #'s 3-17. A voice vote was taken and resolution office #'s 3-17 were passed.

Carried: Ayes: 1618 Noes: 0 Absent: 0

#3

**RESOLUTION NO. 02-254  
(September 10, 2002)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT  
WITH THE ONTARIO COUNTY SHERIFF OFFICE**

BE IT RESOLVED, That with the approval of the County Attorney and on behalf of the Wyoming County Sheriff Department, the Chairman of this

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Board is hereby authorized and directed to sign a contract with the Ontario County Sheriff Department for the provision housing inmates in the Wyoming County Jail; effective January 1, 2002 through December 31, 2004; in an amount of Seventy Five Dollard (\$75.00) per day.

Carried: Ayes: 1618 Noes: 0 Absent: 0

#4

**RESOLUTION NO. 02-255  
(September 10, 2002)**

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

**CHAIRMAN AUTHORIZED TO SIGN THE  
BUCKLE UP NEW YORK -EXPANDED ENFORCEMENT  
GRANT**

BE IT RESOLVED, That with the approval of the County Attorney and on behalf of the Wyoming County Sheriff Department, the Chairman of this Board is hereby authorized and directed to sign a agreement with the NYS Governor's Traffic Safety Committee, Department of Motor Vehicles for the provision of the Buckle Up New York - Expanded Enforcement Grant (PT-6100014); effective October 1, 2002 through September 30, 2003; amount not to exceed Eight Thousand, Four Hundred Ninety Dollars (\$8,490.00); contingent upon the availability of funds.

Carried: Ayes: 1618 Noes: 0 Absent: 0

#5

**RESOLUTION NO. 02-256  
(September 10, 2002)**

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

**CHAIRMAN AUTHORIZED TO SIGN A GRANT AWARD  
WITH NEW YORK STATE DCJS**

BE IT RESOLVED, That with the approval of the County Attorney and on behalf of the Wyoming County Sheriff Department, the Chairman of this Board is hereby authorized and directed to sign a grant award with the New York State Division of Criminal Justice Services for the provision of the Byrne-September 10, 2002

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Narcotics funds (C822030); effective July 1, 2002 through June 30, 2003; in the amount of Seventeen Thousand Dollars (\$17,000.00); contingent upon the availability of funds.

Carried: Ayes: 1618 Noes: 0 Absent: 0

#6

**RESOLUTION NO. 02-257  
(September 10, 2002)**

By Mr. Davis, 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 2002-2003 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, 2002 through June 31, 2003; 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, 2002 through June 31, 2003; contingent

on the availability of funding.

Carried: Ayes: 1618 Noes: 0 Absent: 0

#7

**RESOLUTION NO. 02-258  
(September 10, 2002)**

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

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**CHAIRMAN AUTHORIZED TO ENTER INTO A**  
**GENESEE-WYOMING COOPERATIVE FLOOD**  
**MITIGATION PLAN AGREEMENT**

WHEREAS, It is in the public interest for government entities to obtain services to develop a flood mitigation plan for Tonawanda and Oatka Creeks; and

WHEREAS, By participating in a two-county cooperative agreement, both Wyoming and Genesee Counties would benefit from a program designed to effectively mitigate flooding hazards potentially saving lives and property; and

WHEREAS, The inter-municipal agreement between Wyoming and Genesee Counties is proposed to foster joint municipal initiatives; and

WHEREAS, Under this agreement it is understood and agreed that Genesee County will act as “Lead Agency”, and that each county will be billed separately for services provided under this agreement, and that each county shall only be liable for materials/supplies/services used by that county, without any liability for purchases contracted for by the other county; and

WHEREAS, it is further understood that in the event of any dispute between participating counties and an individual service provider, such dispute shall be handled by and between the affected parties, with said parties holding harmless the other county in the agreement; and, now therefore

BE IT RESOLVED, That Wyoming County hereby agrees to participate in an initiative with Genesee County for Flood Mitigation Services requested and approved by the appropriate fiscal officer of Wyoming County; and, be it

FURTHER RESOLVED That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to enter into an inter-municipal agreement, with Genesee County, with Genesee County acting as “Lead Agency” for this joint initiative; and, be it

FURTHER RESOLVED, That certified copies of this resolution be sent to the Genesee County Legislatures.

Carried:      Ayes:    1618      Noes: 0      Absent: 0

#8

**RESOLUTION NO. 02-259**

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

**CHAIRMAN/COMMISSIONER OF SOCIAL SERVICES  
AUTHORIZED TO SIGN AN AGREEMENT WITH THE  
PROBATION DEPARTMENT**

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 Department of Social Services, is hereby authorized and directed to sign a Contract with Wyoming County Probation Department, for the provision of a PINS Coordinator to coordinate the diversion of at-risk youth from entering the court system and entering foster care; effective January 1, 2002 through December 31, 2002; amount not to exceed Thirty Three Thousand, Six Hundred Five Dollars, Sixty Seven Cents (\$33,605.67); contingent upon the availability of funds.

Carried:      Ayes:    1618      Noes: 0      Absent: 0

#9

**RESOLUTION NO. 02-260**  
**(September 10, 2002)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT  
WITH CCSI ON BEHALF OF THE PUBLIC HEALTH  
DEPARTMENT**

BE IT RESOLVED, That with the approval of the County Attorney and on behalf of the Public Health Department, the Chairman of this Board is hereby authorized and directed to sign a contract with Coordinated Care Services, Inc. of Rochester for the provision of Public Health Preparedness/Response for Bio-terrorism; effective September 1, 2002 through October 31, 2003; amount not to exceed Thirty Thousand Dollars (\$30,000.00).

Carried:      Ayes:    1618      Noes: 0      Absent: 0

**RESOLUTION NO. 02-261  
(September 10, 2002)**

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 Daniel J. Perkins, 101 West Court St., Warsaw, NY 14569, Coordinator for WRAP (Weatherization Referral Assistance Program), effective from October 1, 2002 through September 30, 2003, payment shall be One Hundred Twenty Three Dollars, Sixty Cents (\$123.60) per day, not to exceed Two Hundred Sixty One (261) days or Thirty Four Thousand, Four Hundred Thirty Six Dollars (\$34,436.00) 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; contingent upon the availability of funds.

Carried:      Ayes:    1618      Noes: 0    Absent: 0

#11

**RESOLUTION NO. 02-262  
(September 10, 2002)**

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

**CHAIRMAN AUTHORIZED TO SIGN WRAP GRANT  
APPLICATION**

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 Weatherization Referral and Packaging (WRAP) Grant Application, on behalf of the Wyoming County Office for the Aging; and be it

FURTHER RESOLVED, That the Chairman of this Board, with the approval of the County Attorney and on behalf of the Office for the Aging, is  
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hereby authorized and directed to sign a acceptance of the Weatherization Referral and Packaging (WRAP) Grant, on behalf of the Wyoming County Office for the Aging; amount not to exceed Twenty Four Thousand, Three Hundred Ninety Seven Dollars (\$24,397.00); effective September 1, 2002 through August 31, 2003.

Carried:      Ayes:    1618      Noes: 0    Absent: 0

#12

**RESOLUTION NO. 02-263  
(September 10, 2002)**

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 of Supervisors, with the approval of the County Attorney, is hereby authorized and directed to sign the following contracts on behalf of the Youth Bureau:

A) Elizabeth Wascak, 3050 Main St., Yorkshire, NY 14173, for Early Intervention Program and Preschool related services, for the period of July 1, 2002 through June 30, 2005; amount per the language of the contract; contingent upon the availability of funds.

B) Genesee Valley BOCES, 80 Munson Street, LeRoy, NY 14482 for Preschool Special Education program for the period of July 1, 2002 through June 30, 2005; amount per the language of the contract; contingent upon the availability of funds.

C) Cattaraugus-Allegany BOCES, 1825 Westfall Road, Olean, NY 14760 for Preschool related services, for the period of July 1, 2002 through June 30, 2005; amount per the language of the contract; contingent upon the availability of funds.

D) Sign Language, 400 Andrews Street, Suite 700, Rochester, NY 14604 for Preschool related services, for the period of July 1, 2002 through June 30, 2005; amount per the language of the contract; contingent upon the  
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availability of funds.

E) Livingston Wyoming ARC, 18 Main Street, Mt. Morris, NY 14510 for Preschool and Early Intervention Services, for the period of July 1, 2002 through June 30, 2005; amount per the language of the contract; contingent upon the availability of funds.

F) Livingston Wyoming ARC, 18 Main Street, Mt. Morris, NY 14510 for Preschool related services, for the period of July 1, 2002 through June 30, 2005; amount per the language of the contract; contingent upon the availability of funds.

Carried: Ayes: 1618 Noes: 0 Absent: 0

#13

**RESOLUTION NO. 02-264  
(September 10, 2002)**

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

**RESOLUTION NO. 01-300 AMENDED RE:  
RENEWAL CONTRACTS ON BEHALF OF MENTAL  
HEALTH**

BE IT RESOLVED, That Resolution No. 01-300, passed by this Board of Supervisors on December 11, 2002, is hereby amended to reflect a change in amount as follows:

9) CCSI of Rochester contract for the period of January 1, 2002 through December 31, 2002:

E. Contract with CCSI to provide substance abuse prevention (\$17,200.00)

Carried: Ayes: 1618 Noes: 0 Absent: 0

#14

**RESOLUTION NO. 02-265  
(September 10, 2002)**

By Mr. Gozelski, Chairman of the Agriculture Committee:

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**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT FOR  
SALE OF TIMBER**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the Agriculture Committee, be authorized to award a bid for the removal of 57.6 MBF and 16 cord of fuel wood from the county forest 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 name.

Carried:      Ayes:    1618      Noes: 0    Absent: 0

#15

**RESOLUTION NO. 02-266  
(September 10, 2002)**

By Mr. Miller, Chairman of the Planning Committee:

**CHAIRMAN AUTHORIZED TO SIGN PRELIMINARY  
SMALL CITIES GRANT APPLICATION**

WHEREAS, That the County of Wyoming wishes to apply for \$376,000 Small Cities grant that will be used by the Wyoming County IDA to provide financial assistance to American Classic Outfitters, Perry, New York, for their continued growth and expansion; and

WHEREAS, the loan repayments from American Classic Outfitters can be used by the Wyoming County IDA to provide financial assistance to other Wyoming County business that will create additional job opportunities for county residents; and

BE IT RESOLVED That the Chairman of this Board of Supervisors is hereby authorized as the official representative of Wyoming County, New York, to execute and submit grant applications to the Governor's Office For Small Cities for a NYS Community Development Block Grant, Small Cities Economic Development program, and is hereby authorized and directed,, upon the approval of the County Attorney, to take the actions needed for the submission

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of the grant applications and to provide such additional information and assistance as may be necessary; and be it

FURTHER RESOLVED, That two public hearings by this Board of Supervisors will be held on the 18<sup>th</sup> and 25<sup>th</sup> days of September 2002, at 2:00 p.m. at the Wyoming County Business Center, 6470 Route 20A, in Town of Perry, New York, and at least five days notice of such hearings shall be given by the Clerk of this Board by publishing such notice at least once in the official newspapers of the county designated for such publications.

Carried: Ayes: 1618 Noes: 0 Absent: 0

#16

**RESOLUTION NO. 02-267  
(September 10, 2002)**

By Mr. Miller, Chairman of the Planning Committee:

**DIRECTOR REAPPOINTED TO THE IDA BOARD**

BE IT RESOLVED, That Amanda Parker, 3815 St. Helena Street, Town of Castile, Perry, New York is hereby reappointed to the Industrial Development Agency Board for a two (2) year term, said term to expire August 14, 2004.

Carried: Ayes: 1618 Noes: 0 Absent: 0

#17

**RESOLUTION NO. 02-268  
(September 10, 2002)**

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

**F. HUMPHREY APPOINTED DEPUTY HIGHWAY  
SUPERINTENDENT**

BE IT RESOLVED, That Fredrick Humphrey, 243 Liberty Street, Warsaw, NY 14569, is hereby appointed as the Wyoming County Deputy  
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Highway Superintendent to be placed on Schedule S, Step One (1) of the Wyoming County Salary Plan; said term is a one year term; effective September 10, 2002 through September 9, 2003.

Carried:      Ayes:    1618      Noes: 0    Absent: 0

#18

**RESOLUTION NO. 02-269  
(September 10, 2002)**

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

**POSITIONS CREATED/ABOLISHED IN THE  
DEPARTMENT OF SOCIAL SERVICES**

BE IT RESOLVED, That the following positions are hereby created in the Department of Social Services to be placed on Schedule A of the CSEA agreement:

One (1) FTE Principal Account Clerk, Sch. A, Grade 14, Step 1 of the CSEA agreement

One (1) Energy Resource Aide (Seasonal), Sch. A, Grade 2, Step 1 of the CSEA agreement;

and be it

FURTHER RESOLVED, That the following positions are hereby abolished in the Department of Social Services:

One (1) FTE Account Clerk, Sch. A, Grade 4 of the CSEA agreement; effective November 10, 2002.

One (1) FTE Senior Energy Resource Aide, Sch. A, Grade 4 of the CSEA agreement

Carried:      Ayes:    1618      Noes: 0    Absent: 0

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**RESOLUTION NO. 02-270  
(September 10, 2002)**

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

**POSITION CREATED IN THE  
PUBLIC HEALTH DEPARTMENT**

BE IT RESOLVED, That one (1) Public Health Nurse per diem position is hereby created in the Department of Public Health, salary to be set as follows, with no other benefits except those mandated by law:

<b>Step 1</b>	<b>Step 2</b>	<b>Step 3</b>	<b>Step 4</b>	<b>Step 5</b>	<b>Step 6</b>
\$18.17 hr.	\$18.77 hr.	\$19.37 hr.	\$19.97 hr.	\$20.57 hr.	\$21.16 hr.

Carried: Ayes: 1193 Noes: 425; Arcade (162), Eagle (49), Perry (214)

**RESOLUTION NO. 02-271  
(September 10, 2002)**

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

**2002 HOSPITAL SUPERVISORY CONTRACT APPROVED**

BE IT RESOLVED, That the Wyoming County Board of Supervisors hereby accepts the one (1) year contract for the year 2002 with the Hospital Supervisory Group, Civil Service Employees Association, Inc. Local 1000, AFSCME AFL-CIO, subject to language approval by the office of the County Attorney; and be it

FURTHER RESOLVED, That the Chairman of this Board and the members of the Human Resource Committee of this Board, are hereby authorized to execute the above mentioned agreement on behalf of the County of Wyoming. This resolution shall be effective immediately.

Carried: Ayes: 1618 Noes: 0 Absent: 0  
September 10, 2002

**RESOLUTION NO. 02-272  
(September 10, 2002)**

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

**INTRODUCTORY LOCAL LAW B; Yr. 2002 PRESENTED  
RE: BANNING SMOKING IN PUBLIC PLACES IN  
WYOMING COUNTY**

WHEREAS, There has been duly presented and introduced at a meeting of this Board, held on this 10<sup>th</sup> day of September, 2002, a proposed local law entitled Local Law No. B, Year 2002, County of Wyoming, establishing and relating to Banning Smoking In Public Places in the County of Wyoming, to be adopted in the year 2002, 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 1<sup>st</sup> day of October, 2002, at 7:00 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:    1618      Noes: 0      Absent: 0

\*\*\*\*\*

Supervisor Herman, T/Wethersfield moved to adjourn the meeting at 2:33 PM

**REGULAR SESSION****TUESDAY****October 8, 2002****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. Chairman Berwanger, T/Arcade, called the meeting to order and lead us in the Pledge of Allegiance.

Chairman Berwanger recognized the Church Youth Groups Public Nominations with the following address:

It gives me great pleasure at this time to recognize church youth groups as Asset Builders for October. The faith-based community is a valuable resource for positive youth development. On a regular basis throughout Wyoming County hundreds of young people participate in various religious services and organized programs that help to strengthen their values, provide caring relationships with adults other than their parents, and overall provide positive growth opportunities.

These youth groups provided organized activities that encourage positive relationships with their peers, and organized opportunities for service to others as an expression of their faith. Also they provide Wyoming County youth just some plain and safe clean fun with their friends.

These church youth groups' activities cover many of the 40 Developmental Assets, such as *Other Adult Relationships and Adult Role Models, Positive Peer Influence, Creative Activities*, the installation of the Positive Values of *Caring, Integrity, Honesty, Responsibility, and Restraint*. These church youth groups are instrumental with the other organizations within our community in helping us raise healthy and productive youth into healthy and productive adults.

The following Church Youth Groups are being recognized today, and are representative of the faith based community of Wyoming County:

Perry United Methodist Church Youth Group

Crystal Robinson

Youth Representative

Warsaw First United Methodist Church Youth Group

Gwen Carlson

Youth Group Leader

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### Full Gospel Community Church Youth Group

Town of Warsaw

Pastor Tim Walls                      Youth Pastor

### Valley Chapel Free Methodist Church Youth Group

Town of Warsaw

Mark & Shelley Weber      Youth Group Leaders

### One Way Youth Group

Full Gospel Community Church, Valley Chapel Free Methodist Church  
and other area churches

Pastor Tim Walls                      Youth Group Leader

### Saint Cecilia Church Youth Group

Town of Sheldon

Ashley Meyer

Youth Representative

Tony Molik

Youth Group Director

These following Church Youth Groups are unable to join us today:

### Arcade Congregational Church Youth Group

Amanda Czesak

Youth Representative

Ms. Donna Roll

Youth Advisor

### Castile United Church of Christ Youth Group

Leslie Paulsen

Youth Group Leader

### St. Paul's United Church of Christ Youth Group

Town of Attica

Lisa Pope

Youth Group Leader

Sandy Clark

Youth Group Leader

### First Congregational Church Youth Fellowship

Perry Center, Town of Perry

Dale Gooch

Advisor

### Coleman Memorial Free Methodist Church Youth Group

Town of Perry

Wes Aikens

Youth Representative

### United Church of Warsaw Youth Group

Crista Grove

Youth Representative

Sherry Cousins

Youth Group Leader

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Ted LaWall Youth Group Leader  
St. Michael's and St. Mary's Church Youth Group  
 Town of Warsaw and Gainesville  
 Cindy Rebisz Youth Group Coordinator

Chairman Berwanger went on the recognize the Employee of the month at the Department of Social Services.

The Commissioner of Social Services recently began a new initiative to recognize outstanding employees and educate them on the inter-relationship between the Department of Social Services and the Board of Supervisors. Each month Commissioner Wallace brings an employee of the month to the Health and Human Services Committee meeting and to the subsequent Board meeting to see how Departmental requests are processed by the Board. This month's participant is Colleen Holmes. Colleen has been employed by Social Services since 1986 and was nominated due to her willingness to take on additional job duties when her reception duties allow.

There were no communications.

#1

**RESOLUTION NO. 02-273  
 (October 8, 2002)**

By Mrs. Humphrey, Chairman of the Finance Committee:

**FUNDS APPROPRIATED TO VARIOUS 2002 ACCOUNTS**

BE IT RESOLVED, That funds are hereby appropriated to the various 2002 accounts as follows:

To acct. 01.46.7510.2.20401 Misc Equipment 9 inc by same	\$1,000.00	\$1,000.00	<b>\$1,000.00</b>
<b>SHERIFF'S OFFICE</b>			
To acct 01.37.3110.4.41306 Uniforms 01.37.3110.4.42101 Law Supplies w/rev acct 01.12.3110.4389 inc by same amt	\$1,124.82 <u>1,353.53</u> \$2,478.35	\$2,478.35	<b>\$2,478.35</b>
<b>COMMITTEE OF THE WHOLE</b>			

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To acct 01.49.8730.4.40943 Stream Bank Prgm	\$20,000.00	\$20,000.00	<b>\$20,000.00</b>
<b>DISTRICT ATTORNEY</b>			
To acct 01.32.1165.4.41202 Printing	\$400.00		
01.32.1165.4.40009 Cell Phones	450.00		
01.32.1165.4.41304 Extradition Exp.	1,300.00		
01.32.1165.4.41303 Stenos	5,000.00		
01.32.1165.4.42301 Subscriptions	3,500.00		
01.32.1165.4.40406 Employee Mileage	<u>1,800.00</u>		
	\$12,450.00		
From any funds available		\$12,450.00	<b>\$12,450.00</b>

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. 02-274  
(October 8, 2002)**

By Mrs. Humphrey, Chairman of the Finance Committee:

**FUNDS TRANSFERRED TO VARIOUS 2002 ACCOUNTS**

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

<b>OFFICE FOR THE AGING</b>			
From acct. 01.44.6772.1.10001 fixed salaries	\$5,800.00		
01.44.6772.1.10101 full time	9,200.00		
01.44.6772.4.40007 telephone basic	75.00		
01.44.6772.4.40008 telephone LD	15.00		
01.44.6772.4.40009 cellular	700.00		
01.44.6772.4.40101 property ins	45.00		
01.44.6772.4.40103 auto insurance	496.00		
01.44.6772.4.40104 bonding ins	28.00		
01.44.6772.4.40107 liability ins	76.00		
01.44.6772.4.40201 Dues	45.00		
01.44.6772.4.40401 train/educate	500.00		
01.44.6772.4.40405 emply expenses	250.00		
01.44.6772.4.40411 vol. mileage	3,000.00		
01.44.6772.4.40508 private repair	100.00		
01.44.6772.4.40926 ARA services	4,500.00		
01.44.6772.4.41204 advertising	1,000.00		
01.44.6772.4.42268 HEAP	2,325.00		
01.44.6772.4.42414 Respite Care	3,500.00		

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01.44.6772.8.89001 Hospitalization	17,000.00		
	\$48,655.00		
To acct. 01.44.6772.1.10103 Salaries-Nutrition		\$490.00	
01.44.6772.1.10601 unused time		647.36	
01.44.6772.1.10602 ins repudiation		187.50	
01.44.6772.4.40102 prof insurance		35.00	
01.44.6772.4.40507 highway repair		250.00	
01.44.6772.4.40901 audit services		125.00	
01.44.6772.4.40916 food service		32,621.64	
01.44.6772.4.40924 homemaker srvc		12,000.00	
01.44.6772.4.41201 postage		325.00	
01.44.6772.4.41202 printing		150.00	
01.44.6772.4.41701 physicals		47.50	
01.44.6772.4.41705 drug/alcohol test		55.00	
01.44.6772.4.42301 books, publ.		120.00	
01.44.6772.8.82002 CSEA disability		49.00	
01.44.6772.8.84001 Unemployment		1,482.00	
01.44.6772.8.86001 EAP		70.00	
		\$48,655.00	\$48,655.00
<b>SOCIAL SERVICES</b>			
From acct 01.40.6123.4.42263 Juv. Delinquent	\$22,000.00		
To acct 01.40.6101.4.42248 Medical Asst.		\$22,000.00	\$22,000.00
<b>MENTAL HEALTH</b>			
From acct. 01.38.4324.4.40301 Cntrct Prof Srvs	\$6,000.00		
To acct 01.38.4324.4.42441 Misc. Programs		\$6,000.00	\$6,000.00
<b>COUNTY ATTORNEY</b>			
From acct 01.34.1421.4.42305 Assign Counsel	\$750.00		
To acct 01.34.1420.40902 Legal Services		\$750.00	\$750.00

Carried: Ayes: 1618

Noes: 0

Absent: 0

Supervisor Bush, T/Gainesville, and Chairman of the Audit Committee presented the bills in the amount of One Million, Three Hundred Thousand, Three Hundred Fifty Four Dollars, Eighteen Cents (\$1,300,354.18) for the approval of payment. A voice vote was taken and the bills were passed.

