

**PROCEEDINGS
OF THE
BOARD OF SUPERVISORS**

**WYOMING COUNTY
NEW YORK**

2004

PROCEEDINGS

OF THE

BOARD OF
SUPERVISORS

WYOMING COUNTY
NEW YORK

2004

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 **2004**.

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

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

Picture Not Available

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2004 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	DOUGLAS PATTI 333 E. Main Street, Attica, NY 14011	591-2934
Bennington	ELLEN GRANT 134 Clinton Street, Alden, NY 14004	937-9913
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	JAMES FLEISCHMAN 5824 Java Lake Rd. Arcade NY	492-4560
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	237-2472 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	JOHN COPELAND 5888 Sheppard Rd., Bliss, NY 14024	322-8800

Wyoming County Board of Supervisors 2004 Standing Committees

Effective January 2, 2004

FINANCE COMMITTEE:

Humphrey, Davis, Gozelski, Knab, Kushner, Meeder, Miller

AUDIT COMMITTEE:

Totsline, Miller, Bush, Copeland, Fleischman, Gozelski, Grant

HUMAN RESOURCE COMMITTEE:

Meeder, Humphrey, Bush, Copeland, Fleischman, Glosser, Grant

HUMAN SERVICES COMMITTEE:

Rogers, Davis, Bush, Knab, Kushner, Patti, Totsline

PUBLIC HEALTH COMMITTEE:

Knab, Rogers, Bush, Davis, Humphrey, Kushner, Patti

PLANNING COMMITTEE:

Miller, Glosser, Fleischman, Grant, Humphrey, Patti, Rogers, Totsline

AGRICULTURE COMMITTEE:

Gozelski, Glosser, Copeland, Grant, Humphrey, Meeder, Patti

PUBLIC WORKS COMMITTEE:

Kushner, Bush, Copeland, Davis, Glosser, Gozelski, Knab

PUBLIC SAFETY COMMITTEE:

Davis, Rogers, Fleischman, Gozelski, Knab, Kushner, Meeder, Miller,

GREEN ENERGY SUB-COMMITTEE:

Glosser, Gozelski, Davis, Grant, Humphrey, Knab

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

Officers for Wyoming County - 2004

Congressmen, 27 th District	Thomas M. Reynolds	Williamsville
Senator, 59 th District	Dale M. Volker	Depew
Assemblyman, 147 th District	Daniel Burling	Warsaw
Republican Comm. Chairman	Gordon Brown	Warsaw
Democratic Comm. Chairman	Anne Weidman	Wyoming
County Judge	Mark H. Dadd	Attica
County Judge	Michael F. Griffith	Warsaw
Board of Supervisors, Chairman	A. Douglas Berwanger	Arcade
Board of Supervisors, Clerk	Paula A. Parker	Perry
Civil Service Commission	Sandra Domnissey	Warsaw
	Timothy Moran	Attica
	Thomas Dutton	Eagle
Personnel Officer	Harold Hopkins	North Java
Civil Service Technicaian	Marjorie Downs	Perry
Commissioner of Jurors	Marianne E. Kelly	Perry
Coroners	Michael Smith	Wyoming
	William Stranahan	Attica
	Neil Williams	Arcade
	Renee Hill	Attica
County Attorney	Eric T. Dadd	Attica
County Clerk	Janet Coveny	Warsaw
	Kathleen Daniel	Orangeville
District Attorney	Gerald L. Stout	Warsaw
Animal Control Officer	Justa D. Goodell	Castile
Planning & Development Dir.	Richard L. Tindell	Warsaw
Election Commissioners	James Schlick, Rep.	Bennington
	Norman George, Dem.	Strykersville
Dir. of Fire & Emergency Services	James Reger	Warsaw

Dir. of Fire & Building Codes	Dennis Halstead	Pike
Grant Writers	Stuart Brown	Fairport
	J. O'Connell	Clarence
Health Dept. Commissioner	Dr. Gregory Collins	Avon
Highway Superintendent	John A. Beachel	Castile
Historian	Doris A. Bannister	Middlebury
Hospital Chief Executive Officer	Lucille K. Sheedy	Lockport
Mental Health Director	Stephen Snell	Rochester
Office for the Aging Director	Deborah Fuest	Warsaw
Planning Board Chairman	W. Jerome Smith	Warsaw
Probation Director	Anne E. Herod	Varysburg
Public Defender	Norman P. Effman	Warsaw
Real Property Tax Serv. Director	Richard L. Dean C.C.D.	Castile
Records Retention, Director	Suzanne Klein	Silver Springs
	Gail Royce	Warsaw
Sheriff	Farris Heimann	Attica
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	Deborah Fuest	Perry

**ANNUAL ORGANIZATIONAL MEETING
FRIDAY, JANUARY 2, 2004
2:10 PM**

The annual organization meeting of the Wyoming County Board of Supervisors was held in the Supervisor's Chamber, Government Center, 143 North Main Street, Warsaw, NY with all members present. Also present was Congressman Tom Reynolds. The County Clerk, Mrs. Janet Coveny, called the meeting to order and introduced Mr. Norman Smith to lead in the Pledge of Allegiance to the Flag:

It has been the custom for the Board of Supervisors to introduce a veteran to lead us in the Pledge of Allegiance. Today I wish to carry on with that tradition. **I have personally known this** gentleman for most of my life and today I am pleased to have the privilege and honor to introduce:

MR. NORMAN A. SMITH

- Mr. Smith is a World War II Veteran who entered the U.S. Army on **May 8, 1941**
- **On April 16, 1942**, after extensive training, he departed for duty on foreign soil
- **HE SERVED IN THE:**
 - African, Mediterranean and European theaters of Operations and participated in the
- **BATTLES OF:**
 - **Naples-Foggia - Rhineland - Rome-Arno and**
 - **Southern France.**
- **For his service during World War II, Mr. Smith was awarded the:**
 - American Defense medal
 - The European-African Middle Eastern Service Medal with Bronze arrowhead and
 - The Good Conduct Medal.
- He was discharged from active duty on August 27, 1945.
- **In 1946, Mr. Smith purchased and established his family dairy farm** on the Blackhouse Road, in the Town of Middlebury.
- He established a very large family and managed a successful and productive Dairy Operation until his retirement in 1987.

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- **From 1978 to 1990, in Norm's "spare time"**, he served as the Town of Middlebury's Supervisor and served on the County Board of Supervisors.
- **Since 1990**, he has been, and remains, an active member on the Wyoming County Hospital Board of Managers

**WOULD EVERYBODY PLEASE RISE AND JOIN IN THE
PLEDGE OF ALLEGIANCE TO OUR FLAG.**

The Clerk asked that veteran Town Supervisors escort the newly elected Town Supervisors (Douglas Patti, Town of Attica, Ellen Grant, Town of Bennington, James Fleischman, Town of Java and John Copeland, Town of Wethersfield) to their seats.

Mrs. Coveny requested that the newly elected/re-elected officials please come forward to take their oath of office. Judge Mark Dadd administered the Oath of Office.

The Clerk called for nominations for the Temporary Chairman. Supervisor Berwanger nominated Supervisor Rogers. Seconded by Supervisor Humphrey. As there were no other nominations Supervisor Grant moved that the nominations be closed, the motion was seconded by Supervisor Miller. 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 Kushner nominated Supervisor Berwanger; seconded by Supervisor Davis. As there were no other nominations Supervisor Humphrey moved that the nominations be closed, the motion was seconded by Supervisor Miller. A roll call vote was taken with results as follows: Ayes-(1618); Noes-(0); Absent: (0); Temporary Chairman Rogers declared Supervisor Berwanger as Permanent Chairman of the Board for the year 2004. The Oath of Office was administered by Judge Mark Dadd. Congressman Reynolds was invited to hold the Bible for Chairman Berwanger's Oath of Office.

Chairman Berwanger called for nominations for Vice-Chairman of the Board. Supervisor Miller nominated Supervisor Humphrey. Seconded by Supervisor Gozelski. As there were no other nominations, Supervisor Davis moved that nominations be closed. The motion was seconded by Supervisor Kushner. A roll call vote was taken with results as follows: Ayes-(1618); Noes-(0); Absent: (0). Supervisor Humphrey was declared Vice-Chairman of the Board for the year 2004. The Oath of Office was administered by Judge Mark Dadd.