Carried: Ayes: 1618

Noes: 0

Absent: 0

Supervisor Humphrey, T/Perry, requested that the Chairman declare a brief recess so that the Committee of the Whole can meet to discuss a few things on the agenda. Chairman Berwanger, T/Arcade, declared a brief recess at 2:27 PM. Business resumed.

Supervisor Davis requested that resolution office #3 authorizing the Chairman to sign 2003 Stop DWI Plan be withdrawn along with, resolution office #4 regarding Chairman authorized to sign a grant application for Aid to Prosecution Grant, and resolution office #25 regarding one position of Deputy Sheriff be created. The three resolution office numbers 3, 4 and 25 were

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withdrawn.

Chairman Berwanger requested that resolution office numbers 5 through 14 be consolidated for consent agenda. A voice vote was taken and the request was granted. Chairman Berwanger asked that the Clerk, Suzanne Aldinger read the titles of resolution office numbers 5-14. A voice vote was taken and resolutions 5 through 14 were passed.

Carried: Ayes: 1618                      Noes: 0                      Absent: 0

#5

**RESOLUTION NO. 02-275  
(October 8, 2002)**

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

**CHAIRMAN/PROBATION DIRECTOR AUTHORIZED  
TO SIGN A GRANT APPLICATION FOR JAIBG**

BE IT RESOLVED, That the Chairman of the Board of Supervisors/Wyoming County Director of Probation, with the approval of the County Attorney, is authorized and directed to sign an applications for participation in the Juvenile Accountability Incentive Block Grant (JAIBG) program being administrated by the NYS Division of Criminal Justice Services on behalf of the County of Wyoming.

Carried:                      Ayes: 1618                      Noes: 0                      Absent: 0

#6

**RESOLUTION NO. 02-276  
(October 8, 2002)**

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

**RESOLUTION NO. 01-300 AMENDED RE: CHAIRMAN  
AUTHORIZED TO SIGN 2002 RENEWAL CONTRACTS  
ON BEHALF OF MENTAL HEALTH**

BE IT RESOLVED, That Resolution No. 01-300 passed by this Board of Supervisors on December 1, 2002 is hereby amended to reflect a change in amount as follow:

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7) Hillside Children's Center renewal/new contracts, for the period of January 1, 2002 through December 31, 2002 to provide:

C. RIV - HBCIS (\$9,467) + **\$3,549 = \$13,016**

Carried:            Ayes: 1618                            Noes: 0                            Absent: 0

#7

**RESOLUTION NO. 02-277  
(October 8, 2002)**

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 of Supervisors, with the approval of the County Attorney, is hereby authorized and directed to sign the following contracts on behalf of the Youth Bureau:

A) Elizabeth Pierce Olmstead Center for the Visually Impaired, 1170 Main St., Buffalo, NY 14209, for the provision of services to children with visual disabilities in an Early Intervention Program and Preschool related setting, for the period of July 1, 2002 through June 30, 2005; amount per the language of the contract; contingent upon the availability of funds.

B) Sandra DeVoe, 3248 Lockport-Olcott Rd., Newfane, NY 14108 for services for Early Intervention and Preschool Children for the period of October 1, 2002 through June 30, 2005; amount per the language of the contract; contingent upon the availability of funds.

C) Letchworth Central School, 5550 School Road, Gainesville, NY 14066 for the Pre-K Special Education Program, effective July 1, 2002 through June 30, 2005; amount per the language of the contract, contingent upon the availability of funds.

Carried:            Ayes: 1618                            Noes: 0                            Absent: 0

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**RESOLUTION NO. 02-278  
(October 8, 2002)**

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

**CHAIRMAN/COMMISSIONER OF SOCIAL SERVICES  
AUTHORIZED TO SIGN A MEMORANDUM OF  
UNDERSTANDING WITH NEW YORK STATE OFFICE  
OF CHILDREN AND FAMILY 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 Department of Social Services, is hereby authorized and directed to sign a contract with the New York State Office of Children and Family Services, to provide family group conferencing for families to avoid risk of placement of children, and to provide support for families where there are child welfare issues, effective March 1, 2002 through February 28, 2003; amount not to exceed Ninety Five Thousand, Two Hundred Twenty Three Dollars, Eighty One Cents (\$95,223.81), contingent upon the availability of funds.

Carried:           Ayes: 1618                           Noes: 0                   Absent: 0

#9

**RESOLUTION NO. 02-279  
(October 8, 2002)**

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

**CHAIRMAN/COMMISSIONER OF SOCIAL SERVICES  
AUTHORIZED TO SIGN A CONTRACT WITH CAROL  
LITRIDES**

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 Department of Social Services, is hereby authorized and directed to sign a contract with the Carol Litrides, 59 Lake Street, Perry New York, to administer the Family Resolution Project, effective October 9, 2002 through February 28, 2003; amount not to exceed Twelve Thousand, Five Hundred

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Nine Dollars, Twelve Cents (\$12,509.12), contingent upon the availability of funds.

Carried:           Ayes: 1618           Noes: 0           Absent: 0

**RESOLUTION NO. 02-280  
(October 8, 2002)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT  
WITH NEW YORK STATE DEPARTMENT OF HEALTH**

BE IT RESOLVED, That with the approval of the County Attorney and on behalf of the Public Health Department, the Chairman of this Board is hereby authorized and directed to sign a contract with the New York State Department of Health, to provide prevention education for integrated cancer, effective April 1, 2002 through March 31, 2003; amount not to exceed Thirty Two Thousand, Four Hundred Fifty Six Dollars (\$32,456.00), contingent upon the availability of funds.

Carried:           Ayes: 1618           Noes: 0           Absent: 0

#11

**RESOLUTION NO. 02-281  
(October 8, 2002)**

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

**CHAIRMAN AUTHORIZED TO SIGN AN AGREEMENT  
WITH THE NEW YORK STATE 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 sign a Agreement with the New York State Office for the Aging, to accept a one time Targeted Caregiver Initiative Grant, to provide a one day Regional Training session targeting area agencies care giving issues for grandparents raising grandchildren, effective October 1, 2002 through February 28, 2003; amount not to exceed Five Thousand Dollars (\$5,000.00), contingent upon the availability of funds.

Carried:           Ayes: 1618                           Noes: 0                   Absent: 0

**RESOLUTION NO. 02-282  
(October 8, 2002)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT  
WITH CHANNING BETE ON BEHALF OF MENTAL  
HEALTH**

BE IT RESOLVED, That with the approval of the County Attorney and on behalf of the Mental Health Department, the Chairman of this Board is hereby authorized and directed to sign a contract with Channing Bete, Inc., 1 Community Place, South Deerfield, MA, 01373, to supply and compile data for the Communities that Care survey for alcohol and drug use in grade 7<sup>th</sup> through 12<sup>th</sup>, effective October 8, 2002 through July 14, 2003; amount not to exceed Nine Thousand Dollars (\$9,000.00), contingent upon the availability of funds.

Carried:           Ayes: 1618                           Noes: 0                   Absent: 0

#13

**RESOLUTION NO. 02-283  
(October 8, 2002)**

By Mr. Gozelski, Chairman of the Agriculture Committee:

**ORDER OF PROTECTION FOR DEER APPROVED**

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

BE IT RESOLVED, That this Board hereby orders and requires that all dogs in the County of Wyoming shall be securely confined for the period of November 1, 2002 through April 1, 2003, under Article 7, Section 122 of the New York State Agriculture and Markets Law; and be it

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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

#14

**RESOLUTION NO. 02-284  
(October 8, 2002)**

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

**SUPERINTENDENT OF HIGHWAYS AUTHORIZED TO  
EXTEND THE AGREEMENT WITH TOWNS AND  
VILLAGES; E: “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 and Villages for the purpose of removing snow and the control of ice on county roads for the winter season of 2002/2003. Payment to be made to the Towns and Villages by the County from County Snow Funds as determined by using the “Indexed Lump Sum” methodology; and be it

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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.

Ayes: 1618      Noes: 0      Absent: 0

#15

**RESOLUTION NO. 02-285  
(October 8, 2002)**

By Mrs. Humphrey, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A LETTER  
OF UNDERSTANDING WITH STUART C. HEMPEL**

BE IT RESOLVED, That with the approval of the County Attorney and on behalf of the County of Wyoming, the Chairman of this Board is hereby authorized and directed to sign a Letter of Understanding with Stuart C. Hempel, 1338 Werner Road, Warsaw, NY 14569, for the provision of consultant services with regard to consolidation of the functions of the Wyoming County Public Health Department with the Wyoming County Community Hospital; effective October 1, 2002 through January 31, 2003; amount not to exceed Nine Hundred Dollars (\$900.00) per month, contingent upon the availability of funds.

Ayes: 1618      Noes: 0      Absent: 0

#16

**RESOLUTION NO. 02-286  
(October 8, 2002)**

By Mrs. Humphrey, Chairman of the Finance Committee:

**INDIRECT COST RECOVERY CONTRACT APPROVED**

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

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

BE IT RESOLVED, That the Chairman of this Board, on behalf of the County of Wyoming, is hereby authorized and directed to execute a contract with BKBMA Management Consultants, Jackson, NJ, as consultant to apply for said funds for the calendar years 2001, 2002 and 2003 for implementation in fiscal years 2003-2005, said contract to be in the form as presented to the Board.

Carried: Ayes: 1618

Noes: 0

Absent: 0

#17

**RESOLUTION NO. 02 -287  
(October 8, 2002 )**

By Mrs. Humphrey, Chairman of the Finance Committee:

**CHARGE FOR DISHONORED CHECKS RECEIVED BY  
COUNTY APPROVED**

BE IT RESOLVED, Pursuant to Section 85 of General Municipal Law, this Board of Supervisors does hereby approve the imposition of a charge to be added to any account owing to the County of Wyoming where a tendered payment of such account was by a check or other written order which was returned for insufficient funds, said charge to be not more than Twenty Dollars (\$20.00) per check as authorized under section 5-328 of the general Obligations Law; and be it

FURTHER RESOLVED, This resolution shall take effect immediately.

Ayes: 1618

Noes: 0

Absent: 0

#18

**RESOLUTION NO. 02-288  
(October 8, 2002)**

By Mrs. Humphrey, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A RESOLUTION TO**

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**AMEND AND RESTATE THE DEFERRED  
COMPENSATION MODEL PLAN**

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WHEREAS, New York State Deferred Compensation Board (the “Board”), pursuant to Section 5 of the New York State Finance Law (Section 5”) and the Regulations of the New York State Deferred Compensation Board (the “Regulations”), has promulgated the Model Deferred Compensation Plan for Employees of the County of Wyoming (the “Model Plan”) and offers the Model Plan for adoption by local employers;

WHEREAS, the County of Wyoming, pursuant to Section 5 and the Regulations, has adopted and currently administers the Model Plan known as the Deferred Compensation Plan for Employees of the County of Wyoming;

WHEREAS, effective January 1, 2002, the Board amended the Model Plan to adopt provisions of the Economic Growth and Tax Relief Reconciliation Act of 2001 (“EGTRRA”) as they apply to the Model Plan and to adopt modifications that update certain administrative provisions to accommodate prospective state-of-the-art methods and procedures;

WHEREAS, the Board has offered for adoption the amended and restated Model Plan to each Model Plan sponsored by a local employer in accordance with the Regulations; and

WHEREAS, upon due deliberation, the County of Wyoming, has concluded that it is prudent and appropriate to amend the Deferred Compensation Plan for Employees of the County of Wyoming by adopting the amended and restated Model Plan; now therefore

BE IT RESOLVED, that the County of Wyoming hereby amends the Deferred Compensation Plan for Employees of the County of Wyoming effective October 8, 2002 by adopting the amended and restated Model Plan effective January 1, 2002, in the form attached hereto as Exhibit A.

IN WITNESS WHEREOF, the undersigned have executed this Resolution in the County of Wyoming, New York this 8<sup>th</sup> day of October, 2002 and directed that it be filed as appropriate.

Ayes: 1618

Noes: 0

Absent: 0

#19

**RESOLUTION NO. 02-289**

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**(October 8, 2002)**

By Mrs. Humphrey, Chairman of the Finance Committee:

**DR. JULES F. LEVEY APPOINTED TO THE  
 WCCH BOARD OF MANAGERS**

BE IT RESOLVED, That Dr. Jules F. Levey, 37 East Court Street, T/Warsaw, Warsaw, NY is hereby appointed to the Wyoming County Community Hospital Board of Managers for a five (5) year term; said term effective October 8, 2002 through October 7, 2007.

Ayes: 1618

Noes: 0

Absent: 0

#20

**RESOLUTION NO. 02-290**  
**(October 8, 2002)**

By Mrs. Humphrey, Chairman of the Finance Committee:

**PETTY CASH FUND IN THE OFFICE OF THE  
 COUNTY ADMINISTRATOR RESCINDED**

BE IT RESOLVED, That the petty cash fund in the amount of Five Hundred Dollars (\$500.00) in the Office of the Wyoming County Administrator is hereby rescinded; effective

Ayes: 1618

Noes: 0

Absent: 0

#21

**RESOLUTION NO. 02-291**  
**(October 8, 2002)**

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

**RESOLUTION NO. 01-115 AMENDED RE: TWO (2)  
 LABORER (SEASONAL) POSITIONS IN THE  
 DEPARTMENT OF BUILDINGS AND GROUNDS**

December 10, 2002

BE IT RESOLVED, That the second paragraph of Resolution No. 01-115, passed by this Board of Supervisors on April 10, 2001 is hereby rescinded, and shall be replaced with the following paragraph:1. "One (1) position of Laborer (Seasonal) is hereby created in the Wyoming County Department of Buildings and Grounds, for the sole purpose of Capital Improvement Projects (CIP), said rate of pay will be at a range of Seven Dollars per hour through Ten Dollars Fifty Cents per hour (\$7.00/hr - \$10.50/hr.).

Ayes: 1618

Noes: 0

Absent: 0

Supervisor Brunner, T/Java, requested that resolution office number twenty-two be amended to reflect the salary to remain at the employees current rate of pay with an option of a possible step increase next year. Supervisor Brunner then with drew her amendment. Supervisor Hickey requested that Supervisor Agan withdraw the resolution for further review. Supervisor Agan declined to withdraw it and the resolution was defeated.

#22

**RESOLUTION NO. 02-292  
(October 8, 2002)**

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

**POSITION CREATED/ABOLISHED IN THE COUNTY  
HIGHWAY DEPARTMENT**

BE IT RESOLVED, That one (1) FTE position of Fiscal Officer II is hereby created in the County Highway Department, to be placed on Schedule S, Step One of the Wyoming County Salary Plan; salary to be set at Thirty Thousand, Seven Hundred Thirteen Dollars (\$30,713.00) annually, and be it FURTHER RESOLVED, That one (1) position of Secretary to the Highway Superintendent in the County Highway Department is hereby abolished, effective immediately.

Ayes: 695

Noes: 923; Berwanger (162)

Absent: 0

Hickey (127)

Totsline (20)

Brunner (93)

Glosser (48)

Humphrey (214)

Regular Session



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Carried:           Ayes: 1618                           Noes: 0                           Absent: 0

#26

**RESOLUTION NO. 02-295  
(October 8, 2002)**

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

**TOWN OF COVINGTON'S IMPLEMENTATION OF  
A SPEED LIMIT ON A CERTAIN PORTION ROUTE 63  
SUPPORTED**

BE IT RESOLVED, That the Wyoming County Board of Supervisors hereby supports the Town Board of the Town of Covington in their effort to implement, to the extent practicable, the recommendations of New York State Department of Transportation, Traffic Safety Board in regards to the safety conditions, specifically the speed limit, of a certain portion of Route 63 in close proximity to what is generally known as the "Peoria Curve".

Carried:           Ayes: 1618                           Noes: 0                           Absent: 0

Chairman Berwanger requested that the following resolution numbers Unanimous Consent UC 27, UC 28 and UC 29 be presented to the full board for a vote. Chairman Berwanger asked if there were any objections to the Unanimous Consent agenda items be presented. Hearing no objections the following resolutions were presented.

#UC 27

**RESOLUTION NO. 02-296  
(October 8, 2002)**

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

**CHAIRMAN AUTHORIZED TO SIGN A LETTER OF  
AGREEMENT WITH NYS OCFS**

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 Youth Bureau, is hereby authorized and directed to sign a Letter of Agreement with the New York State Office of Children & Family Services Legislative Grants Unit for the purpose of accepting a Legislative Member Regular Session

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Item Award (#2-2090) in the amount of \$10,000.00 in the 2002-2003 State Budget.

Carried:                      Ayes: 1618                      Noes: 0                      Absent: 0

#UC 28

**RESOLUTION NO. 02-297  
(October 8, 2002)**

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

**RESOLUTION CALLING FOR THE GOVERNOR AND  
STATE LEGISLATURE TO CAP MEDICAID NOW**

WHEREAS, since the enactment of the Medicaid program, counties in New York State have been required to share in the costs of services. Counties are mandated by the state to contribute a 25 percent matching share with the exception of certain long-term care and mental health services; and

WHEREAS, counties have minimal authority to manage, control or reduce their Medicaid costs, and therefore serve primarily as a means to transfer a portion of the State's share of Medicaid from the statewide tax base to local property tax bases; and

WHEREAS, in 2001 local taxpayers paid over \$4.3 billion in net Medicaid costs through their local budgets and it is estimated that the net Medicaid local share will increase to \$4.8 billion in 2002 and exceed \$5.4 billion in 2003; and

WHEREAS, for counties outside New York City, the Medicaid local share has doubled between 1990-2001, making Medicaid the largest and most volatile single expense in county budgets; and

WHEREAS, recent actions by the state, including shifting of Medicaid managed care costs to counties, the shifting of state mental health costs to counties, the expansion of various Medicaid payment rates, the creation of the Family Health Plus Program and expanded funding for healthcare worker recruitment and retention, has compounded the local Medicaid problem and added to the fiscal crisis currently facing counties; and

WHEREAS, this resurgence of Medicaid growth reflects the underlying problems and funding inequities of the Medicaid program which place unique

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burdens on counties, jeopardize the long-term stability of county governments, and add to the burden of regressive local property taxes; and

WHEREAS, it is imperative that the Governor and State Legislature take responsibilities for the growth of New York State's program by capping the Medicaid local share at 2001 base levels; and

WHEREAS, this cap would provide local governments significant budgetary relief; and

WHEREAS, this cap would provide county taxpayers with real property tax relief in 2003; now therefore

BE IT RESOLVED, the County of Wyoming calls upon the Governor and the State Legislature to make fundamental structure reform to the Medicaid program and provide real property taxpayers with relief by CAPPING MEDICAID NOW; and be it

FURTHER RESOLVED, that the Clerk of the Wyoming County Board of Supervisors shall forward of this Resolution to Governor George E. Pataki and the New York Legislature and all others deemed necessary and proper.

Carried:           Ayes: 1618                           Noes: 0           Absent: 0  
#UC 29

**RESOLUTION NO. 02-298  
(October 8, 2002)**

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

**RESOLUTION CALLING ON THE PRESIDENT AND  
THE UNITED STATES HOUSE OF REPRESENTATIVES  
TO SUPPORT AN INCREASE IN THE FEDERAL  
MEDICAL ASSISTANCE PERCENTAGE (FMAP) TO  
PROVIDE NEW YORK COUNTIES WITH MEDICAID  
RELIEF**

WHEREAS, under Federal Law, local governments are not responsible for any portion of Medicaid funding, however, Congress has given states the ability to require local governments to share financing the non-federal share of Medicaid costs; and

WHEREAS, Medicaid has become the largest single appropriation in every county budget and with the re-emergence of double-digit annual growth rates is siphoning away the limited resources needed to fund other critical

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budgetary needs at the county level; and

WHEREAS, the National Governor's Association (NGA), including Governor Pataki, have supported a proposal for a temporary increase in the federal medical assistance percentage (FMAP) as an economic stimulus option that would provide more federal funding for state Medicaid programs; and

WHEREAS, the NGA has indicated that it would both help to stimulate the nation's economy and shore up the safety net for low-income families; and

WHEREAS, on January 16, 2002 the Governor and New York State Legislature enacted legislation that provides for a multi-billion, three-year plan to address New York's shortage of health care workers, to financially strengthen New York's hospitals, nursing homes and other health care facilities and increase funding for other important health care programs; and

WHEREAS, this new plan will increase the local Medicaid burden, currently over \$4.3 billion annually, by approximately \$300 million over the next three years from increased reimbursement to hospitals, nursing homes, and home care facilities; and

WHEREAS, this legislation also integrates the funding from an increase in the FMAP of 3% for the next three state fiscal years and relies on this increased federal funding as a major offset to the new local costs; and

WHEREAS, without the increased FMAP, property taxpayers across the state that fund county budgets, will be forced to absorb the resulting increased Medicaid burden in their local tax bill; and

WHEREAS, the United States Senate has supported a temporary FMAP increase via the Rockefeller-Collins-Nelson-Smith amendment to the Greater Access to Affordable Pharmaceuticals Act of 2001, which would provide counties and New York City with one time Medicaid relief of approximately \$100 million and \$200 million, respectively; now therefore

BE IT RESOLVED, that the Wyoming County Board of Supervisors calls upon the President and the United States House of Representatives to support an increase in the federal medical assistance percentage (FMAP) to provide New York's local taxpayers with relief from the crushing financial burden of the Medicaid program; and be it

FURTHER RESOLVED, That the Clerk of this Board of Supervisors  
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shall forward copies of this Resolution to the President, members of the United States House of Representatives and all others deemed necessary and proper.

Carried:           Ayes: 1618           Noes: 0           Absent: 0

Supervisor Rogers, T/Pike, announced that the Local Law B, Banning Smoking in Public Places in Wyoming County will be taken to the Health and Human Services Committee to voted on in order to bring the Local Law to the Full Board at the November 12<sup>th</sup> meeting.

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Supervisor Herman, T/Wethersfield adjourned the meeting at 3:24 PM.

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**REGULAR SESSION**

**TUESDAY**

**November 12, 2002**

**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. Chairman Berwanger, T/Arcade, called the meeting to order and lead us in the Pledge of Allegiance.

Chairman Berwanger went on to recognize the Employee of the month at the Department of Social Services.

This month’s “Employee of the Month” for the Department of Social Services is Sheila Weaver. Sheila has been with the Department since January of 1986 and has been a Caseworker, Sr. Caseworker, Director of Services and currently serves as Director of Case Management and Deputy Commissioner. Congratulations to Sheila for being chosen as the “Employee of the Month”.

Communications were read and filed with the Clerk of the Board, Suzanne Aldinger.

C-1. Reminder: Inter-County Association of Western New York will be hosted by Livingston County on Friday, November 15, 2002 at the Sweet Briar Conference & Spa Center, Route 63, Geneseo, NY.

#1

**RESOLUTION NO. 02-299**

**(November 12, 2002)**

By Mrs. Humphrey, Chairman of the Finance Committee:

**FUNDS APPROPRIATED TO VARIOUS 2002 ACCOUNTS**

BE IT RESOLVED, That funds are hereby appropriated to the various 2002 accounts as follows:

<b>TREASURER</b>			
To acct 01.40.6102.4.42250 MMIS IGT w/rev acct 01.09.6102.2772 inc by same amt	\$4,863,906.10	\$4,863,906.10	<b>\$4,863,906.10</b>

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<b>VETERANS' SERVICES</b>			
To acct 01.43.6510.2.20201 Computer Equip w/rev acct 01.11.6510.3710 inc by same amt	\$1,860.00	\$1,860.00	<b>\$1,860.00</b>
<b>OFFICE FOR THE AGING</b>			
To acct 01.44.6772.4.41202 Printing 01.44.6772.4.41010 Misc. Supplies 01.44.6772.4.40606 Room Rental 01.44.6772.4.41201 Postage 01.44.6772.4.42306 Other 01.44.6772.4.40926 ARA Inc. <u>1,000.00</u> \$3,400.00 w/rev acct 01.11.6772.377206 inc same amt	\$100.00 200.00 200.00 200.00 1,700.00 <u>1,000.00</u> \$3,400.00	\$3,400.00	<b>\$3,400.00</b>
<b>YOUTH BUREAU</b>			
To acct 01.45.7310.4.43004 Juvenile Officer w/rev acct 01.11.7310.3820 inc by same amt	\$1,919.50	\$1,919.50	<b>\$1,919.50</b>
<b>PATHWAYS</b>			
To acct 23.94.3140.4.40301 Juvenile Officer w/rev acct 23.10.3140.282394 inc same amt	\$1,919.50	\$1,919.50	
To acct 23.92.3140.4.40301 Prof Services w/rev acct 23.10.3140.282392 inc same amt	\$4,134.75	\$4,134.75	<b>\$6,054.25</b>
<b>MENTAL HEALTH</b>			
To acct 01.38.4323.4.40926 ARA Inc. w/state aid 01.11.4323.349001 inc same amt	\$48,392.00	\$48,392.00	<b>\$48,392.00</b>
<b>PUBLIC HEALTH</b>			
To acct 01.38.4010.4.41706 medical supplies w/rev acct 01.04.4010.160101 inc same amt	\$6,700.00	\$6,700.00	
To acct 01.38.4010.4.40401 Train & Educate 01.38.4010.4.41510 Educ materials <u>\$1,050.00</u> \$1,500.00 w/rev acct 01.04.4010.160106 inc same amt	\$450.00 <u>\$1,050.00</u> \$1,500.00	\$1,500.00	<b>\$8,200.00</b>
<b>SHERIFF</b>			
To acct 01.37.3110.2.20501 law enforce equip 01.37.3110.4.42101 law enforce spply <u>\$2,530.00</u> \$8,330.00 w/state aid 01.11.3110.308901 inc same amt	\$5,800.00 <u>\$2,530.00</u> \$8,330.00	\$8,330.00	
To acct 01.37.3150.4.41711 inmate medical w/rev acct 01.04.3150.1525 inc same amt	\$15,000.00	\$15,000.00	<b>\$23,330.00</b>
<b>PROBATION</b>			
To acct 01.37.3140.4.40401 training 01.37.3140.4.40406 mileage 01.37.3140.4.40405 expenses <u>\$1,000.00</u> \$15,000.00 w/rev acct 01.12.3140.4310 inc by same amt	\$12,000.00 \$2,000.00 <u>\$1,000.00</u> \$15,000.00	\$15,000.00	

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To acct 01.37.3140.4.43004 Juvenile Officer w/rev acct 01.12.3140.431001 inc same amt	\$4,134.75	\$4,134.75	<b>\$19,134.75</b>
<b>WEIGHTS &amp; MEASURES</b>			
To acct 01.43.6610.4.40503 vehicle/expense/gas From any funds available	\$300.00	\$300.00	<b>\$300.00</b>

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. 02-300  
(November 12, 2002)**

By Mrs. Humphrey, Chairman of the Finance Committee:

**FUNDS TRANSFERRED TO VARIOUS 2002 ACCOUNTS**

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

<b>TREASURER</b>			
From acct 01.33.1325.8.81001 Retirement 01.33.1325.8.89001 Hospital Ins.	\$5,808.17 <u>931.59</u> \$6,739.76		
To acct 01.33.1325.1.10001 sch. D,S,I salaries 01.33.1325.1.10101 fte CSEA 01.33.1325.1.10401 Longevity 01.33.1325.1.10601 unused benefit time 01.33.1325.1.10602 ins repudiation 01.33.1325.4.40301 prof services 01.33.1325.8.83001 FICA 01.33.1325.8.85001 medicare 01.33.1325.8.86001 EAP		\$822.61 2,662.56 225.00 1,800.00 187.50 500.00 437.00 102.00 <u>3.09</u> \$6,739.76	<b>\$6,739.76</b>
<b>OFFICE FOR THE AGING</b>			
From acct. 01.44.6772.4.42302 Prog Exp To acct 01.44.6772.2.20001 File Cabinet	\$2,140.85	\$2,140.85	<b>\$2,140.85</b>

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<b>TRANSITIONS</b>			
From acct 24.93.4050.4.40007 Basic Phone 24.93.4050.4.40008 LD Phone 24.93.4050.4.40401 Train & Edu 24.93.4050.4.41201 Postage 24.93.4050.4.41404 Copier _____ To acct 24.93.4050.2.20001 Furniture	\$1,400.00 1,500.00 125.00 125.00 400.00 ----- \$3,550.00	\$3,550.00	\$3,550.00
<b>YOUTH BUREAU</b>			
From acct 01.45.7310.4.42436 Youth Court To acct 01.45.7310.2.20401 File Cabinets	\$6,793.65	\$6,793.65	\$6,793.65
<b>MENTAL HEALTH</b>			
From acct 01.38.4250.4.40926 ARA Inc. To acct 01.38.4250.4.41510 Edu materials	\$5,000.00	\$5,000.00	\$5,000.00
<b>PUBLIC HEALTH</b>			
From acct 01.38.4050.1.10001 D/S/I salaries To acct 01.38.4050.4.41706 medical supplies	\$5,000.00	\$5,000.00	
From acct 01.38.4010.1.10101 Fte CSEA To acct 01.38.4010.4.41706 medical supplies	\$3,500.00	\$3,500.00	\$8,500.00
<b>SHERIFF</b>			
From acct 01.37.3150.8.81001 retirement To acct 01.37.3150.4.41711 inmate medical	\$10,000.00	\$10,000.00	\$10,000.00
<b>BOARD OF SUPERVISORS</b>			
From acct 01.31.1010.4.40301 Prof services To acct 01.31.1010.2.20401 misc equip.	\$5,000.00	\$5,000.00	\$5,000.00

Carried:    Ayes:        1618            Noes:        0            Absent: 0

Supervisor Bush, T/Gainesville, and the Chairman of the Audit Committee presented the bills in the amount of One Million, Five Hundred Forty Seven Thousand, Two Hundred Seventy Seven Dollars, Twenty Seven Cents (\$1,547,277.27) for the approval of payment. A voice vote was taken and the bills were passed.

Carried:    Ayes:        1618            Noes:        0            Absent: 0

Chairman Berwanger requested that resolution office numbers 3 through 19 be consolidated for consent agenda. Supervisor Humphrey requested that resolution office numbers 13 through 15 be voted on separately. There were no objections to having resolution office numbers 13 through 15 voted on separately. Chairman Berwanger amended his request and asked that resolution

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office numbers 3 through 12 and 16 through 19 be consolidated for consent agenda. A voice vote was taken and the request was granted. Chairman berwanger asked that the Clerk, Suzanne Aldinger read the titles of Resolution office numbers 3 through 12 and 16 through 19. A voice vote was taken and consent agenda resolutions were passed.

Carried: Ayes: 1618 Noes: 0 Absent: 0

#3

**RESOLUTION NO. 02-301  
(November 12, 2002)**

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

**LACK OF ADEQUATE LOCAL FUNDS TO PAY FOR  
MEDICAID SUPPORTED**

WHEREAS, New York State mandates counties throughout the state to pay for an increasing Medicaid Program for which they do not have adequate funds to continue paying; and

WHEREAS, the taxpayers in counties throughout the state are subjected to some of the highest property tax rates in the nation because, unlike most other states, counties are required to pay New York State for a Medicaid program taxpayers cannot afford; and

WHEREAS, Niagara County is seeking support from other counties throughout the state to investigate and examine all legal issues and options with regard to Sec. 1396a. of the United States Code Annotated, Title 42, Public Health and Welfare Law and pursue litigation based upon the theory that the New York State system of payment for Medicaid is illegal; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors hereby supports the efforts of Niagara County in the investigation and examination of all legal issues and options in this matter as described in Resolution No. IL-069-02 passed by the Niagara County Legislature on October 16<sup>th</sup>, 2002, and may consider legal action based on the outcome of said investigation: and be it

FURTHER RESOLVED, That the Clerk of this Board of Supervisors forward this resolution to all those deemed necessary and proper.

Carried: Ayes: 1618 Noes: 0 Absent: 0

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**RESOLUTION NO. 02-302  
(November 12, 2002)**

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

**CHAIRMAN AUTHORIZED TO SIGN GRANT  
APPLICATIONS WITH THE NYS DEPARTMENT OF  
VETERANS AFFAIRS**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney, is hereby authorized and directed to sign and accept a grant with the NYS Department of Veteran Affairs on behalf of the Veterans Services Office, for the provision of Veterans' Counseling Services, for the Fiscal Years 2001-2002, in the amount not to exceed One Thousand, Eight Hundred Sixty Dollars, contingent upon the availability of funds; and be it

FURTHER RESOLVED, That the Chairman of this Board with the approval of the County Attorney, is hereby authorized and directed to sign and accept a grant with the NYS Department of Veteran Affairs on behalf of the Veterans Services Office, for the provision of Veterans' Counseling Services, for the Fiscal Years 2002-2003, in the amount not to exceed One Thousand, Eight Hundred Sixty Dollars, contingent upon the availability of funds.

Carried:        Ayes:        1618        Noes: 0        Absent: 0

#5

**RESOLUTION NO. 02-303  
(November 12, 2002)**

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

**CHAIRMAN AUTHORIZED TO SIGN VARIOUS  
CONTRACTS ON BEHALF OF THE PUBLIC HEALTH  
DEPARTMENT**

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

A. NYSDOH Division of Family Health, for the provision of family planning, effective April 1, 2002 through March 31, 2003, amount not to exceed Eleven Thousand, Four Hundred Thirty Nine Dollars (\$11,439.00).

B. NYSDOH Bureau of Public Water Supply, for the completion of Phase I and Phase II of the Public Water Supply Protection, effective April 1, 1999 through March 31, 2003; amount not to exceed Seven Thousand, Fifty Dollars (\$7,050.00).

C. NYSDOH Division of Chronic Disease, for the Promote and Educate Wellness Programs, amount not to exceed Twenty Five Thousand Dollars (\$25,000.00); effective July 1, 2002 through March 31, 2003.

D. Lakeplains Community Care Network, 4156 West Main Street, Batavia, NY, to keep rural health care a local matter by promoting collaboration and wellness, and ensuring access to quality care, effective September 1, 2002 through March 31, 2003; amount not to exceed One Thousand, Five Hundred Dollars (\$1,500.00).

Carried:        Ayes:        1618        Noes: 0        Absent: 0

#6

**RESOLUTION NO. 02-304  
(November 12, 2002)**

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/Commissioner of Social Services with the approval of the County Attorney, is hereby authorized and directed to sign the following contracts on behalf of the Department of Social Services:

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A. Department of Labor, 448 North Main Street, Warsaw, NY, for the provision employment services, effective October 1, 2002 through September 30, 2003; amount not to exceed Seventeen Thousand, One Dollar (\$17,001.90).

B. NYS Office of Children and Family Services for the registration and inspection of Child Care Providers, effective August, 1, 2002 through July 31, 2003; amount not to exceed Forty Six Thousand, Four Hundred Six Dollars (\$46,406.00).

Carried:        Ayes:        1618        Noes: 0        Absent: 0

#7

**RESOLUTION NO. 02-305  
(November 12, 2002)**

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

**CHAIRMAN AUTHORIZED TO SIGN THE ANNUAL  
IMPLEMENTATION PLAN WITH THE NEW YORK  
STATE OFFICE FOR THE AGING**

BE IT RESOLVED, That the Chairman of the Board with the approval of the County Attorney and on behalf of the Office for the Aging, is hereby is authorize and directed to sign the Annual Implementation Plan Application for the State Budget, with the NYS Office for the Aging. Effective April 1, 2003 through March 31, 2004; amount not to exceed Four Hundred Twenty Seven Thousand, Five Hundred Eight Dollars (\$427,508.00); contingent upon the availability of funds.

Carried:        Ayes:        1618        Noes: 0        Absent: 0

#8

**RESOLUTION NO. 02-306  
(November 12, 2002)**

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

**RESOLUTION NO. 01-300 AMENDED RE:  
RENEWAL CONTRACTS ON BEHALF OF MENTAL  
Regular Session**

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**HEALTH**

BE IT RESOLVED, That Resolution No. 01-300, passed by this Board of Supervisors on December 11, 2001, is hereby amended to reflect a change in amount as follows:

3) ARA, Inc. renewal contracts for the period of January 1, 2002 through December 31, 2002:

One contract for CSS Programs (\$39,589.00) + **\$8,803.00 = 48,392.00**

A. CSS Programs Continuing Day Treatment, CSS Case Management and CSS Transportation (\$39,589.00) + **\$8,803.00 = 48,392.00**

Carried:        Ayes:        1618        Noes: 0        Absent: 0

#9

**RESOLUTION NO. 02-307**  
**(November 12, 2002)**

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

**CHAIRMAN AUTHORIZED TO SIGN 2003 RENEWAL  
CONTRACTS ON BEHALF OF MENTAL HEALTH**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney and on behalf of the Department of Mental Health, is hereby authorized and directed to sign the following contracts for FY 2003:

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1) LIVINGSTON/WYOMING ARC, RENEWAL FOR SHELTERED WORKSHOP PROGRAM FOR MENTALLY ILL POPULATION FOR PERIOD JANUARY 1, 2003 THROUGH DECEMBER 31, 2003 (\$54,535).

2) SUBURBAN ADULT SERVICES, INC. RENEWAL CONTRACTS FOR THE PERIOD OF JANUARY 1, 2003 THROUGH DECEMBER 31, 2003: (\$124,865.00)

A. Sheltered Workshop Program for the Mentally Retarded/Developmental Disabled Population (\$39,224.00)

B. Supportive Employment (one contract for \$48,223) - Reinvestment Funds - \$36,680; Ongoing Integrated Supported Employment Funds - \$11,543.00

C. NYS ERA Grant (WOW Employment) - (\$37,418.00)

3) ARA, INC. RENEWAL CONTRACTS FOR THE PERIOD OF JANUARY 1, 2003 THROUGH DECEMBER 31, 2003.

ONE CONTRACT FOR MENTAL HEALTH SERVICES (\$464,734.00)

A. Mental Health Clinic and Crisis (\$66,019)

B. CSS Funding (\$10,479.00)

C. Adult Case Management/SPOE/SPOA (\$79,239.00)

D. Child & Youth ICM & WRAP Aroung Funds (3 ICMS) - (\$87,501.00)

E. RIV-POEMS (\$105,984.00)

F. RIV-MICA Coordination, tx & Case Management (\$24,292.00)

G. RIV-Geriatric Outreach (\$28,279.00)

H. RIV-Juvenile Justice/Mental health (\$12,763.00)

I. NYS ERA Grant (WOW Employment) (\$8,678.00)

J. Telemedicine Grant (\$9,500.00)

K. Care Coordination Project (\$32,000.00)

ONE CONTRACT FOR CSS PROGRAMS (\$26,548.00)

A. CCS Programs Continuing Day Tx., CSS Case Management, CSS Transportation (\$26,548.00)

ONE CONTRACT FOR ALCOHOL, SUBSTANCE ABUSE AND MEN'S GROUP (\$313,089)

**Proceedings of the Board of Supervisors**

- A. Alcohol Treatment/Education & Substance Abuse Tx.  
(\$313,089.00)
- 4) WYOMING COUNTY COMMUNITY HOSPITAL - RENEWAL CONTRACTS FOR THE PERIOD OF JANUARY 1, 2003 THROUGH DECEMBER 31, 2003 (\$173,788.00)
- A. Renewal contracts to provide staffing to do the PAO Screening for Psychiatric Admissions (\$20,960.00)
  - B. Jail Based Mental Health Services in the Jail - (\$68,265.00)
  - C. MICA/HOMELESS - Case Management (\$10,611.00)
  - D. RIV-Crisis Outreach Program (\$64,452.00)
  - E. Telemedicine Grant (\$9,500.00)
- 5) CHAUTAUQUA COUNTY MENTAL HEALTH DEPARTMENT \_ RENEWAL CONTRACT FOR TELEMEDICINE GRANT FOR THE PERIOD OF JANUARY 1, 2003 THROUGH DECEMBER 31, 2003 (\$9,500.00)
- 6) MENTAL HEALTH ASSOCIATION OF ROCHESTER/MONROE COUNTY, INC. RENEWAL CONTRACTS FOR THE PERIOD OF JANUARY 1, 2003 THROUGH DECEMBER 31, 2003
- A. Contract with the Mental Health Association of Rochester/Monroe County to manage: (One contract for \$207,763.00)
    - 1. Consumer Run Thrift Store (\$38,489.00)
    - 2. RIV - Drop-in Center (\$20,960.00)
    - 3. COM. PERF. - Transportation Program (\$43,045.00)
    - 4. MICA & Psycho Social Club (\$90,612.00)
    - 5. Peer Advocacy (\$9,432.00)
    - 6. PREP (\$5,225.00)
- 7) HillSIDE CHILDREN'S CENTER RENEWAL/NEW CONTRACTS, FOR THE PERIOD OF JANUARY 1, 2003 THROUGH DECEMBER 31, 2003 TO PROVIDE: (\$36,612.00)
- A. RIV - Crisis Respite for Adolescents (\$16,708.00)
  - B. RIV - GLOW Family Support (\$6,463.00)
  - C. RIV - HBCIS (\$13,441.00)
- 8) LIVING OPPORTUNITIES OF DEPAUL RENEWAL CONTRACTS FOR THE PERIOD OF JANUARY 1, 2003 THROUGH DECEMBER 31, 2003 FOR: (\$160,962.00)

- A. RIV - Temporary Supportive Housing (\$9,720.00)
- B. RIV - Four Bed Treatment Apartments (\$4,411.00)  
(There is also \$9,653.00 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 treatment apartments contract but acknowledge the amount as being paid directly to them as revenue.)
- C. Supported Housing (20 Slots) (\$164,831.00)

9) CCSI OF ROCHESTER CONTRACT FOR THE PERIOD OF JANUARY 1, 2003 THROUGH DECEMBER 31, 2003 FOR: (\$297,221.00)

- A. Service Coordinations (\$99,000.00)
- B. Grant-Dual Diagnosis Coordination (\$59,000.00)
- C. Coordinated Childrens Services Initiative (\$26,600.00)
- D. Performance Measurements (\$28,439.00)
- E. Contract with CCSI to provide an individual for CCP (\$13,140.00)
- F. Substance Abuse Prevention (\$71,042.00)

10) CONTRACT WITH AN INDIVIDUAL TO WORK WITH THE CCP ADVISORY GROUP (\$11,520.00)

11) PREP (Psychiatric Rehabilitation Empowerment Project) (\$5,000.00)

12) PARENT ADVOCATES FOR CCSI PROGRAM (\$23,120.00)

**ALL CONTRACTS CONTINGENT UPON THE AVAILABILITY OF FUNDING.**

Carried:      Ayes:      1618      Noes: 0      Absent: 0

#10

**RESOLUTION NO. 02-308  
(November 12, 2002)**

By Mr. Gozelski, Chairman of the Agriculture Committee:

**CHAIRMAN AUTHORIZED TO SIGN AN AGREEMENT  
WITH ROBERT E. BROTHERTON, JR.**

BE IT RESOLVED, That the Chairman of this Board, with the  
Regular Session

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approval of the County Attorney is hereby authorized and directed to sign an agreement with Robert E. Brotherton, Jr., 4680 Sage Road, Warsaw, NY 14569 on behalf of the County of Wyoming for the provision of access to the Middlebury Forest and removal of logs from said forest in an amount not to exceed Three Thousand, Five Hundred Dollars (\$3,500.00), effective November 12, 2002 through June 1, 2003; contingent upon the availability of funds.