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Chairman Berwanger called for nominations for Clerk to the Board. Supervisor Totstline nominated Paula A. Parker. Seconded by Supervisor Rogers. As there were no other nominations, Supervisor Davis moved that nominations be closed. The motion was seconded by Supervisor Grant. A roll call vote was taken with results as follows: Ayes-(1618); Noes-(0); Absent: (0). Paula A. Parker was declared Clerk to the Board for the year 2004. The Oath of Office was administered by Judge Mark Dadd.

Chairman Berwanger invited Mrs. Janet Coveny, re-elected County Clerk to step forward and take her Oath of Office. Judge Mark Dadd administered the Oath of Office to Mrs. Coveny.

Chairman Berwanger then requested that Mr. Ferris Heimann, newly elected County Sheriff come forward to take his Oath of Office. Judge Mark Dadd administered the Oath of Office to Mr. Heimann.

At this time Chairman Berwanger stated that the newly appointed Clerk to the Board of Supervisors had an announcement to make. Mrs. Parker stated that her new Deputy Clerk to the Board of Supervisors would be Cheryl J. Ketchum.

#1

RESOLUTION NO. 04-01 (January 2, 2004)

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: Absent:

Chairman Berwanger had the Deputy Clerk hand out the list of committees for the year 2004. At this time Chairman Berwanger declared a ten minute recess for the Finance Committee to meet at 2:30 PM. Business resumed at 2:38 PM.

#2

January 02, 2004

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RESOLUTION NO. 04-02
(January 2, 2004)

By Chairman of the Finance Committee:

OFFICIAL NEWSPAPERS DESIGNATED

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

Carried: **Ayes: 1618** **Noes:** **Absent:**
#2

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 2004:

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

Signed this second day of January 2004.

s/ A.D. Berwanger

s/ Anne C. Humphrey

s/ Joseph Gozelski

s/ Joseph Kushner

Organizational Meeting

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s/ Jerry Davis

s/ Larry Rogers

s/ Jean Totstline

s/ Douglas Patti

s/ Howard Miller

s/ Ellen Grant

s/ John Copeland

#2

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 2004:

<u>Designation</u>	<u>Publication</u>	<u>Village of</u>
Election notices	Perry Herald	Perry, NY
Sheriff's Proclamation	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 2004:

s/ Harold Bush

s/ Sally Meeder

s/ James Fleischman

s/ John Knab

s/ Kyle Glosser

January 02, 2004

**RESOLUTION NO. 04-03
(January 2, 2004)**

By Mrs. Meeder, Chairman of Human Resources Committee:

COUNTY ATTORNEY REAPPOINTED

BE IT RESOLVED, That Eric T. Dadd, 11 Exchange Street, Town of Attica, Attica, NY 14011, is hereby reappointed County Attorney, said term to be for two (2) years to expire December 31, 2005.

Carried: Ayes: 1618

Noes: 0

Absent: 0

#4

**RESOLUTION NO. 04-04
(January 02, 2004)**

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

PUBLIC DEFENDER REAPPOINTED

BE IT RESOLVED, That Norman Effman, 4636 Old Buffalo Road, Town of Warsaw, Warsaw, New York 14569, is hereby reappointed Wyoming County Public Defender for a two (2) year term, said term to expire December 31, 2005.

Carried:

Ayes: 1618

Noes:

Absent:

#5

**RESOLUTION NO. 04-05
(January 02, 2004)**

By Mr. Berwanger, Chairman of the Committee of the Whole
Organizational Meeting

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AMEND WYOMING COUNTY SALARY PLAN
SCHEDULE “S”

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BE IT RESOLVED, That the Wyoming County Salary Plan Schedule “S” shall be amended as follows:

One (1) position of Senior Real Property Tax Aide in the Real Property Tax Department shall have the salary set at \$33,914.00 annually, effective January 1, 2004.

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

Chairman Berwanger proceeded as follows:

Congressman Reynolds, fellow Supervisors, County Treasurer Edwards, County Clerk Coveny, Sheriff Heimann, distinguished guests, and residents of Wyoming County:

It is both an honor and a privilege to be elected Chairman of the Wyoming County Board of Supervisors for the fourth (4th) consecutive year. I appreciate the BI Partisan show of support that this Board has given me, not only today, but also over the past three years.

On behalf of the residents of Wyoming County, I would like to congratulate our four (4) new Supervisors on their election victory and wish all of you the best of luck as you begin your new job as Town Supervisors / members of the Wyoming County Board of Supervisors.