Carried:           Ayes:           1618           Noes: 0   Absent: 0

#11

**RESOLUTION NO. 02 -309  
(November 12, 2002)**

By Mr. Miller, Chairman of the Planning Committee:

**CHAIRMAN AUTHORIZED TO SIGN CDBG  
SMALL CITIES GRANT AGREEMENT**

WHEREAS, The County of Wyoming has been approved to receive a Three Hundred Seventy Six Thousand Dollars (\$376,000) Small Cities grant that will be used by the Wyoming County IDA to provide financial assistance to American Classic Outfitters, Perry, New York, for their continued growth and expansion; and

WHEREAS, the loan repayments from American Classic Outfitters can be used by the Wyoming County IDA to provide financial assistance to other Wyoming County business that will create additional job opportunities for county residents; now therefore

BE IT RESOLVED, That the Chairman of this Board of Supervisors, is hereby authorized as the official representative of Wyoming County, New York to execute the grant agreement from the Governor's Office For Small Cities for a Three Hundred Seventy Six Thousand Dollars (\$376,000) NYS Community Development Block Grant, Small Cities Economic Development program, and is hereby authorized and directed, upon the approval of the County Attorney, to sign all documents and take all actions needed to receive the approved grant funds; and be it

FURTHER RESOLVED, that the Chairman of this Board of Supervisors designates Richard L. Tindell to act as Certifying Officer for the purposes of carrying out an environmental review.

Carried:           Ayes:           1618           Noes: 0   Absent: 0

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**RESOLUTION NO. 02 -310  
(November 12, 2002)**

By Mr. Miller, Chairman of the Planning Committee:

**CHAIRMAN AUTHORIZED TO SIGN AN AGREEMENT  
WITH H. SICHERMAN & COMPANY INC. FOR SMALL  
CITIES 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 H. Sicherman & Company Inc., 5852 Forest Creek Drive, East Amherst, NY 14051 to administer a CDBG Small Cities grant of Three Hundred Seventy-Six Thousand Dollars (\$376,000.00). The grant funds will be used by the Wyoming County IDA to provide loan financing to American Classic Outfitters to support their business and employment expansion. Total cost of said contract not to exceed Ten Thousand Dollars (\$10,000.00), contingent upon the availability of funds. The cost of said contract will be paid from the grant funds that have been awarded.

Carried:        Ayes:        1618        Noes: 0        Absent: 0

#13

**RESOLUTION NO. 02-311  
(November 12, 2002)**

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

**CHAIRMAN AUTHORIZED TO SIGN A GRANT  
APPLICATION WITH THE DEPARTMENT OF JUSTICE**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign the COPS in school grant application and grant award acceptance on behalf of the Wyoming County Sheriff's Department, with the US Department of Justice, Office of Community Oriented Policing Services (COPS) for the purpose of hiring a School Resource Officer (SRO) in accordance with the terms and conditions of said grant, in an amount not to exceed One Hundred Twenty Four Thousand,

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Seven Hundred Twenty Eight Dollars (\$124,728.00); for a period of three (3) years, effective September 1, 2002 through August 31, 2005; contingent upon the availability of funds.

Carried: Ayes: 1149 Noes: 469; Gozelski (127) Absent: 0  
Brunner (93)  
Humphrey (214)  
Wethersfield (35)

#14

**RESOLUTION NO. 02-312  
(November 12, 2002)**

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

**CHAIRMAN AUTHORIZED TO SIGN A MEMORANDUM  
OF AGREEMENT WITH LETCHWORTH CENTRAL  
SCHOOL DISTRICT BOARD OF EDUCATION**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a memorandum of agreement with the Letchworth Central School District Board of Education on behalf of Wyoming County; for the provision of one (1) School Resource Officer (SRO) by the Wyoming County Sheriff's Department for a term of four (4) years; contingent upon the availability of funds.

Carried: Ayes: 1149 Noes: 469; Gozelski (127) Absent: 0  
Brunner (93)  
Humphrey (214)  
Wethersfield (35)

#15

**RESOLUTION NO. 02-313  
(November 12, 2002)**

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

**CHAIRMAN AUTHORIZED TO SIGN A  
LEGISLATIVE GRANT AWARD WITH NYS DCJS**

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 Legislative Grant Award  
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with the NYS Department of Criminal Justice, for the purpose of providing a canine unit (K-9) for the County of Wyoming for tracking and drug locating; effective for the funding year of 2002.

Carried: Ayes: 1149 Noes: 469; Gozelski (127) Absent: 0  
Brunner (93)  
Humphrey (214)  
Wethersfield (35)

#16

**RESOLUTION NO. 02-314  
(November 12, 2002)**

By Mrs. Humphrey, Chairman of the Finance Committee:

**RESOLUTION NO. 01-293 AMENDED RE:  
2002 ESTIMATED WORKERS COMPENSATION COST**

BE IT RESOLVED, That Resolution No. 01-293, passed by this Board of Supervisors on November 13, 2001, is hereby amended to adjust the total amount of the 2002 Budget and Allocation of Costs to Participants from \$1,650,991.00 to \$1,650,783.00 (-\$208.00) due to the adjusted contribution for the Village of Attica.

Carried: Ayes: 1618 Noes: 0 Absent: 0

#17

**RESOLUTION NO. 02-315  
(November 12, 2002)**

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

**PETTY CASH FUND IN THE OFFICE OF EMERGENCY  
SERVICES RESCINDED**

BE IT RESOLVED, That the petty cash fund in the amount of One Hundred Dollars (\$100.00) in the Office of Emergency Services is hereby rescinded; effective immediately.

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Carried:           Ayes: 1618                   Noes: 0                   Absent: 0  
#18

**RESOLUTION NO. 02-316  
(November 12, 2002)**

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

**MEMBERS REAPPOINTED TO THE TRAFFIC SAFETY  
BOARD**

BE IT RESOLVED, That the following members are hereby reappointed to the Traffic Safety Board, each for a term of three years, said terms to expire November 7, 2005:

TOWN	REPRESENTATIVE	ADDRESS
Town of Arcade	Alton J. Pettit	99 Park Street, Arcade, NY 14009
Town of Attica	Ralph Marvin	12 Laurel Drive, Attica, NY 14001
Town of Bennington	Joseph Heller, Jr.	1290 Maxon Road, , Attica, NY 14011
Town of Castile	Burdette Randall	4632 W. Lake Rd., Silver Springs, NY 14550
Town of Covington	Douglas Richardson	1594 Perry Rd., Pavilion, NY 14525
Town of Pike	Eileen Stroud	7836 Banks Rd., Pike, NY 14130

and be it

FURTHER RESOLVED, That the following member is hereby appointed to the Traffic Safety Board, to fill the unexpired term of Donald Finkle, said term to expire November 13, 2003.

TOWN	REPRESENTATIVE	ADDRESS
Town of Gainesville	Gary Rinehart	18 South Main St., Silver Springs, NY 14550

Carried:           Ayes: 1618                   Noes: 0                   Absent: 0

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**RESOLUTION NO. 02-319  
(November 12, 2002)**

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

**NORMAN R. GEORGE APPOINTED AS  
COMMISSIONER IN THE BOARD OF ELECTIONS**

BE IT RESOLVED, That Norman R. George, 982 Centerline Road, Strykersville, NY, 14145 who has been duly recommended therefor by the Chairman of the Democratic County Committee, is hereby appointed to the position of Election Commissioner in the Wyoming County Board of Elections, said term to be for two (2) years effective January 1, 2003 through December 31, 2004.

Carried:	Ayes: 1618	Noes: 0	Absent: 0
			#22

**RESOLUTION NO. 02-320  
(November 12, 2002)**

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

**CREATE ONE TEMPORARY POSITION OF CONTROL  
ROOM OFFICER IN THE SHERIFF'S/JAIL  
DEPARTMENT**

BE IT RESOLVED, That one (1) temporary position of Control Room Operator in the Sheriff's/Jail Department is hereby created, to be placed on Schedule A-3, Grade 1, Wyoming County Sheriff's Employee Association Agreement; effective until the end of the Medical Leave of Absence.

Carried:	Ayes: 1618	Noes: 0	Absent: 0
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December 10, 2002

**RESOLUTION NO. 02-321  
(November 12, 2002)**

By Mrs. Humphrey, Chairman of the Finance Committee:

**PROPERTY AUCTION SALES APPROVED**

WHEREAS, the County has 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:

Missing parcel numbers were withdrawn.

- Parcel #20      Brian D. Strauss, 59 Haskell Avenue, Arcade, NY 14009 has offered \$770.00 for property located in the Town of Arcade, Rt 98 S, Tax Map #193.-2-1.12.
- Parcel #65      Felicia Dean, 148 Main Street, Mt. Morris, NY 14510 has offered \$11,000.00 for property located in the Town of Castile, 4 Chapel Street, Tax Map #147.7-3-52.
- Parcel #68      Alberto DiMartino & Luisa DiMartino, 12 N. Main Street, Warsaw, NY 14569 has offered \$6,050.00 for property located in the Town of Castile, 9 N Main Street, Tax Map #147.7-3-35.2.
- Parcel #106     Gary Sitek & Elizabeth Sitek, 3190 W. Hill Road, Bliss, NY 14024 has offered \$1,100.00 for property located in the Town of Eagle, Route 39, Tax Map #175.-2-11.
- Parcel #134     Deborah Whitfield, 550 Riverside Drive, Plam Beach Gardens, Fl 33410 has offered \$6,160.00 for property located in the Town of Gainesville, 38 N Main Street, Tax Map #133.11-1-5.
- Parcel #143     Alberto DiMartino & Lusia DiMartino, 12 N. Main Street, Warsaw, NY 14569 has offered \$4,400.00 for property located

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in the Town of Gainesville, 190 N Main Street, Tax Map #122.16-1-48.1.

- Parcel #159 Donald E. Dale, 221 Griffith Street, Sloan, NY 14212 has offered \$1,430.00 for property located in the Town of Gainesville, Route 19, Tax Map #110.3-1-44.
- Parcel #194 Michael P. Horvath, 140 Thompson Street, Buffalo, NY 14207 has offered \$4,400.00 for property located in the Town of Middlebury, 126 School Road, Tax Map #36.16-1-18.1.
- Parcel #198 Russell J. Krull & Cheryl A. Krull, PO Box 243, Attica, NY 14011 has offered \$1,100.00 for property located in the Town of Middlebury, Saltvale Road, Tax Map #49.-1-17.12.
- Parcel #216 Roy Kirchmeyer, 936 Curriers Road, Arcade, NY 14009 has offered \$1,000.00 for property located in the Town of Orangeville, Syler Road, Tax Map #82.-1-67.
- Parcel #219 Thomas L. Blair & Trudy D. Blair, 11720 Main Road, Akron, NY 14001 has offered \$24,200.00 for property located in the Town of Orangeville, Org-Ctr Road, Tax Map #71.-1-48.
- Parcel #222 Alberto DiMartino & Luisa DiMartino, 12 N. Main Street, Warsaw, NY 14569 has offered \$13,200.00 for property located in the Town of Orangeville, 2758 Org-Ctr Road, Tax Map #71.-1-50.
- Parcel #226 Darrick P. Ulm, 2990 Centerline Road, Varysburg, NY 14167 has offered \$440.00 for property located in the Town of Orangeville, Centerline Rd, Tax Map #82.-2-18.
- Parcel #246 Michael P. Horvath, 140 Thompson Street, Buffalo, NY 14207 has offered \$2,750.00 for property located in the Town of Perry, 68 Water Street, Tax Map #100.8-2-48.
- Parcel #249 Gary C. Cross & Marie A. Cross, 2093 Linwood Road, Linwood, NY 14486 has offered \$18,700.00 for property located in the Town of Perry, 55 Benedict Street, Tax Map #88.19-5-23.
- Parcel #263 James Brick & Sandra Brick, 7618 Rt. 20A, Perry, NY 14530 has offered \$2,200.00 for property located in the Town of Perry, 2783 Simmons Road, Tax Map #77.-1-14.

- Parcel #276 Edward Schoff & Cynthia Schoff, 2707 Fisher Road, Warsaw, NY 14569 has offered \$22,000.00 for property located in the Town of Perry, 7595 Route 20A, Tax Map #77.-1-25.2.
  
- Parcel #289 Michael Kern, Rt. 16 & 39, Chaffee, NY 14030 has offered \$8,800.00 for property located in the Town of Pike, Safford Road, Tax Map #168.-1-37.11.
  
- Parcel #296 Lawrence Poitras, Jr & Denise E. Dee, 144 Thompson Street, Buffalo, NY 14207 has offered \$10,450.00 for property located in the Town of Sheldon, Route 98, Tax Map #81.-1-46.
  
- Parcel #315 Gary C. Cross & Marie A. Cross, 2093 Linwood Road, Linwood, NY 14486 has offered \$39,600.00 for property located in the Town of Warsaw, 34 Liberty Street, Tax Map #85.7-3-20.
  
- Parcel #342 Steven R. Beach Sr. & Pamela J. Fiegl, 546 Crossman Road, Wyoming, NY 14591 has offered \$12,650.00 for property located in the Town of Wethersfield, 4180 Wethersfield Road, Tax Map #108.3-1-28.

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 Treasurer’s Tax Deed to the purchaser, providing payment of said purchase price is received by him on or before December 6, 2002.

Carried:           Ayes:   1618                           Noes:   0                           Absent: 0

Supervisor Humphrey, T/Perry requested that resolution office numbers 24 through 27 be consolidated for consent agenda. A voice vote was taken and the request was granted. Chairman Berwanger asked that the Clerk, Suzanne Aldinger read the Titles of resolution office numbers 24 through 27. A voice vote was taken and resolution 24 through 27 were passed

Carried:           Ayes: 1618                           Noes: 0                           Absent: 0

**RESOLUTION NO. 02-322  
(November 12, 2002)**

By Mrs. Humphrey, Chairman of the Finance Committee:

**2003 EQUALIZATION TABLE PRESENTED**

BE IT RESOLVED, That the 2003 Equalization Table is hereby presented, and be it

FURTHER RESOLVED, that its adoption be tabled for at least one day.

Carried:           Ayes: 1618                   Noes: 0                   Absent: 0  
#25

**RESOLUTION NO. 02-323  
(November 12, 2002)**

By Mrs. Humphrey, Chairman of the Finance Committee:

**2003 TOWN BALANCES APPROVED**

BE IT RESOLVED, That the statement of the county treasurer as to TOWN BALANCES is hereby accepted, and be it

FURTHER RESOLVED, That the Clerk of the Board is hereby directed to credit or charge the amounts stated to the 2002 Tax Rolls of the respective towns:

TOWN	DEBIT	CREDIT
ARCADE	\$3,884.49	0.00
ATTICA	\$0.00	0.00
BENNINGTON	\$1,373.18	0.00
CASTILE	\$324.56	0.00
COVINGTON	\$0.00	0.00

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EAGLE	\$408.24	0.00
GAINESVILLE	\$20.99	0.00
GENESEE FALLS	\$22.61	0.00
JAVA	\$0.00	0.00
MIDDLEBURY	\$0.00	0.00
ORANGEVILLE	\$228.68	0.00
PERRY	\$0.00	0.00
PIKE	\$0.00	0.00
SHELDON	\$48.07	0.00
WARSAW	\$0.00	0.00
WETHERSFIELD	<u>\$3,710.55</u>	<u>0.00</u>
<b>TOTAL</b>	\$10,021.37	0.00

Dated: November 12, 2002

JOHN B. EDWARDS  
TREASURER

Carried:           Ayes: 1618                   Noes: 0                   Absent: 0  
#26

**RESOLUTION NO. 02-324**  
**(November 12, 2002)**

Mrs. Humphrey, Chairman of the Finance Committee, presented the **SEMI-ANNUAL MORTGAGE TAX REPORT** for the period of April 1, 2002 through September 30, 2002 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 \$254,369.57 to the several tax districts of Wyoming County, in accordance with the report filed with the Clerk of the Board of Supervisors, as follows:

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TAX DISTRICTS	MORTGAGE TAX DISTRIBUTED	VILLAGE	TOWN
Arcade	\$28,520.54	\$7,342.12	\$21,178.42
Attica	\$24,324.54	\$6,333.11	\$17,991.43
Bennington	\$31,787.17	\$0.00	\$31,787.17
Castile	\$18,490.96	\$1,331.79	\$16,043.64
Perry Village	\$0.00	\$1,115.53	\$0.00
Covington	\$9,199.00	\$0.00	\$9,199.00
Eagle	\$8,477.36	\$0.00	\$8,477.36
Gainesville	\$9,691.27	\$385.89	\$8,021.17
Slvr Sprngs Village	\$0.00	\$1,284.21	\$0.00
Genesee Falls	\$2,113.32	\$0.00	\$2,113.32
Java	\$15,585.80	\$0.00	\$15,585.80
Middlebury	\$10,467.63	\$925.10	\$9,542.53
Orangeville	\$13,831.31	\$0.00	\$13,831.31
Perry	\$21,481.04	\$5,074.50	\$16,406.54
Pike	\$5,694.19	\$348.75	\$5,345.44
Sheldon	\$19,625.58	\$0.00	\$19,625.58
Warsaw	\$28,977.85	\$7,825.68	\$21,152.17
Wethersfield	\$6,102.01	\$0.00	\$6,102.01
<b>TOTAL</b>	\$254,369.57	\$31,966.68	\$222,402.89
<b>GRAND TOTAL</b>			<b>\$254,369.57</b>

Let This Be Your Warrant for Such Payment: \$254,369.57

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the Board of Supervisors this 12<sup>th</sup> day of November 2002.

s/ Suzanne Aldinger, Clerk, Board of Supervisors

Carried:           Ayes: 1618                           Noes: 0                           Absent: 0

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**RESOLUTION NO. 02-325  
(November 12, 2002)**

By Mrs. Humphrey, Chairman of the Finance Committee:

**2003 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 2003, are as follows:

<b>PARTICIPANTS</b>	<b>ESTIMATED COST</b>
Co. of Wyoming	\$911,371.00
<u>Towns</u>	\$0.00
Arcade	\$21,600.00
Attica	\$15,701.00
Bennington	\$15,211.00
Castile	\$15,919.00
Covington	\$11,117.00
Eagle	\$11,358.00
Gainesville	\$10,227.00
Genesee Falls	\$8,979.00
Java	\$11,372.00
Middlebury	\$14,907.00
Orangeville	\$9,908.00
Perry	\$13,135.00
Pike	\$10,127.00
Sheldon	\$16,269.00
Warsaw	\$18,027.00

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Wethersfield	<u>\$8,556.00</u>
<b>Town and County</b>	<b>\$1,123,784.00</b>
<b>Totals</b>	

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:

<b>PARTICIPANTS</b>	<b>ESTIMATED COSTS</b>
Arcade	\$40,559.00
Attica	\$30,407.00
Castile	\$3,270.00
Gainesville	\$25.00
Perry	\$34,924.00
Pike	\$248.00
Silver Springs	\$7,245.00
Warsaw	\$64,717.00
Wyoming	\$2,758.00
<b>Total, Villages</b>	<b>184,153.00</b>

Wyoming County Workers' Compensation Insurance estimated costs for participating School Districts:

Attica	\$83,190.00
Pioneer	\$129,441.00
Warsaw	\$66,306.00
Wyoming	\$17,632.00
Perry	<u>\$69,563.00</u>

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the people of this county and then not have go into effect for two years. I will definitely vote no if they do not modify it to become effective November 15th.

*Mrs. Humphrey, Supervisor of the Town of Perry* - To vote yes today would be the easy vote - but I do not believe it is the responsible vote. We have seen the erosion of personal freedoms and responsibility through legislation that is well intentioned - in the name of protecting public health and safety, but each time a piece of legislation is passed, we lose the ability to chart our own destiny, make our own personal decisions and to finally be held responsible for own actions.

This legislation goes far beyond just restricting smoking in restaurants. This law prohibits smoking in every business establishment including those in private residences with no employees. Each business is required to appoint a person to report any fractions of this law. In one of the responses to the survey, a well-respected business owner referred to this as a Gestapo tactic.

Is there a provision for smoking areas? Yes if a business is willing to spend thousands of dollars to create an area that meets the specifications that this law requires. What if a business such as Prestolite, Wyoming County's largest private employer has already created a smoking area but it doesn't meet the specifications in this law? They responded to the survey with specific questions about their own business but received no reply. The only individual under this law who can grant a variance is the Public Health Director - and we all know the potential conflicts which could occur, as the example of the YMCA is fresh in our memories.

We are facing the biggest budget crisis today since I became a supervisor. Why - unfunded mandates. Isn't this legislation an unfunded mandate for our Wyoming County businesses? Should we follow the example of NYS and just pass it in the name of doing "good works" or if we do pass this, would the advocacy groups like Smoke Free Now be willing to give up their taxpayer funded monies to these businesses to make the changes the law requires? I doubt it.

At the public hearing, a business owner suggested that each business decide if it would be a smoking establishment or not, inform the public and let them make the choice to patronize that establishment or not - a logical solution. However the people who support this legislation and urge us to support it, state that they would like to patronize a certain restaurant but cannot because of smoking. Are we responsible for making sure that anyone can go to any restaurant they desire even if it opposes the view of that restaurant? Do we carry it a step further - if you can't afford to go to that restaurant, the government is required to pay the difference because it is your right? It sounds ludicrous doesn't it, but it has happened in the health care why not eating out?

I suggest that these advocacy groups, using our taxpayer money, are taking the easy way out. It is easier to convince and coerce 16 supervisors to

vote for a law to ban smoking than to convince business owners and the public of the dangers of smoking.

Are we to cede all responsibility to the government? This is another law we do not need. Business owners risk their capital and if they work hard enough, succeed and create jobs. They do all the work and then we tell them how to run their business. They should be able to make their own decision on how they operate their business. We have an existing law in New York State, which restricts smoking. Why should Wyoming County pass a more restrictive law than our state, which has the ultimate responsibility for public health? I oppose this law on the grounds of preserving personal freedom and responsibility.

*Mr. Miller, Supervisor of the Town of Warsaw* - I am not going to get into the restriction of rights, unfunded mandates or anything else, but what I said I was going to do at the public hearing the last time. That was to represent the people that I was elected to represent. With that in mind I kept a tally from the very first that I reported the last time. This tally includes 63 votes in favor of the law, that were received at the Wyoming County Fair, but I also had 83 from the Vet's Club in Warsaw, however, I had to discount 18 of those votes because they were not from Warsaw. I have to keep in mind that the petitions were started July 20th before the law was revised to exclude private clubs and organization. Nevertheless the bottom line is 109 for the law and 84 against. That's my vote.

*Mr. Rogers, Supervisor of the Town of Pike* - I would like to ask Mr. Agan what time frame he would be comfortable with if we were to amend the law. Mr. Agan's response was that he believes the law should become effective in a three month period. Mr. Rogers asked if he would be willing to have it become effective within a year? At this time the County Attorney stated that the Local Law cannot be amended at this time with out having another Public Hearing. The Local Law presented today must be voted on as is. Mr. Roger's continued with the following statement: We are all aware that second hand smoke is a real health issue, it has been proven that it contains carcinogens that are damaging to life, causes cancer and asthma breathing conditions and is a real health issue. I am in very much support of the law and will vote yes for it.

*Mr. Davis, Town Supervisor of Covington* - I was on the committee for this law and helped formulate it and believe it was the first or second meeting that I stated I was not support a law that asked business owners to enforce our law. This law still states that they will have to and today I still will not support it. I would much rather see a state law. I have seen for example in the bowling industry, (last year Genesee County's law went into effect) You lose bowlers, they will go to other counties, In LeRoy they left to go to Livingston County. On a league that I bowl on Friday Nights has lost two teams. We managed to get a team back, we still had a net loss of five bowlers and for a small business

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owner it can be astronomical. Livingston County law to me is ludicrous as far as bowling alley's, Cal Bowl is non-smoking at the tables behind alley one and the table behind alley twelve. The ten tables in between are declared smoking. Having a smoking area like that is like having a peeing area at the Y pool.

*Mr. Gozelski, Town Supervisor of Castile* - Last week I was speaking with Senator Dale Volker and he told me that it was most likely that the state will be passing a more restrictive smoking law within the next year. I would much rather have a state law passed than a County Law. Also this question is for our County Attorney Eric Dadd. Is there any reason why this can not go to permissive referendum? Mr. Dadd responded with the following: No, the kind of enactment of the subject at hand permissive referendum are numerated by statue generally permissive referendum has to do with borrowing money and financing, this is a health and safety law and there is no avenue that I know of where there can be such a thing as a permissive referendum.

*Mr. Kushner, Town Supervisor of Eagle* - This is quite a issue going around with these supervisors. I remember what Mr. Glosser said at the Public Hearing. It is a personal issue with him, and in reading all the articles in the papers and advertisements i found it very interesting. I thought everyone was taking into account the statistics. You can think what every you want with these statistics. I looked at the statistics and I questioned this. First of all I think it is very professional, each individual polled represents a registered voter in our county or constituent in our county. That being said here are some statistics for you. Four States and Canada have smoking laws. What about the other 46 States that do not have a smoking law. What about all these other countries and Europe that have no laws. You forgot those. Another great issue, matter of fact Mr. Rogers brought this up in Committee, 62 out of 79 businesses wanted no smoking, there happen to be 161 businesses with the Chamber of Commerce. What about the others hundreds of businesses that are not with the Chamber. And of the 62 businesses did anybody bother to check to see how many of those businesses are smoke free now and those that were how many have a smoke free sign up. The most interesting statistic is the fact that, on the poll the question was, in general who do you think should decide wether smoking should be allowed in a restaurant? Now this poll overwhelmingly supported people not smoke, so you would assume that you would get a positive response. 49% , 47% said the owner should regulate his own business, 2% said no one should decide, 10% said they were undecided. That left 41% stating that there should be a law. That means 59% do not want any kind of law passed. Out of that 41% the question was, Who in general do you think should decide if smoking should be allowed in restaurants? One of the option was in one answer Local or State, they combine them. Very interesting, so I decided to take my own poll. Because I wanted to know just what was the concession. I went into a smoke free facility and polled 59 non-smokers, 34 out of 59 stated that the State should

decide. And if they would have separated the Local and State they would have found that more than 70% of the people did not want the County to pass a Local Law. That would have represented over 24,000 people. I even went out in my own town and polled everyone I ran into, not just the people I know. It was still overwhelmingly in favor of not having a Local Law. I myself am against smoking and am appalled by it. I am here to represent my Town and the County and I have to listen to what the people want. I will be voting against this Local Law.

*Mr. Miller, Town Supervisor of Warsaw* - I just want to respond to what Mr. Kushner has just spoken about, yes Joe you can do what ever you want with statistics.

*Mr. Bush, Town Supervisor of Gainesville* - I have been asking people on the street and I found 3 to 1 want the smoking law passed, I personally was not going to vote for it if we were going to put undue burden on the people of this county. I do not believe we are doing that with this Local Law. Therefore I will be supporting this Law. Thank you.

*Mr. Herman, Town Supervisor of Wethersfield* - Up until this very day I have told the various organizations and news media that I would support this Local Law. Within the last couple of days I have had the opportunity to weigh this out. This past weekend my family and myself was able to go out to dinner and had to decide where we would go. We decided to go somewhere where we would not be by the smoke because there are 3 generations in my family and none of us smoke, and I was a smoker 40 years ago. It was our choice as American citizens where we would go. By passing this law we take away the choice from the smoker and from our business men and women. To me that is not the right choice.

Mr. Berwanger asked if there were any other questions or comments. Since he was not able to be here for the Public Hearing he stated the following:

*Mr. Berwanger, Town Supervisor of Arcade* - I see a couple of problems with passing this Local Law. Number 1, as I mentioned this before a sign that says no smoking on it cost \$1.00. That every business wanting to put up can. I realized this when I went to the new YMCA in Warsaw there was a green and white sign greeting every visitor that this is a smoke free facility. The second issue is the enforcement of several aspects of this law, There is a provision in this law that states something to the effect delegating the difference between a bar and restaurant regarding how much food is served versus the amount of alcohol that is served, and the funds that are derived by that individual business. I have a hard time sending anyone from Wyoming County to visit these establishments, and to have them open their books to see if they meet the

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criteria of whether they are a non-smoking or smoking restaurant. Thirdly we have the issue of who is going to enforce the smoking areas. If the law was to be implemented, who would be responsible for enforcing the law. This to me would seem to be requiring hiring another person in the County to be able to visit these facilities to check whether the smoking law is being enforced. And lastly this is about civil rights, and as the United States of America prepares for a war, what is the real reason, the real focus for this law? Is it not to protect the civil rights of people.

*Mr. Rogers, Supervisor of the Town of Pike* - I have talked to legislators in Genesee and Livingston County, enforcement has not been a problem, they have put up the no smoking signs, and people have adhered to that with no problems. Smoke free is willing to put up the signs so there would be no cost to the County.

#29

**RESOLUTION NO. 02-327  
(November 12, 2002)**

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

**LOCAL LAW INTRODUCTORY NO. B, YEAR 2002  
ADOPTED**

WHEREAS, there was duly presented and introduced at a meeting of this Board, held on the 10th day of September, a proposed local law of the County, designated as Local Law Introductory No. B, for the year 2002, entitled A Local Law of the County of Wyoming, banning smoking in public places in Wyoming County; and

WHEREAS, in accordance with the provisions of Resolution No. 02-272, there was a public hearing held by this Board of Supervisors on the 1<sup>st</sup> day of October, 2002 at 7:00 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 (7) 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 2002, County of Wyoming, New York, as presented to this Board on this 12<sup>th</sup> day of December 10, 2002

November, 2002, is hereby adopted, enacted and passed by this Board in its original form as follows:

**SECTION 1. Intent**

The Wyoming County Board of Supervisors/County Legislature declares that the intent and purpose of this Local Law is to preserve and improve the public's health by improving indoor air quality in public places.

**SECTION 2. Definitions**

The following words and phrases, whenever used in this Local Law, shall be construed as defined in this section:

- (1) **"Bar" or "Tavern"** shall mean a business establishment that is devoted to the selling and serving of alcoholic beverages for consumption by patrons on the premises and in which the service of food is incidental to the business of the facility. Service of food shall be considered incidental if food service generates less than forty percent (40%) of total annual gross sales.
- (2) **"Business"** shall mean any sole proprietorship, partnership, joint venture, corporation, or other business entity formed for profit-making purposes, including retail establishments where goods or services are sold as well as professional corporations and other entities where legal, medical, dental, engineering, architectural, or other professional services are delivered.
- (3) **"Employee"** shall mean any person who is employed by any employer for direct or indirect monetary wages or profit, and any person who volunteers his or her services for a non-profit entity.
- (4) **"Employer"** shall mean any person, partnership, corporation, including a municipal corporation, or non-profit entity that employs the services of one or more individual persons.
- (5) **"Food"** shall mean any edible substance, ice, beverage (excluding alcohol) or ingredient used or intended for use or for sale in whole or in part for human consumption.

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- (6) **"Multiple Unit Residence"** shall mean any facility containing more than one residence unit, when common space or facilities are present for use by the residents or the general public.
- (7) **"Place of Employment"** shall mean any enclosed area under the control of a public or private employer which employees normally frequent during the course of employment including but not limited to work areas, employee lounges and restrooms, conference and classrooms, employee cafeterias, hallways, garages and indoor loading docks. A private residence is not a "place of employment" unless it is used as a childcare or health care facility or where the use of the private residence falls under the definition of section (9) "Public Place."
- (8) **"Private Social Function"** shall mean any weddings, parties, testimonials or other similar gatherings in which the seating arrangements are under the control of the organizer or sponsor of the event and not the person who owns, manages, operates or otherwise controls the use of the place in which the function is held.
- (9) **"Public Place"** shall mean any area to which the public is invited or in which the public is permitted, including but not limited to banks, educational facilities, correctional facilities, health facilities, bingo halls, indoor recreational facilities, Laundromats, public transportation facilities, reception areas, restaurants, bars, retail food production and marketing establishments, malls, retail service establishments, retail stores, showrooms, theaters, waiting rooms and places of worship. A private residence is not a 'public place' within the meaning of this Local Law, except that areas in a private residence where a child care center, health care facility or other business (open to the public) is operated during the times of operation and areas in a private residence which constitute common areas of a multiple unit residence are 'public places' within the meaning of this Local Law.
- (10) **"Restaurant"** shall mean any coffee shop, cafeteria, sandwich shop private or public school cafeteria, and any other eating establishment which gives or offers food for sale to the public, guests, members or employees, as well as kitchens in which food is prepared on the premises for serving elsewhere, including catering facilities.

- (11) **"Retail Tobacco Business"** shall mean a sole proprietorship, corporation, partnership or other enterprise in which the primary activity is the sale, manufacture or promotion of tobacco, tobacco products and accessories either at wholesale or retail and in which the sale, manufacture or promotion of other products generates less than 10 percent of total annual gross sales.
- (12) **"Separate Smoking Room"** shall mean an enclosed room whose primary purpose is for smoking. Such room shall:
- (a.) be clearly designated as a separate smoking room;
  - (b.) be completely enclosed on all sides by floor to ceiling walls, interior doors and/or windows, which must remain closed except for entry and exit of persons to/from the room; and
  - (c.) have its own separate ventilation system whereby the air from the enclosed room is immediately exhausted to the outside of the building in such a way as to prevent the re-introduction of smoke into the building and prevent back streaming of smoke into smoke free areas.
  - (d.) Such room may contain no more than two doors, which shall remain closed except for the purpose of entry and exit. These doors must be equipped with self-closing devices.
  - (e.) Such room may not be the sole entry area to or exit area from the facility, nor be the sole waiting area for the facility.
- (13) **"Service Line"** shall mean any indoor line to which one (1) or more persons are waiting for or receiving service of any kind, whether or not such service involves the exchange of money.
- (14) **"Smoking"** shall mean inhaling of, exhaling of, burning of, or carrying of any lighted cigar, cigarette, weed, or other plant in any manner or in any form.
- (15) **"Sports Arena"** shall mean any indoor stadium, sports pavilion, gymnasium, health spa, boxing arena, swimming pool, roller and ice rink, billiard parlor, or other similar place where members of the general public assemble to engage in physical exercise, participate in athletic competition, or witness sports events.

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- (16) **"Spectator Facilities"** shall mean any indoor facility where members of the general public assemble to view and/or participate in scheduled events involving competitions, exhibitions, entertainment productions, trade shows, conventions, or other events established for common purposes.

**SECTION 3. Application of Local Law to County-Owned and Leased Facilities**

All enclosed facilities owned or leased by the County of Wyoming shall be smoke free.

**SECTION 4. Regulation of Smoking in Public Places**

- A. Smoking shall be prohibited in all enclosed public places within the County of Wyoming, including but not limited to the following places:
- (1) Elevators.
  - (2) Buses, taxicabs, and other means of public transit, and ticket, boarding, and waiting areas of public transit depots.
  - (3) Restrooms.
  - (4) Service lines.
  - (5) Retail stores.
  - (6) All areas available to and customarily used by the general public in all businesses and non-profit entities patronized by the public, including but not limited to professional offices, banks, Laundromats, barber and beauty shops.
  - (7) Restaurants.
  - (8) Libraries, museums and exhibition halls.
  - (9) Any facility which is primarily used for exhibiting any motion picture, stage, drama, lecture, musical recital, cabaret, comedy production, concert or other similar performance.

- (10) Sports arenas, spectator facilities and convention halls.
  - (11) Bowling Centers.
  - (12) Bingo Halls.
  - (13) Every room, chamber, place of meeting or public assembly, including school buildings, under the control of any board, council, commission, committee, including joint committees, or agencies of the County or any political subdivision of the County during such time as a public meeting is in progress.
  - (14) Waiting rooms, hallways, wards and semi-private rooms of health facilities, including but not limited to hospitals, clinics, physical therapy facilities, doctors' offices, and dentists' offices.
  - (15) Correction facilities.
  - (16) Lobbies, hallways, offices and other common areas in multiple unit residences, condominiums, retirement facilities, nursing homes, and multiple unit commercial facilities.
- B. This section shall not prohibit smoking in "separate smoking rooms" as defined in Section 2(12).

**SECTION 5. Regulation of Smoking in Places of Employment**

Smoking shall be prohibited in all enclosed facilities within a place of employment without exception. This includes common work areas, auditoriums, building entryways, classrooms, conference and meeting rooms, loading docks, garages, private offices, elevators, hallways, medical facilities, cafeterias, employee lounges, stairways, restrooms, fleet vehicles, and all other enclosed facilities.

- A. It shall be the responsibility of employers to provide a smoke free work site for all employees, but employers are not required to incur any expense to make structural or other physical modifications in providing a smoke-free environment.
- B. All employers shall have available, upon request, the county law pertaining to clean indoor air in the workplace provided by

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Smoke Free NOW, Wyoming County Public Health Department, or Clerk of the Wyoming County Board of Supervisors.

**SECTION 6. Further Restriction of Smoking**

Notwithstanding any other provision of this Local Law, any owner, operator, manager, or other person who controls any establishment described in this Local Law may declare that entire establishment as a non-smoking establishment.

**SECTION 7. Where Smoking Is Not Regulated**

- A. Notwithstanding any other provision of this Local Law to the contrary, the following areas shall not be subject to the smoking restrictions of this Local Law:
- (1) Private residences, except when used as childcare or health care facilities, or when used as a work site which is open to the public or non-resident employee.
  - (2) Retail tobacco stores.
  - (3) Rooms in which private social functions are being held where seating arrangements are under the control of the sponsor of the function and not the owner or operator of the facility.
  - (4) Hotel and motel rooms rented to guests, provided that hotels and motels must designate at least 50% of their floors for customer accommodation as NO SMOKING floors.
  - (5) Stand alone bars and taverns including those operated by private clubs and fraternal organizations.
- B. No area may be designated for smoking where prohibited by regulation of another agency having jurisdiction.

**SECTION 8. Additional Responsibilities of Management**

The person in charge of a facility shall also be responsible to:

- A. Provide ashtrays and smoking receptacles where smoking is permitted by this Local Law and maintain locations where smoking is prohibited free of ashtrays or smoking receptacles.
- B. Enforce this Local Law by requesting compliance from patrons verbally or by presenting a non-smoking card.

**SECTION 9. Variances and Waivers**

- A. **Variance.** The Wyoming County Director of Health may, on written application and after review, grant a variance from a specific provision of this Local Law, subject to appropriate conditions which shall include a time schedule for compliance when such variance is in harmony with the general purposes and intent of this Local Law, and when there are practical difficulties or unnecessary hardship in complying with such provision.
- B. **Waiver.** The Wyoming County Director of Health, in his or her sole discretion, may waive, in writing, any of the requirements of this Local Law when it reasonably appears that adequate alternative provisions have been made to protect the health of non-smokers and granting of such waiver will not endanger the public's health. A written application for a waiver is required. Initial waivers shall be valid for a period of not more than twenty-four (24) months and may be renewed upon written re-application. Under conditions of renewal, the Wyoming County Director of Health may grant waivers for periods of time as deemed appropriate.
- C. **Revocation.** The Wyoming County Director of Health may revoke any waiver or variance after providing thirty (30) days written notice to the applicant/holder.

**SECTION 10. Posting of Signs**

SMOKING IS PROHIBITED, or NO SMOKING signs, using the international NO SMOKING symbol - consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a red bar across it - shall be prominently and conspicuously posted in every place where this Local Law prohibits smoking. The owner, operator, manager or other person having control of such place shall post these signs. SMOKING PERMITTED signs shall be posted where smoking is permitted. Such signs shall be conspicuously posted at doors and entrance ways to all facilities when smoking is permitted anywhere within the facility and at the entrances to the areas within these facilities where

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smoking is to be permitted. All signs shall be protected from tampering, damage, removal or concealment.

**SECTION 11. Enforcement**

- A. For the purpose of this Local Law the term "enforcement" shall mean the Wyoming County Board of Health, or an authorized designee.
- B. Nothing herein shall be construed to prohibit the Board of Health from commencing a proceeding for injunctive relief to compel compliance with this Local Law.
- C. Any person who desires to register a complaint under this Local Law may do so with the Wyoming County Department of Health.
- D. The person, firm, corporation or other entity that owns, manages, operates or otherwise controls the use of an indoor area open to the public in which smoking is prohibited or restricted pursuant to this Local Law, shall inform, or shall designate an agent who shall be responsible for informing individuals smoking in an area in which smoking is not permitted that they are in violation of this Local Law.
- E. The owner, operator, manager, or person in charge of the facility shall permit the Director of Health or the Director's designees' entrance to the facility to determine compliance with this Local Law.