As we begin a New Year as the governing body of Wyoming County, we need to look forward at 2004. But we must also take a moment to reflect on what has been accomplished in 2003, so that the Board can build on the foundation that has been established not only last year but in previous years.

In the year 2003, the Wyoming County Board of Supervisors took steps through various committees to improve efficiency and customer service, while continuing to be fiscally responsible. Some of these initiatives include the reorganization of the Department of Social Services. Under the direction of Commissioner Jeanette Wallace, the entire department was reorganized resulting in a reduction of positions from eighty-five (85) to seventy-two (72).

The Public Health Department has also been involved in a transition phase. Following the early retirement program offered in 2002 – 2003, several key employees took advantage of the offer, providing an opportunity to once again reorganize and

January 02, 2004

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to provide better service to our Wyoming County residents. Today, we are awaiting final approval by the New York State Department of Health of the appointment of Dr. Gregory Collins as Director of the Wyoming County Health Department. Dr. Collins, in his short time as director, has stepped into the position with a sense of enthusiasm that is very noticeable in the performance of the Department. He has provided stability, commitment and leadership.

Another department, which has undergone drastic changes, is the CHHA. The Certified Home Health Agency, through the new administration of Wyoming County Residents Director of the CHHA, Deborah Fuest and Assistant Director of Nursing, Lori Roche has increased home nursing visits from 2.5 visits per day to 4.56 visits, which in turn, has been able to generate a financial surplus for the first time in many years.

The consolidation of the Building Codes and Building and Grounds Departments has also been successful. There has been substantial saving realized by merging these two departments.

The former County Administrator's duties have been assumed by the Chairman of the Board of Supervisors for the past two (2) years and will continue in 2004. Total savings to the County by reorganizing the Public Health Department: \$39,000; savings in the Office for the Aging / Youth Bureau merge: \$61,372; DSS reorganization: \$59,057; Building Codes and Building and Grounds merger: \$42,462; and the County Administrator's Budget reduced from \$140,160 to \$34,580 with a savings of \$105,580 for a combined total of approximately \$307,471 for fiscal year 2003.

At this point, it is important to note that without these mergers and reorganizations in place at \$90,000 per unit the tax rate would have risen by 3.25 percent. Also as far as staffing, the County work force in December of 2001 numbered 438 employees; in December 2003 there are 362 County employees, excluding the County Hospital equaling a reduction of 76 employees over the past two (2) years, which gives added meaning to the fact that Wyoming County is operating as effectively as possible with a skeleton staff. The residents and taxpayers of the County expect a continuation of services at the lowest possible cost. I don't have to remind us all that due to factors out of this Board of Supervisors' control, Medicaid an additional \$1 million cost and the New York State Retirement at an additional \$3 million cost are the main two (2) factors which have dictated to this Board the direction it must take in 2004. The

County Highway Better Pavement Program, reconstruction of existing County Roads in towns across the County will cease. The County Planners position has been abolished; four (4) positions in the Wyoming County Sheriff's Department have been abolished; financial cuts to vital contract agencies ranging from the Cornell Cooperative Extension to the Tourist Promotional Agency had to be made. The decisions which were made by the Wyoming County Board of Supervisors were not made in haste or without a great deal of deliberation, the decisions were made after months of negotiations and input from all Supervisors. The notion that three (3) Supervisors run the County is not only totally inaccurate, but is also an insult to the other members of the Board. Yes, there is a weighted voting system, but the actual business of Wyoming County is done through the committee process at committee meetings where one Supervisor has one vote.

So where do we go from here? The County as I said stands committed to providing the best services at the lowest cost for our residents. Obviously there will be no new road reconstruction in 2004. The County is involved in a Reform Medicaid Consortium of Western New York Counties, which is being lead by Erie County Executive Joel Giambra and is joined also by Genesee, Chataqua, Allegany, Cattaraugus, Niagara and Orleans Counties. The goal of this group is to provide financial relief from mandated Medicaid costs by reforming the Medicaid program in Albany.

The relief from the mandated NYS Retirement costs can only be brought about by the intricacies and good fortune of the stock market and even with success for that venue, predictions are not good.