**SECTION 12. Violations and Penalties**

- A. It shall be unlawful for any person who owns, manages, operates, or otherwise controls the use of any premises subject to regulation under this Local Law to fail to comply with any of its provisions.
- B. It shall be unlawful for any person to smoke in any area where smoking is prohibited by the provisions of this Local Law.
- C. Any person who violates any provision of this Local Law shall be guilty of an infraction punishable by:



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

**RESOLUTION NO. 02-258 RESCINDED, RE: CHAIRMAN  
AUTHORIZED TO SIGN GENESEE AND WYOMING  
JOINT FLOOD MITIGATION PLAN CONSULTANT  
AGREEMENT**

BE IT RESOLVED, That Resolution No. 02-258 passed by this Board of Supervisors on September 10, 2002 is hereby rescinded; and

WHEREAS, The Wyoming County has received \$38,657.53 in funding to develop a Joint Two County Flood Mitigation Plan along with Genesee County for the Tonawanda Creek and Oatka Creek watersheds and established a Capital Project for that purpose, and

WHEREAS, A Request for Proposal (RFP) for consulting services was jointly developed by Genesee and Wyoming Counties and circulated to thirty-five consulting firms and four proposals were received, and interviews conducted by a selection committee made up of representatives of both counties, and

WHEREAS, A Selection Committee consisting of representatives of Genesee and Wyoming County’s Coordinators of Emergency Management Services, Soil and Water Conservation Districts and Planning Departments reviewed the proposals submitted and conducted interviews for the four responding consultants, and

WHEREAS, The Selection Committee is recommending that the Genesee/Finger Lakes Regional Planning Council (GFLRPC) be hired to undertake the proposed project at a cost for Wyoming County not to exceed \$38,657.53.

BE IT RESOLVED, That the Chairman of the Wyoming County Board of Supervisors is hereby authorized and directed to execute an agreement with the Genesee/Finger Lakes Regional Planning Council for the provision of technical assistance to Wyoming County on the development of a Genesee and Wyoming Counties Joint Flood Mitigation Plan in an amount for Wyoming County’s portion not to exceed \$38,353.69.

Carried:           Ayes:   1618                           Noes:   0                           Absent: 0

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December 10, 2002



Proceedings of the Board of Supervisors**Tuesday****SPECIAL SESSION  
(December 3, 2002)****2:00 PM**

The Special Session of the Wyoming County Board of Supervisors was held at the Wyoming County Government Center, in the Board of Supervisors Chambers, 143 North Main Street, Warsaw, New York with all members present. Also present was Assistant County Attorney, Tony DelMonte. Chairman Berwanger, T/Arcade, called the meeting to order and lead us in the Pledge of Allegiance.

There were no communications.

Chairman Berwanger, T/Arcade, declared the Public Hearing opened in regards to the 2003 Wyoming County Budget. Chairman Berwanger introduced Wyoming County Treasurer/Budget Director John B. Edwards. Mr. Edwards presented the 2003 Wyoming County Budget as follows:

Honorable members of the Board of Supervisors, County Officials and Residents of Wyoming County:

This proposed 2003 County Budget has been developed after many hours of work by Department Heads, the Budget Team the Committees of the Board of Supervisors and several individuals serving on various Boards and Non-County agencies. To all of them, we express our appreciation. This has been the hardest Budget I have worked on since becoming County Treasurer. As I review the proposed 2003 Wyoming County Budget you will see what I mean.

The County figures look like this:

	<u>2003</u>	<u>2002</u>	<u>Increase (Decrease)</u>
Taxable Valuation	1,414,431,641	1,376,091,364	38,340,277
Taxable Full Valuation	1,471,233,747	1,419,513,819	51,709,928
Co. Ave. Tax Rate Full Value			
Co. Ave. Tax Rate	6.13 per 1,000	6.00 per 1,000	+ .13

This proposed budget has total appropriations of \$87,176,438.60, up \$3,342,841.24. Revenues total \$76,439,429.24 for an increase of \$3,062,115.18. In order to hold down the tax rate, surplus have been applied from the following:

General Fund	\$1,813,498.00
Road Machinery	\$150,000.00

December 03, 2002

The proposed 2003 County Tax Levy is \$8,673,511.36 for an increase of \$413,024.36 (5% over the 2002 Tax Levy. This makes a 2.1% increase in the County Average from \$6.00 to \$6.13 per thousand of assesses value.

Estimated Sales Tax of \$10,800,000 is the same as last year. With the economy so volatile, there was no way we could justify any increase in sales tax. For the 12<sup>th</sup> year, the 2003 budget does not contain a subsidy to the Wyoming County Community Hospital. This shows the fine operation done by Lucy Sheedy, her Management Staff and employees. Wyoming County is very fortunate to have a hospital and Senior Nursing Facility in our community.

The larger department and their percent of Total Budget Appropriations are as follows:

Hospital	\$39,844,900	45.70%
Social Service	\$14,172,619	16.25%
Highway	\$ 6,163,555	7.07%
Health	\$ 5,762,250	6.60%
Law Enforcement	\$ 5,612,214	6.43%
Education	\$ 2,433,700	2.79%

This proposed 2003 budget has been balanced by granting NO salary increases for all employees; A hiring freeze has been enacted; No capital expenditures including NO appropriations for new sheriff's cars and only mandated travel and allowances in order to keep departments running have been allowed. All Contract Agencies have been cut 5% from their 2002 allotment and there are no Contingency funds for unexpected expenses in 2003.

Medicaid cost have increased 44% or \$1,500,000 over what was budgeted for 2002. As it looks now, Medicaid for 2002 will be short \$500,000. Medicaid is 50.7% (\$4,400,000) of the County Levy with General Operations Levy of 49.3% (\$4,273,511). This is in contrast to 2002 when Medicaid levy was 36% (\$2,991,000) of the County Levy and General Operations Levy was 64% (\$5,269,487). Retirement cost for the General Fund has been budgeted at \$416,000 for 2003, which is a 220% increase over the 2002 payment. Health Insurance premiums have been budgeted at a 19% (\$253,289.00) increase over 2002. Investment income has dropped below budgeted figures for 2002 and the next year looks even worse.

The proposed tax rate increase is \$ .13 per 1,000 or 2.1% higher than last year. For a home valued at \$80,000 the rate hike would add \$10.40 to the tax bill.

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The total indebtedness of the County of Wyoming as of November 1 is \$1,147,232.58 for the Co Generation Projects (hospital), \$2,625,000 for the skilled Nursing Facility Expansion, \$1,570,000 for Hospital Equipment, \$4,545,000 for Road Reconstruction/Government Center, \$265,000 for Psychiatric Unit Project and \$695,000 for Court House Construction. Total indebtedness is \$10,847,232.58.

The Finance Committee, Chairman of the Board of Supervisors, Deputy Budget Director, Administrator of Budget and Reimbursement and I thank all who helped in putting this 2003 Tentative County Budget together and we present it to you for your consideration.

Respectfully submitted,

John B. Edwards  
County Treasurer/Budget Director

Chairman Berwanger, T/Arcade, asked the Board if there were any comments at this time.

*Mr. Herman, Supervisor for the Town of Wethersfield* - Last year I stood up here in the same spot, I guess I was the only one who voted no on the 2002 budget. One of my statements was it was full of holes. We did make it through this year, so I guess I was wrong in that respect. Certainly not with creating a real problem with this year budget. This looks to me like we are creating a problem with next years budget. Several areas that I have a problem with are D, S, and I people. We asked them to live with the same salary, then we turn around and enact a hiring freeze. We put a retirement incentive in place which constitutes that they can not fill positions, saddling them some more. The Health Insurance comes in at a higher rate, and Linda Williams who handles that comes in and asked that the cap be increased. We rejected that. We are hitting the D, S and I people in three different areas. There is no money in the contingency for emergency purposes, also there is no plan to have money in there for sheriff cars. I have been here coming on 24 years. I haven't seen a year when , and I hope it doesn't happen, some serious problems. There is to be no work to be done on the highways. And you have heard me yell over and over again that this is one thing that everyone of us who has to work and pay our taxes uses on a daily basis, there are many of us that do not use many of the other services that are offered. I feel that the Highway is one thing that is used by all of us. I felt last year that we should have raised the taxes a little higher, and I think this year we should have gone to 7%.

*Mr. Bush, Supervisor for the Town of Gainesville* - I have a lot of concerns on many things. I was expecting to vote on at least a 6% to 7.5% tax increase. We are looking at no salary increases and laying people off. I think it is to low of a tax increase and I am ready to vote on a higher tax increase today. I would be in favor of a 6% or 7% tax increase. Many of the people are expecting it.

*Mr. Miller, Supervisor for the Town of Warsaw* - I have no quarrel with either of them. When we consider that a 1% tax increase in consider to be about \$85,000 and when you figure that the State has put a 1.5 million dollar burden on our shoulders it doesn't mean that much. We can do it.

Chairman Berwanger asked if there were any other comments from the Board. He continue to ask if anyone else present would like to speak other than the members of the Board of Supervisors.

Chairman Berwanger had a request from a constituent to address the Board and was acknowledged.

*Constituent* - I was wondering why there was such a large increase in the medicaid/medicare?

It was explained that the cost has gone up due to the Family Health Plus/Child Health Plus which requires the County to pay 25%.

*Mr. Rogers, Supervisor for the Town of Pike* - I urge you to write and contact all of your elected state and federal representatives and express your concern with the Medicaid cost and ask for Medicaid reform. We need it done on a national level as well as a state level.

*Mr. Bush, Supervisor for the Town of Gainesville* - I see that the personnel services line in the Board of Supervisors budget is up by \$20,000. While the personnel services line in down in the Departments of Elections, Dog Control, Building and Fire Codes, Veteran Services, I was just wondering what the reason was for our cost increase in personnel services was due to?

Mrs Humphrey, Chairman of the Finance Committee responded to Supervisor Bush's question with the following comment:

This was due to the increase of salary for the Chairman of the Board doing the County Administrators job for another 12 months. We are still saving money by not having a budget for the County Administrator and using that money in other places such as Medicaid. There are no increases in the personnel salaries in the 2003 budget. They were asked to originally with all department

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heads to increase the line by 2.5%, but, that increase was taken out of the department budgets. Supervisor Bush asked Supervisor Humphrey what the Chairman of the Board salary will be for 2003 and will be vote on it? Mrs. Humphrey referred the question the Clerk of the Board, Suzanne Aldinger.

*Mrs. Aldinger, Clerk of the Board of Supervisors* - We vote on it when we vote on the 2003 Budget at the December 10, 2002 Regular Session meeting. Supervisor Bush asked the Clerk of the Board what that would set the Chairman's salary at? Mrs. Aldinger stated, "We advertised the salary's in the paper as \$10,000 for each Supervisor and \$40,000 for the Chairman.

It was further stated by the Chairman that with the other budget cuts, for instance in the highway budget, it was cut 1 million dollars and that money was put towards the Medicaid payment to the state. We can also expect 20% increase next year in Medicaid.

Mrs. Humphrey stated that she thinks the Department Heads have done very well this year with their budgets and hopes that it will continue for 2003.

Chairman Berwanger asked if there were any other questions or comments regarding the 2003 budget.

*Mr. Glosser, Supervisor for the Town of Orangeville* - I notice that we are still giving money to Tourism and have a Economic Development. I feel if we are not going to do any roads, and our roads deteriorate then there is no need for Tourism because we won't have the roads for people to travel on and same with Economic Development. There is no need for Economic Development because there will be no business coming to Wyoming County if we don't have roads. Why not cut these out of the budget.

*Mr. Rogers, Supervisor for the Town of Pike* - I stated earlier, and I want to state it again that I am not happy with there being no contingency, with the Early retirement incentive it is my understanding the money we save with the retirement will go into the contingency fund to make up for the \$400,000 deficit. I just wanted the people here to know that.

Chairman Berwanger asked if there were any other questions or comments regarding the 2003 budget. Hearing no further comments Chairman Berwanger declared the Public Hearing closed.

**RESOLUTION NO. 02-330**

December 03, 2002

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

**WYOMING COUNTY SPECIFIC EARLY RETIREMENT  
AND SEVERANCE INCENTIVES APPROVED**

WHEREAS, due to the unprecedented Wyoming County budget gap and on the assumption that the financial condition of the County of Wyoming will not improve in any meaningful way for the foreseeable future, the Wyoming County Board of Supervisors has determined to offer to Wyoming County full-time employees covered by Schedules A, B, D, S, G, the Wyoming County Sheriff's Employees Association and the Wyoming County Deputies Sheriff Association, excluding Wyoming County Community Hospital employees, (hereinafter "employee") certain specific early retirement and/or severance incentives; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors shall offer Wyoming County employees as defined above certain specific early retirement and/or severance incentives as described herein.

**EARLY RETIREMENT INCENTIVE**

1) Eligible Employees. Any "employee" as defined herein of the County of Wyoming who is eligible for retirement under the relevant provisions of the New York State and Local Employees' Retirement Systems shall be eligible for the retirement incentive set forth in paragraph "B" below.

2) Incentive Payment and Effective Date of Retirement. Said employee shall receive a \$20,000.00 cash payment payable in four (4) installments in calendar year 2003. Retirement shall be effective January 31, 2003. Should an employee wish to elect to have the County of Wyoming apply said quarterly payments to health insurance premiums so as to obtain favorable income tax treatment of the retirement incentive, the County will do so. (The \$20,000.00 shall be applied to the premium cost of County health insurance.) The only condition of this payment is that the employee waive the right to utilize accrued sick time for additional time covered by health insurance as set forth in the current Collective Bargaining Agreement or relevant policy statement.

3) Schedule of Payments. A payment of \$5,000.00 each shall be made on February 1, 2003, April 1, 2003, July 1, 2003 and October 1, 2003.

**SEVERANCE INCENTIVE**

1) Eligible Employee. Any "employee" as defined herein of the County of Wyoming who is forty-five (45) years of age as of Special Session

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January 31, 2003 and has twenty (20) years of service with the County of Wyoming shall be eligible for the severance incentive referred to herein.

2) In addition to all conditions listed under paragraph B of Early Retirement Incentive, any such separating employee shall not be eligible to be rehired by the County of Wyoming.

**GENERAL CONDITIONS**

Employees wishing to take advantage of either the early retirement or severance incentives described in this memorandum shall contact the office of the Wyoming County Treasurer in person no later than January 15, 2003 and make a written election of the option selected.

Carried:

\*\*\*\*\*

Supervisor Herman moved that the meeting be adjourned at 3:13 PM

**REGULAR SESSION**

**(December 10, 2002)**

**TUESDAY**

**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 Brunner, T/Java. Also present was 1<sup>st</sup> Assistant County Attorney, Toni DelMonte. Chairman Berwanger, T/Arcade called the meeting to order and led the Pledge of Allegiance to the Flag.

There were no communications.

At this time Chairman Berwanger recognized and congratulated Supervisor Rogers, T/Pike for receiving the Governmental Award for Smoke Free Now from the American Cancer Society.

Supervisor Rogers, thanked everyone who supported the Smoke Clean Air Legislation. I accepted this award on behalf of the people of Wyoming County and appreciate all of your support in that effort. Thank you very much.

Chairman Berwanger declared the Public Hearing Open in regards to Local Law Introductory No. D, Year 2002, Establishing and Relating to Wyoming County Tax Information/Truth In Taxation Act of 2002.

#1

**RESOLUTION NO. 02-331**

**(December 10, 2002)**

By Mrs. Humphrey, Chairman of the Finance Committee:

**FUNDS APPROPRIATED TO VARIOUS 2002 ACCOUNTS**

BE IT RESOLVED, That funds are hereby appropriated to the various 2002 accounts as follows:

<b>YOUTH BUREAU</b>			
To acct 01.45.7310.4.40301 Prof Services w/rev acct 01.11.7310.382002 inc by same amt	\$10,000.00	\$10,000.00	<b>\$10,000.00</b>

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and be it

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

Carried: Ayes: 1525 Noes: 0 Absent: 93, Brunner

#2

**RESOLUTION NO. 02-332  
(December 10, 2002)**

By Mrs. Humphrey, Chairman of the Finance Committee:

**FUNDS TRANSFERRED TO VARIOUS 2002 ACCOUNTS**

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

<b>SOCIAL SERVICES</b>			
From acct 01.39.6010.1.10101 Fte CSEA To acct 01.39.6010.1.10301 Salary - OT	\$10,000.00	\$10,000.00	
From Acct 01.39.6010.8.89001 Hosp Insurance To Acct 01.39.6010.8.84001 Unemploy Insurance	\$4,160.00	\$4,160.00	<b>\$14,160.00</b>
<b>MENTAL HEALTH</b>			
From acct 01.38.4220.8.83001 FICA 01.38.4220.4.40001 Gas To acct 01.38.4220.1.10601 Unused Benefit Time 01.38.4220.1.10602 Ins. Repudiation	\$581.00 <u>440.00</u> \$1,021.00	\$581.00 <u>440.00</u> \$1,021.00	<b>\$1,021.00</b>

Carried: Ayes: 1525 Noes: 0 Absent: 93, Brunner

Supervisor Bush, Chairman of the Audit Committee presented the bill in the amount of One Million, Nine Hundred Eighty Two Thousand, Nine Hundred Eighty Two Dollars, Forty Three Cents (\$1,982,982.43) and requested that the bills be paid. A voice vote was taken and the bills were approved for payment.

Carried: Ayes: 1525 Noes: 0 Absent: 93, Brunner

December 10, 2002

Chairman Berwanger requested that resolution office numbers 3-33 be consolidated for consent agenda.. Supervisor Davis, chairman of the Public Safety Committee withdrew Resolution Office number 20 due to the lack of paperwork Chairman Berwanger requested that resolution office numbers 3-19 and 21-33 be consolidated for consent agenda. A voice vote was taken and the request was granted. Chairman Berwanger asked that the Clerk, Suzanne Aldinger read the titles of resolution office numbers 3-19 and 21-33. A voice vote was taken and resolution office numbers 3-19 and 21-33 passed.

Carried: Ayes: 1525 Noes: 0 Absent: 93, Brunner

#3

**RESOLUTION NO. 02-333  
(December 10, 2002)**

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 is hereby authorized and directed to sign the following contracts on behalf of the Department of Social Services:

A. Gary Davis, 3233 Hazelmere Avenue, Machias, NY 14101, for the provision of Enhanced Drug and Alcohol Case Management, effective January 1, 2003 through June 30, 2003; amount not to exceed Nineteen Thousand, Five Hundred Nineteen Dollars, Ninety Eight Cents (\$19,519.98).

B. Martha Lochman, 4656 Pflaum Road, Dale, NY 14039, to provide a driver for Enhanced Drug and Alcohol Program, effective January 1, 2003 through June 30, 2003; amount not to exceed Five Thousand, One Hundred

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Dollars (\$5,100.00).

C. Genesee Community College, 1 College Road, Batavia, NY 14020 to provide college tuition for Merit Incentive children, effective January 1, 2003 through June 30, 2003; amount not to exceed Three Hundred Thirty Six Dollars (\$336.00).

D. Genesee Community College, 1 College Road, Batavia, NY 14020 to provide college tuition for Merit Incentive children, effective October 1, 2002 - December 31, 2002; amount not to exceed One Hundred Twenty Six Dollars (\$126.00).

E. NYS Dept. of Labor, 448 N. Main Street, Warsaw, NY 14569, for the provision of training services, effective October 1, 2002 - September 30, 2004; amount per the language of the contract.

F. Brian Walton, 6544 Route 19A, Portageville, NY 14536, for leasing of office space for Transitional Opportunities Program; effective January 1, 2003 through December 31, 2003; amount not to exceed Seven Thousand, Five Hundred Dollars (\$7,500.00).

G. Michael J. Hendry Cleaning, 12 East Court Street, Warsaw, NY, to provide cleaning services for the TOP Office, effective January 1, 2003 through December 31, 2003; amount not to exceed Four Thousand, One Hundred Sixty Dollars (\$4,160.00).

H. Wyoming Area Homemakers, 11 West Buffalo Street, Warsaw, NY for Child Care Resource room for Enhanced Drug and Alcohol program, effective January 1, 2003 - June 30, 2003; amount not to exceed Seven Thousand, Five Hundred Dollars (\$7,500.00).

I. Thompkins Trust, 121 East Seneca Street, P.O. Box 460, Ithaca, NY 14850, for the leasing of copiers, effective January 1, 2003 through December 31, 2005; amount not to exceed Twenty Three Thousand, Three Hundred Twenty Two Dollars (\$23,322.00).

**ALL CONTRACTS CONTINGENT UPON THE AVAILABILITY OF FUNDING**

Carried: Ayes: 1525 Noes: 0 Absent: 93, Brunner

December 10, 2002

**RESOLUTION NO. 02-334  
(December 10, 2002)**

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

**CHAIRMAN AUTHORIZED TO SIGN VARIOUS  
CONTRACT ON BEHALF OF THE OFFICE FOR THE  
AGING**

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 the following contract on behalf of the Office of the Aging:

A. WCJW, 3258 Merchant Road, P.O. Box 251, Warsaw, New York to provide Target Caregivers in Wyoming County with information to assist them in their caregiving endeavors, effective December 2, 2002 through November 29, 2003; amount not to exceed Seven Thousand, Eight Hundred Dollars (\$7,800.00), contingent upon the availability of funds.

B. The Cloisters, 171 North Maple Street, Warsaw, New York, to provide adult day care services and respite services to caregivers in Wyoming County, effective January 1, 2003 through December 31, 2003; per the language of the contract and the availability of funds.

C. Family Services of Rochester, 30 North Clinton Avenue, Rochester, New York 14604 to provide legal services for the 60 and older population, effective January 1, 2003 through December 31, 2003; amount not to exceed Seven Thousand Dollars (\$7,000.00); contingent upon the availability of funds.

Carried: Ayes: 1525 Noes: 0 Absent: 93, Brunner

#5

**RESOLUTION NO. 02-335  
(December 10, 2002)**

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

Proceedings of the Board of Supervisors**CHAIRMAN AUTHORIZED TO SIGN A PERFORMANCE  
OUTCOMES MEASUREMENT PROJECT IV (POMP)  
GRANT ON BEHALF OF THE OFFICE OF THE AGING**

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 grant with the NYS Office for the Aging for the Performance Outcomes Measurement Project - IV (POMP) grant, for the purpose of measuring outcomes in four areas of the Nutrition Program Participants, effective September 30, 2002 through September 29, 2003; amount not to exceed Four Thousand Dollars (\$4,000.00); contingent upon the availability of funds.

Carried: Ayes: 1525 Noes: 0 Absent: 93, Brunner

#6

**RESOLUTION NO. 02-336  
(December 10, 2002)**

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

**CHAIRMAN AUTHORIZED TO SIGN AN EXTENSION  
CONTRACT WITH FRONTIER FOODS**

BE IT RESOLVED, That the Chairman of this Board, with the Approval of the County Attorney, is hereby authorized and directed to sign a extension contract with Frontier Food Services Corporation, P.O. Box 903, West Seneca, New York 14224, on behalf of the Office for the Aging and the Sheriff's Department, to extend the original contract until March 31, 2003; amount not to exceed Sixty Thousand Dollars (\$60,000.00), contingent upon the availability of funds.

Carried: Ayes: 1525 Noes: 0 Absent: 93, Brunner

#7

**RESOLUTION NO. 02-337  
(December 10, 2002)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT**

December 10, 2002

**WITH CYNTHIA BAUMAN ON BEHALF OF THE YOUTH  
BUREAU**

BE IT RESOLVED, That the Chairman of the Board of Supervisors, with the approval of the County Attorney is hereby authorized and directed to sign a contract with Cynthia Bauman, 7999 East Main Road, LeRoy, New York 14428, for the provision of Early Intervention Services, effective November 1, 2002 through June 30, 2005; amount per the language of the contract and contingent upon the availability of funds.

Carried: Ayes: 1525 Noes: 0 Absent: 93, Brunner

#8

**RESOLUTION NO. 02-338  
(December 10, 2002)**

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, 2003 through December 31, 2003.

Carried: Ayes: 1525 Noes: 0 Absent: 93, Brunner

#9

**RESOLUTION NO. 02-339  
(December 10, 2002)**

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 "MARCHESELL"**

Regular Session

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**PROGRAM-AID ELIGIBLE COSTS, OF A**  
**TRANSPORTATION FEDERAL-AID PROJECT, AND**  
**APPROPRIATING FUNDS FOR THE STARR ROAD**  
**BRIDGE**

WHEREAS, A project for the replacement of CR #5 (Starr Road) over tributary to Oatka Creek, Town of Covington, Wyoming County, P.I.N. 475320; BIN 3366400 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

WHEREAS, The County of Wyoming desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of Preliminary Engineering and Row incidentals.

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 work for the Project or portions thereof; and be it further

RESOLVED, That the sum of \$62,000.00 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 costs of the Project exceed 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, certificates or reimbursement request for Federal Aid and/or Marcheselli 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

December 10, 2002

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: 1525 Noes: 0 Absent: 93, Brunner

#10

**RESOLUTION NO. 02-340  
(December 10, 2002)**

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 November 22, 2002, needed for the replacement of Middlebury Bridge #5, BIN #3319950 CR #7 (Main Street) over the Oatka Creek, as described on maps on file in the Office of the 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 the County of Wyoming, is hereby authorized and directed to sign purchase contracts regarding the aforementioned acquisition of lands and land improvement projects; and be it

FURTHER RESOLVED, That the 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 has acquired titles to the same as follows:

Orson and Sandra Beardsley

Map #1	Parcel #1	1627.5sf	Fee	\$100.0			
				7134.3sf	TE	\$100.00	\$200.00

Village of Wyoming

Map #2	Parcel #2	1592.0sf	Fee	\$200.00			
				4527.3sf	Te	\$100.00	\$300.00

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Harry and Mary Webb

Map #3 Parcel #3 3301.3sf Fee \$100.00  
8828.5sf TE \$100.00 \$200.00

Carried: Ayes: 1525 Noes: 0 Absent: 93, Brunner

#11

**RESOLUTION NO. 02-341  
(December 10, 2002)**

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

**CHAIRMAN AUTHORIZED TO SIGN AN AGREEMENT  
WITH THE UNIFIED COURT SYSTEM**

BE IT RESOLVED, That the Chairman of this Board, and with approval of the approval of the County Attorney is hereby authorized and directed to sign an agreement with the Unified Court System and Wyoming County for the reimbursements of maintenance and operations of the Wyoming County Court Facility for the FY 2002 through 2003; amount not to exceed Fifty Thousand, Four Hundred Thirty Nine Thousand Dollars (\$50,439.00); contingent upon the availability of funds.

Carried: Ayes: 1525 Noes: 0 Absent: 93, Brunner

#12

**RESOLUTION NO. 02-342  
(December 10, 2002)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT  
WITH BRYANT ASSOCIATES ON BEHALF OF THE  
HIGHWAY DEPARTMENT**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney is hereby authorized and directed to sign a contract with Bryant Associates, 108 West Jefferson Street, Suite 400, Syracuse, New York 13202, on behalf of the Wyoming County Highway Department for the provision of Construction Inspection of Middlebury Bridge No. 5; amount not to exceed One Hundred Twenty Four Thousand Dollars (\$124,000.00);

December 10, 2002

contingent upon the availability of funds.

Carried: Ayes: 1525 Noes: 0 Absent: 93, Brunner

#13

**RESOLUTION NO. 02-343  
(December 10, 2002)**

By Mr. Gozelski, Chairman of the Agriculture Committee:

**CONFINEMENT OF DOGS IN WYOMING COUNTY  
AUTHORIZED**

BE IT RESOLVED, That this Board hereby orders and requires that all dogs in the County of Wyoming shall be securely confined between sunset and one hour after sunrise for the period January 1, 2003 through Midnight, December 31, 2003, and be it

FURTHER RESOLVED, that notice of this Order shall be given publication in the following newspapers of general circulation within the County of Wyoming:

The Daily News

Perry Herald

Arcade Herald

Country Courier

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: 1525 Noes: 0 Absent: 93, Brunner

**RESOLUTION NO. 02-344  
(December 10, 2002)**

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

**AUTHORIZE CHAIRMAN TO SIGN A LEGISLATIVE  
GRANT ON BEHALF OF THE PUBLIC DEFENDERS  
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 Legislative - NYS Comptroller's (#TM18461) grant with the NYS DCJS (#LG01018461) for the DATA DAY program to refer clients to the planned County Drug Court, effective April 1, 2001 to September 15, 2003; amount not to exceed Five Thousand Dollars (\$5,000.00), contingent upon the availability of funds.

Carried: Ayes: 1525 Noes: 0 Absent: 93, Brunner

#15

**RESOLUTION NO. 02-345  
(December 10, 2002)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT  
WITH NYS DCJS ON BEHALF OF THE PUBLIC  
DEFENDER**

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 NYS DCJS - Bryn-Narcotics Control on behalf of the Public Defender, to assist with Data day and ATI contracts, effective January 1, 2002 through April 40, 2002; amount not to exceed Thirteen Thousand, Three Hundred Thirty Three Dollars (\$13,333.00), contingent upon the availability of funds.

Carried: Ayes: 1525 Noes: 0 Absent: 93, Brunner

December 10, 2002

**RESOLUTION NO. 02-346  
(December 10, 2002)**

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

**CHAIRMAN/WYOMING COUNTY DISTRICT ATTORNEY  
AUTHORIZED TO SIGN GRANT APPLICATION FROM  
NYS DCJS FOR AID TO PROSECUTION GRANT  
FUNDING**

BE IT RESOLVED, That the Chairman/Wyoming County District Attorney, with the approval of the County Attorney, is hereby authorized and directed to sign a Grant Application with the New York State Department of Criminal Justice Services on behalf of the Wyoming County District Attorney's Office for Aid to Prosecution Grant Funding, for fiscal year 2003; amount not to exceed Fifty Thousand Dollars (\$50,000.00).

Carried: Ayes: 1525 Noes: 0 Absent: 93, Brunner

#17

**RESOLUTION NO. 02-347  
(December 10, 2002)**

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

**CHAIRMAN AUTHORIZED TO SIGN 2003 STOP DWI  
PLAN**

BE IT RESOLVED, That this Board of Supervisors does hereby accept and approve the renewal of the STOP-DWI Program for 2003 in Wyoming County; and be it

FURTHER RESOLVED, That the Chairman of this Board and the STOP-DWI Coordinator are hereby authorized and directed to sign the 2003 Plan and submit the STOP-DWI Program to the State of New York for approval

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and immediate implementation.

Carried: Ayes: 1525 Noes: 0 Absent: 93, Brunner

#18

**RESOLUTION NO. 02-348  
(December 10, 2002)**

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

**AUTHORIZE CHAIRMAN TO SIGN A MEMORANDUM  
OF UNDERSTANDING WITH THE MENTAL HEALTH  
DEPARTMENT AND ON BEHALF OF THE DISTRICT  
ATTORNEY**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney is hereby authorized and directed to sign a memorandum of understanding with the Mental Health Department on behalf of the District Attorney, to provide alcoholism treatment and case management services, effective January 1, 2003 through December 31, 2003; amount not to exceed Ten Thousand Dollars (\$10,000.00), contingent upon the availability of funds.

Carried: Ayes: 1525 Noes: 0 Absent: 93, Brunner

#19

**RESOLUTION NO. 02-349  
(December 10, 2002)**

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

**RESOLUTION NO. 02-161 AMENDED RE: MENTAL  
HEALTH/JUVENILE JUSTICE DIVERSION PROJECT  
AGREEMENT WITH NYS OCFS**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney is hereby authorized and directed to sign a amended contract with NYS OCFS, to extend the Mental Health/Juvenile Justice Diversion Project agreement, on behalf of the Probation Department to extend the current contract term six (6) month from January 1, 2002 through December

December 10, 2002

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31, 2002 to January 1, 2002 through June 30, 2003 allowing Wyoming County to complete training approved in contract #C023151.

Carried: Ayes: 1525 Noes: 0 Absent: 93, Brunner

#21

**RESOLUTION NO. 02-350  
(December 10, 2002)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT  
WITH SIMPLEX TIME RECORDER**

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 Simplex Time Recorder, Dept. CH10320, Palatine IL, 60055 for the purpose of testing and maintaining fire alarms and security electronics in the Public Safety Building, said contract not to exceed the amount of ten thousand five hundred five dollars, fifty cents (\$10,505.50) for the period January 1, 2003 and December 31, 2003.

Carried: Ayes: 1525 Noes: 0 Absent: 93, Brunner

#22

**RESOLUTION NO. 02-351  
(December 10, 2002)**

By Mr. Miller, Chairman of the Planning Committee:

**OFFICIAL UNDERTAKING OF PUBLIC EMPLOYEES  
FIDELITY BLANKET BOND FOR COUNTY SHARE OF  
GENESEE/FINGER LAKES REGIONAL PLANNING  
COUNCIL OPERATING FUNDS AND CHAIRMAN  
AUTHORIZED TO SIGN FUNDING AGREEMENT**

WHEREAS, The County of Wyoming has appropriated the sum of Six Thousand, Six Hundred Forty Seven Dollars (\$6,647.00) as its share of the 2003 operating funds of the Genesee/Finger Lakes Regional Planning Council; and

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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 David Zorn, Executive Director of the Council, as the officer to receive payments of such monies; and

WHEREAS, The Genesee/Finger Lakes Regional Planning Council has secured a Public Employees Fidelity (Blanket) Bond, issued by National Grange Mutual Insurance Company, providing faithful performance blanket bond coverage for officers and employees of the Council in the amount of \$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 this 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 2003 operating funds; cost of said agreement not to exceed Six Thousand, Six Hundred Forty Seven Dollars (\$6,647.00); effective January 1, 2003 through December 31, 2003, contingent upon the availability of funds.

Carried: Ayes: 1525 Noes: 0 Absent: 93, Brunner

#23

**RESOLUTION NO. 02-352  
(December 10, 2002)**

By Mr. Miller, Chairman of the Planning Committee:

**CHAIRMAN AUTHORIZED TO SIGN A NYS  
AGRICULTURE & MARKETS GRANT AGREEMENT**

WHEREAS, The County of Wyoming has been approved to receive a  
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\$50,000.00 grant from NYS Agriculture & Markets to develop an Agricultural & Farmland Protection Plan; now therefore

BE IT RESOLVED, That the Chairman of this Board of Supervisors is hereby authorized as the official representative of Wyoming County, New York, to execute the grant agreement (contract C800576) from the NYS Department of Agriculture and Markets and is hereby authorized and directed, upon the approval of the County Attorney, to sign all documents and take all actions needed to receive the approved grant funds.

Carried: Ayes: 1525 Noes: 0 Absent: 93, Brunner

#24

**RESOLUTION NO. 02-353  
(December 10, 2002)**

By Mrs. Humphrey, Chairman of the Finance Committee:

**BIDS FOR PRINTING SERVICES AWARDED**

BE IT RESOLVED, That the County Purchasing Agent is hereby authorized and directed to advertise for bids for printing services for the contract period of two years effective January 1, 2003 through December 31, 2004, renewable annually for a three year period thereafter, and be it

FURTHER RESOLVED, That the Finance Committee is hereby authorized and directed to award the bid to the lowest responsible bidder.

Carried: Ayes: 1525 Noes: 0 Absent: 93, Brunner

#25

**RESOLUTION NO. 02-354  
(December 10, 2002)**

By Mrs. Humphrey, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT  
WITH WYOMING COUNTY-ATTICA LEGAL AID  
BUREAU, INC.**

BE IT RESOLVED, That the Chairman of this Board of Supervisors, with the approval of the County Attorney, is hereby authorized and directed to  
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sign a contract with Wyoming County-Attica Legal Aid Bureau, Inc., on behalf of the Wyoming County Public Defenders Office for the provision of paralegal/investigator services; effective January 1, 2003 through December 31, 2003; amount not to exceed Eighteen Thousand, Nine Hundred Dollars (\$18,900.00), contingent upon the availability of funds.

Carried: Ayes: 1525 Noes: 0 Absent: 93, Brunner

#26

**RESOLUTION NO. 02-355  
(December 4, 2002)**

By Anne Humphrey, Chairperson of the Finance Committee:

**WYOMING COUNTY PUBLIC DEFENDERS OFFICE  
AUTHORIZED TO SEEK COMPENSATION PURSUANT  
TO SECTION 722(D) OF THE COUNTY LAW**

BE IT RESOLVED, That this Board of Supervisors hereby authorizes and directs the Wyoming County Public Defender’s Office to seek compensation pursuant to Section 722(d) of the County Law, for services provided in both Criminal and Family Court cases on behalf of the County of Wyoming.

Carried: Ayes: 1525 Noes: 0 Absent: 93, Brunner

#27

**RESOLUTION NO. 02-356  
December 10, 2002**

By Mrs. Humphrey, Chairman of the Finance Committee:

**RESOLUTION TO AWARD FIVE YEAR CONTRACT FOR  
THE COUNTY OF WYOMING EMPLOYEE’S MODEL  
DEFERRED COMPENSATION PLAN**

WHEREAS, the County of Wyoming did establish a Model Deferred Compensation Plan for its employees adopted July 9, 1991 for eligible County employees and elected or appointed officials; and

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WHEREAS, Section 9003 of the New York State Rules & Regulations require all contracts or agreements with Administrative Service Agencies and Financial Organizations be awarded for a duration not to exceed Five (5) years. The County of Wyoming's current agreement for the administration and funding of the County's deferred compensation Plan has expired and the County of Wyoming did publish in the New York State Register and local paper(s) soliciting competitive proposals; and

WHEREAS, the Deferred Compensation Committee did accept and evaluated competitive proposals, the County of Wyoming's Deferred Compensation Committee has recommended that the County enter into a 5 year contract offered by the Hartford Life Insurance Company for Administrator and Financial Provider and Allfirst Trust Company, N.A., as Trustee; and

WHEREAS, the County of Wyoming hereby selects Hartford Life Insurance Company as the administrator and Financial Provider and Allfirst Trust Company, N.A. as the trustee.

NOW, THEREFORE, BE IT RESOLVED that the Chairman of the Board of Supervisors, with the approval of the County Attorney is hereby authorized and directed to execute such agreements and the appropriate contracts with Hartford Life Insurance Company and Allfirst Trust Company. Hartford Life will provide all paperwork to be submitted to the NYS Civil Service and the transition from Nationwide Retirement Solutions to Hartford. All contracts entered into shall contain a provision that the agreement or contract is subject to the New York State Rules and Regulations and the amended and restated Model Plan effective January 1, 2002. The Contract will be in effect for a period of five (5) years beginning with a mutually agreed upon date.

Carried: Ayes: 1525                      Noes: 0                      Absent: 93, Brunner

#28

**RESOLUTION NO. 02-357  
(December 10, 2002)**

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

**PETTY CASH FUND IN THE BOARD OF ELECTIONS  
OFFICE RESCINDED**

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BE IT RESOLVED, That the petty cash fund in the amount of Fifty Dollars (\$50.00) in the Board of Election Office is hereby rescinded; effective immediately.

Carried: Ayes: 1525 Noes: 0 Absent: 93, Brunner

#29

**RESOLUTION NO. 02-358  
(December 10, 2002)**

By Mr. Miller, Chairman of the Planning Committee:

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

BE IT RESOLVED, That the following members are appointed or reappointed to the Wyoming County Planning Board for the terms as follows:

The following three (3) members are appointed/reappointed to the Wyoming County Planning Board for terms of three (3) years, said terms to expire December 31, 2005

TOWN	REPRESENTATIVE	ADDRESS
Town of Pike	Tom Ayers	P.O. Box 84, Pike, NY 14130
Town of Perry	Dana Grover	14 Park Ave., Perry, NY 14530
Town of Warsaw	Jerome Smith	4673 Buffalo Rd., Warsaw, NY 14569

and be it;

FURTHER RESOLVED, That the following alternate at large members are appointed to the Wyoming County Planning Board for terms of one (1) year, said terms to expire December 31, 2003.

ALTERNATE	REPRESENTATIVE	ADDRESS

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Alternate #1	David Reckahn	111 Warsaw Blvd., Lot 2, Silver Springs, NY 14550
Alternate #2	Douglas Post	100 West Main Street, Attica, NY 14011

Carried: Ayes: 1525 Noes: 0 Absent: 93, Brunner

#30

**RESOLUTION NO. 02-359  
(December 10, 2002)**

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

**VARIOUS MEMBERS APPOINTED/REAPPOINTED TO  
THE OFA ADVISORY BOARD**

BE IT RESOLVED, That the following persons are hereby appointed/reappointed to the Office for the Aging Advisory Board, said terms to expire as indicated:

<b>NAMES</b>	<b>ADDRESS</b>	<b>TERM EXPIRES</b>	<b>REPRESENT</b>
Pearl Granger	151 North Main Street Warsaw, NY 14569	12/31/05	Emergency Services
Chris Conway	466 North Main Street Warsaw, NY 14569	12/31/05	Dept. Social Services
Ronald Ely	151 North Main Street Warsaw, NY 14569	12/31/05	Sheriff's Dept.
Isabelle Almeter	3856 Hermitage Road Warsaw, NY 14569	12/31/05	Town of Orangeville
Marilyn Pirby	8819 Youngers Road Bliss, NY 14024	12/31/05	Town of Arcade
Pat Guck	338 North Main Street Warsaw, NY 14569	12/31/05	CHHA - Public Health
Ruth True	3075 Perry Center Road	12/31/05	Town of Perry

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Perry, Ny 14530

Sondra Borger      1190 Bank Street      12/31/04      Town of Middlebury  
Wyoming, NY 14591

Carried:      Ayes:    1525      Noes: 0    Absent: 93, Brunner

#31

**RESOLUTION NO. 02-360  
(December 10, 2002)**

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

**DR. ABDUL CHAUDHRY REAPPOINTED TO THE  
BOARD OF HEALTH**

BE IT RESOLVED, That Dr. Abdul Chaudhry, 326 North Main Street, Warsaw, NY is hereby reappointed to the Wyoming County Board of Health, for a six (6) year term, said term to expire May 7, 2008.

Carried:      Ayes:    1525      Noes: 0    Absent: 93, Brunner

#32

**RESOLUTION 02-361  
(December 10, 2002)**

By Mr. Gozelski, Chairman of the Agriculture Committee:

**R. YOUNGERS REAPPOINTED TO THE WYOMING  
COUNTY SOIL AND WATER CONSERVATION DISTRICT**

BE IT RESOLVED, That Richard Youngers, 3811 Quakertown Road, Warsaw, NY is hereby reappointed as a director on the Wyoming County Soil and Water Conservation District, as a Grange representative for a three year term to expire December 31, 2005.

Carried:      Ayes:    1525      Noes: 0      Absent: 93, Brunner

#33

**RESOLUTION NO. 02-362  
(December 10, 2002)**

By Mrs. Humphrey, Chairman of the Finance Committee:

**T. MACCONNELL REAPPOINTED DIRECTOR OF  
INFORMATION TECHNOLOGY**

BE IT RESOLVED, That Todd MacConnell, 66 Mt. View Avenue, Warsaw, NY, Town of Warsaw, is hereby re-appointed as the Director of Information Technology, for a two (2) year term, said term to expire December 31, 2004.

Carried:           Ayes:   1525    Noes: 0           Absent: 93, Brunner

#34

**RESOLUTION NO. 02-363  
(December 10, 2002)**

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

**JAMES SCHLICK APPOINTED AS COMMISSIONER IN  
THE BOARD OF ELECTIONS**

WHEREAS, James Schlick, 1468 Church Road, Darien Center, NY 14040, Town of Bennington has been duly recommended by the Chairman of the Republican County Committee for the appointment to the position of Election Commissioner; now therefore

BE IT RESOLVED, That James Schlick, is hereby appointed as Election Commissioner of the County of Wyoming for a two (2) year term effective January 1, 2003 through December 31, 2004.