Another issue which the Wyoming County Board of Supervisors continues to support is the designation of an Empire Zone in Wyoming County. The potential economic impact of an Empire Zone here is enormous and is being pursued by the Wyoming County Chamber of Commerce. Jim Pierce, Executive Director of the Wyoming County Chamber of Commerce and members of the Legislative Committee have joined forces with this Board with the goal of securing the Empire Zone and there are several initiatives under way to promote that quest.

At the County level, the Board of Supervisors expects to continue as we have for the last year, depending more than ever on the leadership of the County's outstanding group of Department heads. Without their loyalty, cooperation and commitment Wyoming County would not be able to continue the services it provides at the current tax rate. On behalf of the

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Board, I thank all of the Department heads for their hard work and that of their capable staff as well. County government is only as good as the people who work here and we have a superb group.

Lastly, I want to thank United States Congressman Tom Reynolds, New York State Senator Dale Volker and New York State Assemblyman Dan Burling for their continued support of the various projects, programs and initiatives undertaken not only by the County but also by the 16 towns who make up this wonderful corner of New York State. Our Legislative contingent has once again accounted for close to two (2) Million dollars in funding from State and Federal Programs ranging from water system development in Pike to the Water Street Bridge in Perry, to the renovation of the recreation hall in Eagle, to the FEMA grants for several fire departments in the County. We appreciate your assistance and look forward to working with you in 2004.

So together, let us all move forward into this New Year, what will happen is an unknown, but I believe that the Wyoming County Board of Supervisors has prepared Wyoming County for whatever it shall encounter.

I wish all of you a happy and prosperous New Year and look forward to working together to make Wyoming County the Best County in New York State.

The Committee assignments and schedule will be available following the meeting. Good luck to all of you and God bless Wyoming County.

Congressman Tom Reynolds was introduced:

It gives me great pleasure to introduce today, a gentleman who has served at many levels of government. He was elected as a member of the Concord Town Board serving from 1974 to 1982. He then was elected to the Erie County Legislature serving from 1982 to 1988. Following his election to the New York State Assembly in 1988 he rose to the post of the Assembly Republican Leader in 1985 becoming the first Republican from the eight Western New York Counties to lead assembly party conference in more than sixty years. In 1998, he was elected to Congress representing New York's 26th District which includes parts of Erie, Monroe, Cayuga, Niagara, Orleans and all of Genesee, Livingston and of course Wyoming County. He was re-elected to Congress November 7, 2001 and won a seat on the Tax Writing Ways and Means Committee and also serves as a member of the

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all powerful House Rules Committee. He has delivered millions of dollars in Federal aid to important community projects.

Today Congressman Reynolds joins the Wyoming County Board of Supervisors for the Annual Organizational Meeting.

Ladies and Gentleman please welcome Congressman Tom Reynolds.

Congressman Reynolds addressed the Board of Supervisors by presenting the audience with the challenges of the office. The challenge of remaining informed of the State and Federal Mandates, as well as taking the concerns of their Town's residents to a higher level of government.

as Senior Member of the Board Mrs. Humphrey moved to adjourn the meeting
at 3:15 PM

**REGULAR SESSION
(January 13, 2004)****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 Supervisor Chambers, 143 North Main Street, Warsaw, New York with all members present. Also present was County Attorney Eric Dadd, County Treasurer John Edwards, Clerk to the Board of Supervisors Paula Parker and Deputy Clerk to the Board of Supervisors Cheryl Ketchum.

At 2:08 PM Chairman Berwanger, T/Arcade, called the meeting to order and introduced World War II Veteran, Mr. George D. Cox (Perry) to lead us in the Pledge of Allegiance to the Flag.

Mr. Cox is a 1940 graduate of Perry Central School. He enlisted in the Army Air Corp on November 20, 1942.

After approximately a year and a half of training as a Combat Medic, he was shipped to the Pacific Theater of Operation on August 19, 1944. Mr. Cox participated in the battles for **Luzon, New Guinea and the Southern Philippines**. He was awarded **The Asiatic-Pacific Service Medal, The Philippines Liberation Medal and The Good Conduct Medal**. Mr. Cox returned to the States on October 6, 1945 and was discharged on October 21, 1945.

Mr. Cox was involved in the initial construction of the Mount Morris Dam and continued his interests in the construction trade until his retirement in 1988.

He is an active member of McKelton Post #350 of the American Legion in Perry and is instrumental in the selection process for local students who wish to attend the Boy's State Program sponsored by the American Legion.