Carried:           Ayes:   1525    Noes: 0           Absent: 93, Brunner

#35

**RESOLUTION NO. 02-364  
(December 10, 2002)**

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

**AMEND SCHEDULE S REGARDING DEPUTY  
HISTORIAN**

BE IT RESOLVED, That the Wyoming County Salary Plan Schedule  
“S” which became effective January 1, 1967, as amended, is hereby amended as  
follows:

<b>POSITIONS</b>	<b>Step 1</b>	<b>Step 2</b>	<b>Step 3</b>	<b>Step 4</b>	<b>Step 5</b>	<b>Step 6</b>
Deputy County Historian	<b>\$8,803</b>	\$9,023	\$9,248	\$9,479	\$9,716	\$9,959

Carried:           Ayes: 1525   Noes: 0           Absent: 93, Brunner

#36

**RESOLUTION NO. 02 - 365  
(December 10, 2002 )**

By Mrs. Humphrey, Chairman of the Finance Committee:

**APPROVES TRANSFER OF SR. ACCOUNT CLERK  
POSITION**

BE IT RESOLVED, That one (1) position of Sr Account Clerk in the  
Highway Department is hereby transferred to the County Treasurer’s Office  
effective January 1, 2003, and be it

FURTHER RESOLVED, That one position of Principal Clerk in the  
County Treasurer’s Office is hereby abolished effective January 1, 2003.

Carried:           Ayes: 1525   Noes: 0           Absent: 93, Brunner

Supervisor Davis moved to amend resolution office number 37 to read  
effective January 1, 2003. Supervisor Rogers seconded. A voice vote was taken  
and there were no objections.

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**RESOLUTION NO. 02-366  
(December 10, 2002)**

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

**ONE POSITION OF DEPUTY SHERIFF CREATED**

BE IT RESOLVED, That one (1) fte position of Deputy Sheriff (School Resource Officer) is hereby created in the Wyoming County Sheriff's Department, to be placed on the Wyoming County DSA Salary Schedule A-3, Grade 4, of the Wyoming County Deputy Sheriff's Association agreement; and be it

FURTHER RESOLVED, That one (1) fte position of Deputy Sheriff (Social Services) is hereby abolished; effective January 1, 2003.

Carried:Ayes: 1149      Noes: 376; (127) Gozelski      Absent: 93; Brunner  
(214) Humphrey  
(35) Herman

Motion made at 2:28 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 Rogers, T/Pike. Carried. Motion made by Supervisor Rogers, T/Pike at 2:30 PM to adjourn Executive Session, seconded by Supervisor Knab, T/Sheldon. Carried. No action taken, business resumed.

#38

**RESOLUTION NO. 02-367  
(December 10, 2002)**

By Mrs. Humphrey, Chairman of the Finance Committee:

**TENTATIVE 2003 BUDGET FOR WYOMING COUNTY  
APPROVED**

Regular Session

**Proceedings of the Board of Supervisors**

BE IT RESOLVED, That the tentative budget for the year 2003, 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 2003, which requires the raising by tax levy the amount of Eight Million, Six Hundred Seventy Three Thousand, Five Hundred Eleven Dollars, Thirty Six Cents (\$8,673,511.36) and be it

FURTHER RESOLVED, That the said sum of Eight Million, Six Hundred Seventy Three Thousand, Five Hundred Eleven Dollars, Thirty Six Cents (\$8,673,511.36) 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, 2003.

Carried: Ayes: 1490 Noes: 35; Herman Absent: 93; Brunner

Supervisor Humphrey, Chairman of the Finance Committee requested that resolution office numbers 39-46 be consolidated for consent agenda.. A voice vote was taken and the request was granted. Chairman Berwanger asked that the Clerk, Suzanne Aldinger read the titles of resolution office numbers 39-46 A voice vote was taken and resolution office numbers 39-46 were passed.

Carried: Ayes: 1525 Noes: 0 Absent: 93, Brunner

#39

**RESOLUTION NO. 02-368  
(December 10, 2002)**

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

December 10, 2002

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, 2003.

Carried:           Ayes: 1525   Noes: 0           Absent: 93, Brunner

**#40**

**RESOLUTION NO. 02-369  
(December 10, 2002)**

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 2002-2003 as presented by the County Treasurer in the total amount of **\$229,321.61** including penalties.

**2002-2003 RETURNED UNPAID VILLAGE TAXES  
TO BE SPREAD ON 2003 TOWN TAX ROLLS**

VILLAGE	TAX RETURN	PENALTY	TOTAL
Arcade	31,468.43	2,202.78	33,671.21
Attica	24,380.01	1,706.62	26,086.63
Castile	10,150.12	710.53	10,860.65
Gainesville	1,998.40	139.88	2,138.28
Perry-Tn of Castile	12,377.82	866.44	13,244.26
Perry (Tn of Perry)	57,153.70	4,000.72	61,154.42
Pike	2,549.68	178.47	2,728.15
Silver Springs	7,504.54	525.32	8,029.86
Warsaw	60,078.52	4,205.49	64,284.01

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<b>Wyoming</b>	<b>6,658.08</b>	<b>466.06</b>	<b>7,124.14</b>
<b>Totals</b>	<b>214,319.30</b>	<b>15,002.31</b>	<b>229,321.61</b>

Dated: December 05, 2002

s/John B. Edwards

Wyoming County Treasurer

Carried:

Ayes: 1525

Noes: 0

Absent: 93, Brunner

#41

**RESOLUTION NO. 02-370  
(December 10, 2002)**

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 2002-2003 as presented by the County Treasurer in the total amount of **\$1,383,365.79** including penalties.

**2002-2003 RETURNED UNPAID SCHOOL TAXES  
TO BE SPREAD ON 2003 TOWN TAX ROLLS**

<u>TOWN &amp; SCHOOL DISTRICT</u>	<u>TAX RETURNED</u>	<u>7%</u>	<u>TOTAL</u>
Arcade (Pioneer Central)	98,670.35	6,906.98	105,577.33
Attica (Attica Central)	91,152.31	6,380.69	97,533.00
Attica (Wyoming Central)	143.98	10.08	154.06
Bennington (Attica Central)	94,068.70	6,584.84	100,653.54
Bennington (Alden Central)	8,647.46	605.33	9,252.79
Castile (Letchworth Central)	72,121.61	5,048.50	77,170.11
Castile (Perry Central)	72,281.89	5,059.76	77,341.65
Covington (Pavilion Central)	35,908.05	2,513.57	38,421.62
Covington (Perry Central)	3,081.49	215.71	3,297.20

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Covington (Wyoming Central)	9,305.17	651.35	9,956.52
Eagle (Letchworth Central)	35,711.41	2,499.78	38,211.19
Eagle (Pioneer Central)	8,857.35	620.02	9,477.37
Gainesville (Letchworth Cntl.)	33,403.17	2,338.25	35,741.42
Gainesville (Warsaw Central)	12,671.48	887.00	13,558.48
Genesee Falls (Fillmore Central)	4,035.77	282.50	4,318.27
Genesee Falls (Keshequa Central)	16,211.70	1,134.81	17,346.51
Genesee Falls (Letchworth Central)	5,131.64	359.22	5,490.86
Java (Attica Central)	12,157.45	851.01	13,008.46
Java (Holland Central)	1,150.16	80.51	1,230.67
Java (Pioneer Central)	66,981.22	4,688.67	71,669.89
Java (Warsaw Central)	2,793.05	195.52	2,988.57
Middlebury (Attica Central)	6,124.54	428.73	6,553.27
Middlebury (Pavilion Central)	738.37	51.69	790.06
Middlebury (Warsaw Central)	1,075.96	75.31	1,151.27
Middlebury (Wyoming Central)	45,166.65	3,161.64	48,328.29
Orangeville (Attica Central)	21,324.04	1,492.69	22,816.73
Orangeville (Warsaw Central)	64,749.12	4,532.46	69,281.58
Perry (Perry Central)	142,776.16	9,994.36	152,770.52
Perry (Wyoming Central)	2,427.15	169.90	2,597.05

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Pike (Fillmore Central)	1,209.80	84.68	1,294.48
Pike (Letchworth Central)	28,531.07	1,997.17	30,528.24
Sheldon (Attica Central)	43,560.09	3,049.20	46,609.29
Sheldon (Holland Central)	8,355.83	584.90	8,940.73
Sheldon (Pioneer Central)	1,474.47	103.20	1,577.67
Warsaw (Letchworth Central)	2,428.35	169.98	2,598.33
Warsaw (Perry Central)	2,624.55	183.71	2,808.26
Warsaw (Warsaw Central)	189,805.11	13,286.33	203,091.44
Warsaw (Wyoming Central)	4,229.86	296.09	4,525.95
Wethersfield (Letchworth Central)	14,033.46	982.34	15,015.80
Wethersfield (Pioneer Central)	4,519.85	316.41	4,836.26
Wethersfield (Warsaw Central)	23,225.29	1,625.77	24,851.06
TOTALS	1,292,865.13	90,500.66	1,383,365.79

Dated: December 10, 2002  
s/John B. Edwards  
Wyoming County Treasurer

Carried:           Ayes: 1525                   Noes: 0                   Absent: 93, Brunner  
**#42**

**RESOLUTION NO. 02-371  
(December 10, 2002)**

By Mrs. Humphrey, Chairman of the Finance Committee:

**RECYCLING FEES LEVIED**

BE IT RESOLVED, That the Clerk of this Board is hereby authorized and

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directed to levy the recycling fees for the year 2003 as indicated in the amount of \$717,549.00

<b>VILLAGE</b>	<b>UNITS</b>	<b>TOTAL</b>
Castile	886 69	124,926.00 4,864.50
Gainesville	817 17	115,197.00 1,198.50
Genesee Falls	186 11	26,226.00 775.50
Middlebury	584 10	82,344.00 705.00
Orangeville	437 20	61,617.00 1,410.00
Perry	513 6	72,333.00 423.00
Pike	128 1	18,048.00 70.50
Sheldon	872 11	122,952.00 775.50
Warsaw	591 5	83,331.00 352.50
TOTAL	5,014 150	706,974.00 10,575.00
GRAND TOTAL		717,549.00

Carried: Ayes: 1525 Noes: 0 Absent: 93, Brunner

#43

**RESOLUTION NO. 02-372  
(December 10, 2002)**

By Mrs. Humphrey, Chairman of the Finance Committee:

Regular Session

**Proceedings of the Board of Supervisors****RESOLUTION OF THE BOARD OF SUPERVISORS  
LEVYING TAXES AND ASSESSMENTS REQUIRED FOR  
PURPOSE OF ANNUAL BUDGET OF TOWNS OF  
WYOMING COUNTY**

WHEREAS, There has been presented to this Board of Supervisors a duly certified copy of the annual budget of each of the several Towns in the County of Wyoming for the fiscal year beginning January 1, 2003 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	\$33,700.00	\$134,728.00	\$168,428.00
ATTICA	\$0.00	\$141,551.00	\$141,551.00
BENNINGTON	\$0.00	\$0.00	\$0.00
CASTILE	\$25,445.00	\$141,100.00	\$166,545.00
COVINGTON	\$0.00	\$0.00	\$0.00
EAGLE	\$0.00	\$0.00	\$0.00
GAINESVILLE	\$5,550.00	\$99,500.00	\$105,050.00
GENESEE FALLS	\$0.00	\$0.00	\$0.00
JAVA	\$0.00	\$0.00	\$0.00
MIDDLEBURY	\$9,450.00	\$218,250.00	\$227,700.00
ORANGEVILLE	\$0.00	\$0.00	\$0.00
PERRY	\$0.00	\$146,176.00	\$146,176.00
PIKE	\$6,347.00	\$99,519.00	\$105,866.00

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NAME OF TOWN	GENERAL FUND OUTSIDE	HIGHWAY OUTSIDE	TOTAL
SHELDON	\$0.00	\$0.00	\$0.00
WARSAW	\$10,970.00	\$245,200.00	\$256,170.00
WETHERSFIELD	\$0.00	\$0.00	\$0.00
<b>TOTAL</b>	<b>\$91,462.00</b>	<b>\$1,226,024.00</b>	<b>\$1,317,486.00</b>

and be it

FURTHER RESOLVED, That there shall be and hereby is assessed and levied upon and collected from real property liable therefor within the respective fire protection, lighting and water districts in the following towns, as listed below, the following respective budgets:

TOWN	FIRE DISTRICT	FIRE PROTECTION	LIGHT	UNPAID WATER/ SEWER & RECYCLE FEE	TOTAL
ARCADE	\$55,483.00			\$94,971.28	\$150,454.28
ATTICA		\$57,851.16			\$57,851.16
BENNINGTON		B \$70,380.00 C 64,254.00 HC 16,900.00 V 5,075.00	\$2,700.00		\$159,309.00
CASTILE		\$51,800.00	\$5,800.00	****\$260,250.00 *10,399.83	\$328,249.83
COVINGTON		PA \$33,196.00 WY 8,755.00 PE 2,950.00		\$500.00	\$45,401.00
EAGLE		\$38,605.00	\$6,000.00	*\$5,334.25 \$7,050.00	\$56,989.25
GAINESVILLE		\$26,500.00			\$26,500.00
GENESEE FALLS		\$29,500.00	\$7,400.00		\$36,900.00
JAVA	NJ \$24,499.00	NJ \$2,459.00 S \$47,366.00	NJ \$2,400.00 JC \$400.00	\$14,743.00 *\$3,475.17	\$95,342.17
MIDDLEBURY		\$63,500.00			\$63,500.00
ORANGEVILLE		V \$28,395.00 O \$12,800.00	L3 \$350.00		\$41,545.00

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PERRY	F3 \$850.00	F4 \$22,000.00	PC \$1,600.00	\$15,000.00	\$39,450.00
PIKE		\$18,000.00			\$18,000.00
SHELDON	V \$5,620.00	ST \$26,443.83 NJ 4,599.54 V 19,970.00 SH 40,000.00 HC 16,900.00	L1 \$3,800.00 L2 \$2,500.00 L3 \$ 877.00 L4 \$1,250.00	*\$396.90	\$122,357.27
WARSAW		\$44,000.00		\$4,500.00	\$48,500.00
WETHERSFIELD		G \$7,900.00 NJ \$11,134.66 B \$3,300.00 SS \$1,500.00			\$23,834.66
<b>TOTAL:</b>	<b>\$86,452.00</b>	<b>\$776,034.19</b>	<b>\$35,077.00</b>	<b>\$416,620.43</b>	<b>\$1,314,183.62</b>

\* = 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	\$109,077.00	\$251,485.00	\$360,562.00
ATTICA	\$155,318.00	\$126,735.00	\$282,053.00
BENNINGTON	\$48,619.00	\$514,100.00	\$562,719.00
CASTILE	\$148,788.00	\$131,524.00	\$280,312.00
COVINGTON	\$91,814.00	\$240,502.00	\$332,316.00
EAGLE	\$149,954.00	\$192,475.00	\$342,429.00
GAINESVILLE	\$97,950.00	\$85,000.00	\$182,950.00
GENESEE FALLS	\$92,131.00	\$132,332.00	\$224,463.00
JAVA	\$125,413.00	\$276,115.00	\$401,528.00
MIDDLEBURY	\$90,700.00	\$163,500.00	\$254,200.00

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NAME OF TOWN	GENERAL FUND TOWN WIDE	HIGHWAY FUND TOWN WIDE	TOTAL
ORANGEVILLE	\$95,275.00	\$282,300.00	\$377,575.00
PERRY	\$217,260.00	\$144,151.00	\$361,411.00
PIKE	\$100,430.00	\$65,090.00	\$165,520.00
SHELDON	\$133,768.00	\$336,703.00	\$470,471.00
WARSAW	\$232,500.00	\$263,650.00	\$496,150.00
WETHERSFIELD	\$85,720.00	\$159,898.00	\$245,618.00
<b>TOTAL</b>	<b>1,974,717.00</b>	<b>3,365,560.00</b>	<b>\$5,340,277.00</b>

Carried: Ayes: 1525 Noes: 0 Absent: 93, Brunner

#44

**RESOLUTION NO. 02-373  
(December 10, 2002)**

By Mrs. Humphrey, Chairman of the Finance Committee:

**ADOPTS 2003 EQUALIZATION TABLE**

BE IT RESOLVED, That the 2003 Equalization Table, which was tabled on November 12, 2002, 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 2003 is hereby adopted as presented.

Carried: Ayes: 1525 Noes: 0 Absent: 93, Brunner

#45

**RESOLUTION NO. 02-374  
(December 10, 2002)**

By Mrs. Humphrey, Chairman of the Finance Committee:  
Regular Session

Proceedings of the Board of Supervisors**2002 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 2002 are accepted and the Clerk of this Board is hereby directed to apportion the same to the Townships with Wyoming County as follows:

<u>TOWNS</u>	<u>NO.</u> <u>ENROLLED</u> <u>VOTERS</u>	<u>AMOUNT</u> <u>OF LEVY</u>	<u>SPECIAL</u> <u>ELECTION</u>
ARCADE	2649	\$1,086.09	\$0.00
ATTICA	2700	\$1,107.00	\$0.00
BENNINGTON	2315	\$949.15	\$0.00
CASTILE	2132	\$847.12	\$0.00
COVINGTON	869	\$356.29	\$0.00
EAGLE	864	\$354.24	\$0.00
GAINESVILLE	1548	\$634.68	\$0.00
GENESEE FALLS	326	\$133.66	\$0.00
JAVA	1500	\$615.00	\$0.00
MIDDLEBURY	1034	\$423.94	\$0.00
ORANGEVILLE	838	\$343.58	\$0.00
PERRY	3113	\$1,276.33	\$0.00
PIKE	712	\$291.92	\$0.00
SHELDON	1805	\$740.05	\$0.00
WARSAW	3508	\$1,438.28	\$0.00
WETHERSFIELD	609	<u>\$249.69</u>	<u>\$0.00</u>
<b>TOTAL</b>	<b>26522</b>	<b>\$10,847.02</b>	<b>\$0.00</b>

Carried:           Ayes: 1525   Noes: 0           Absent: 93, Brunner

#46

December 10, 2002

**RESOLUTION NO. 02-375  
(December 10, 2002)**

By Mrs. Humphrey, Chairman of the Finance Committee:

**3 COPIES OF ANNUAL REPORTS REQUESTED**

BE IT RESOLVED, That the Public Officials of this County present at least three (3) of their annual report, in writing, to the Clerk of this Board not later than January 31, 2003, said annual report to contain a financial summary of the department, and be it

FURTHER RESOLVED, That any supervisor may request any official to present an oral report in addition to a written report.

Carried:           Ayes:   1525    Noes: 0           Absent: 93, Brunner

Chairman Berwanger asked if anyone had any questions in regard to the Public Hearing. No comments or questions were presented. Chairman Berwanger declared the Public Hearing closed.

#47

**RESOLUTION NO. 02-376  
(December 10, 2002)**

By Mrs. Humphrey, Chairman of the Finance Committee:

**ADOPT LOCAL LAW INTRODUCTORY NO. D, Yr. 2002  
RE: ESTABLISHING AND RELATING TO WYOMING  
COUNTY TAX INFORMATION/TRUTH IN TAXATION  
ACT OF 2002**

WHEREAS, there was duly presented and introduced at a meeting of this Board, held on the 12<sup>th</sup> day of November, a proposed local law of the County, designated as Local Law Introductory No. D, for the year 2002, entitled A Local Law of the County of Wyoming, establishing and relating to Wyoming County Tax Information/Truth in Taxation Act of 2002; and

WHEREAS, in accordance with the provisions of Resolution No. 02-329, there was a public hearing held by this Board of Supervisors on the 10th day of  
Regular Session

**Proceedings of the Board of Supervisors**

December, 2002 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 (7) 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 2002, County of Wyoming, New York, as presented to this Board on this <sup>10<sup>th</sup></sup> day of December, 2002, is hereby adopted, enacted and passed by this Board in its original form as follows:

Section 1. This local law shall be know as the Wyoming County Tax Information/Truth In Taxation Act of 2002.

Section 2. Section 922 of the Real Property Tax Law provides the form and content of the town and county tax bill to be mailed by the collecting officer in each town and the County of Wyoming showing the amount of taxes due on each property.

Section 3. The Wyoming County Board of Supervisors desires to show the true costs of county government for Medicaid expenses, which are mandated by the State of New York, yet not reimbursed by said State.

Section 4. Pursuant to Section 922 of the Real Property Tax Law, the County of Wyoming tax rate for 2003 and thereafter shall be separated into two parts, one for the general county budget and the second for State Medicaid expenses.

Section 5. This law shall take effect upon the filing in the Office of the Secretary of State as provided by Section 27 of the Municipal Home Rule Law.

Carried: Ayes: 1525 Noes: 0 Absent: 93, Brunner

**RESOLUTION NO. 02-377**

December 10, 2002

**Proceedings of the Board of Supervisors**  
**(December 10, 2002)**

357

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 Thursday, January 2, 2003 at 2:00 PM, to be held at 143 North Main Street, Town of Warsaw, Warsaw, New York.

Carried:           Ayes:   1525    Noes: 0           Absent: 93, Brunner

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Supervisor Herman, T/Wethersfield moved to adjourn the meeting at 2:41 PM.

<b>A</b>
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**Budget****County Auditor**

S. Aldinger, Res. #02-004	5
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**County Attorney**

E. Dadd, Res. #02-003	4
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**Emergency Services****Fire Advisory Board**

C. Witkop, T. Santoro, J. Heller, R. Maher, T.	
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Miller, P. Kiecher, A. Keller, J. Kemp, M. Schwab, J. Siler, E. Sylvester, J. Brick, L. Granger, T. Griffen, C. Stowe, D. Simons, W. Gerhardt, J. Lee, Res. #02-191	166
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**Planning Committees**

R. Tindell, Res. #02-060	56
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**Solid Waste Committees**

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**Workforce Investment Board**

T. Hale, Res. #02-078	69
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**Superintendent**

J. Beachel, Res. #02-217	192
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**Temporary Highway****Superintendent**

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### **District Board**

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