Paula Parker, Clerk to the Board, read the following communications:

C-1: 2004 Awards for Volunteer Service due in the Youth Bureau by February 20, 2004

C-2: Inter-County Meeting will be held on February 20, 2004.
Reservations must be made by Friday, February 13, 2004.

Chairman Berwanger, T/Arcade, noted the new agenda format.

Regular Session

**RESOLUTION NO. 04-06
(January 13, 2004)**

By Mrs. Humphrey, Chairman of Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2003 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2003 accounts as follows:

<u>CORONER</u>			
To: 01.32.1185.1.11001 Corner's Salary W/ rev. acct. 01.03.1185.1289 increased by same amt.	\$1,500.00	\$1,500.00	\$1,500.00
<u>TREASURER</u>			
To: 06.57.6290.4.42449 (JTPA Admin/WCCA) W/rev. acct. 06.12.6290.4790 increased by same amt.	\$45,825.04	\$45,825.04	\$45,825.04
<u>SHERIFF</u>			
To: 01.37.3110.1.10301 Overtime W/rec. acct. 01.11.3110.308901 increased by same amt.	\$1,088.15	\$1,088.15	
To: 01.37.3110.1.10301 Overtime W/rec. acct. 01.11.3110.308901 increased by same amt.	\$ 424.80	\$ 424.80	\$1,512.95
<u>EMERGENCY SERVICES</u>			
To: 01.37.3640.2.20201 Computer Equipment 01.37.3640.2.20601 Instrct./ AV Equipment 01.37.3640.4.40301 Professional Services W/rec. acct. 01.12.3640.4785 increased by same amt.	\$11,785.50 8,232.00 12,639.50	\$32,657.00	\$32,657.00
<u>MENTAL HEALTH</u>			
To: 01.38.4320.4.40926 ARA Inc. (MH Services) W/rec. acct. 01.11.4320.3490 increased by same amt.	\$ 925.00	\$ 925.00	
To: 01.38.4321.4.42422 Suburban Adult Services W/rec. acct. 01.11.4321.3490 increased by same amt.	\$ 325.00	\$ 325.00	
To: 01.38.4322.4.42408 Liv. / Wyo. Arc (MH Services) W/rec. acct. 01.11.4322.3490 increased by same amt.	\$ 8.00	\$ 8.00	
To: 01.38.4323.4.40926 ARA Inc. (MH Services) W/rec. acct. 01.11.4323.3490 increased by same amt.	\$ 2,428.00	\$ 2,428.00	\$3,686.00

Carried: Ayes: 1618 Noes: Absent: Abstain:

#2

**RESOLUTION NO. 04-07
(January 13, 2004)**

By Mrs. Humphrey, Chairman of Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2004 ACCOUNTS

January 13, 2004

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BE IT RESOLVED, That funds are hereby appropriated to the various 2004 accounts as follows:

PUBLIC DEFENDER / IPP			
To: 01.32.1171.4.40902 ALA Legal Services Contract W/ rev. acct. 01.11.1171.3089 increased by same amt.	\$52,500.00	\$52,500.00	\$52,500.00

Carried: Ayes: 1618 Noes: Absent: Abstain:

There was a motion by Supervisor Humphrey, T/Perry, to combine resolutions #3 and #4. A voice vote was taken and all voted aye.

#3

**RESOLUTION NO. 04-08
(January 13, 2004)**

By Mrs. Humphrey, Chairman of Finance Committee:

FUNDS TRANSFERRED IN VARIOUS 2003 ACCOUNTS

BE IT RESOLVED, That the Wyoming County Treasurer is hereby authorized and directed to transfer funds within various 2003 accounts as follows:

<u>PURCHASING / CENTRAL STORE</u>			
From: 01.33.1345.4.41101 Paper To: 01.34.1660.4.41010 Office Supplies 01.34.1660.4.41101 Paper	\$ 100.00	\$ 1.00 99.00	\$ 100.00
<u>PROBATION</u>			
From: 01.37.3141.1.10101 CSEA Salaries To: 01.37.3140.1.10101 CSEA Salaries 01.37.3140.1.10202 Temp Salary	\$17,864.50	\$16,786.32 1,078.18	\$17,864.50

Carried: Ayes: 1618 Noes: Absent: Abstain:

#4

**RESOLUTION NO. 04-09
(January 13, 2004)**

By Mrs. Humphrey, Chairman of Finance Committee:

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FUNDS TRANSFERRED IN VARIOUS 2004 ACCOUNTS

15

BE IT RESOLVED, That the Wyoming County Treasurer is hereby authorized and directed to transfer funds within various 2004 accounts as follows:

REAL PROPERTY TAX SERVICE			
From: 01.35.1990.4.42107 Contingency To: 01.33.1355.1.10001 S/D/I Salary 01.33.1355.8.83001 FICA 01.33.1355.8.85001 Medicare	\$ 3,229.50	\$ 3,000.00 186.00 43.50	\$ 3,229.50
PUBLIC HEALTH			
From: 01.38.4050.4.40923 Dietician Services 01.04.4050.161005 Dept. Revenue To: 01.38.4010.4.40923 Dietician Services 01.11.4010.340104 State Aid Revenue	\$12,500.00 12,500.00	\$12,500.00 12,500.00	\$25,000.00

Carried: Ayes: 1618 Noes: Absent: Abstain:

#5

RESOLUTION NO. 04-10
(January 13, 2004)

By Mr. Rogers, Chairman of Human Services Committee

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

BE IT RESOLVED, That the Chairman of this Board/Commissioner of 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. **Dennis Cohen**, Attorney of Law, 3099 West Main Street, Caledonia NY, for legal services effective January 01, 2004 through December 31, 2004 in the amount of \$8,000.00.
- B. **Gary Davis**, P.O. Box 353, Machias, NY, 14101, for Intensive Care Management effective January 01, 2004 through June 30, 2004 in the amount of \$19,519.98.

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- C. **Martha Lochman**, 4656 Pflaum Rd., Dale, NY 14039, for Transportation effective January 01, 2004 through June 30, 2004 in the amount of \$5,100.00.
- D. **David Coron, Ph. D.**, 6137 Broughton Hill Rd., Farmington, NY 14425, for psychological evaluations for the period beginning January 01, 2004 through December 31, 2004 in the amount of \$7,000.00.
- E. **Julie Caton, Ph. D.**, 6990 North Pearl Street, Oakfield, NY, 14125, for counseling Mental Health/Psychological Evaluations for the period beginning January 01, 2004 through December 31, 2004 in the amount of \$7,500.00.

ALL CONTRACTS CONTINGENT UPON THE AVAILABILITY OF FUNDING

Carried: Ayes: 1618 Noes: Absent: Abstain:

#6

RESOLUTION NO. 04-11
(January 13, 2004)

By Mr. Rogers, Chairman of Human Services Committee

**AUTHORIZE CHAIRMAN TO SIGN A CONTRACT WITH
 WCJW ON BEHALF OF THE OFFICE FOR THE AGING**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney is hereby authorized and directed to sign a contract with WCJW for advertising senior citizen topics. The cost of the contract has been decreased from \$7,200.00 to \$5,280.00.

BE IT FURTHER RESOLVED, That the duration of this contract shall run from January 01, 2004 through December 31, 2004; contingent upon the availability of funding.

Carried: Ayes: 1618 Noes: Absent: Abstain:

**RESOLUTION NO. 04-12
(January 13, 2004)**

By Mr. Rogers, Chairman of Human Services Committee

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

BE IT RESOLVED, That the following members are appointed or reappointed to the Wyoming County Office for the Aging Advisory Council for a term of three (3) years, said terms to expire December 31, 2006:

1. **Linda Smith**, Town of Castile, 10 Liberty Street, Castile, NY 14427
2. **Esther Goodrich**, Home Care and Hospice, 204-206 N. Main Street, Perry, NY 14530
3. **Ann Koerner**, Town of Pike, RR1 - East Koy Road, Portageville, NY 14536
4. **Arlene Baker**, Town of Warsaw, 18 Livingston Street, Warsaw, NY 14569
5. **Karen Thompson**, Wyoming County Mental Health, 338 N. Main Street, Warsaw, NY 14569
6. **Janice Johnson**, Town of Gainesville, 4247 Silver Springs Road, Silver Springs, NY 14550
7. **Margaret Ronan**, Wyoming County community Hospital, 400 N. Main Street, Warsaw, NY 14569

Carried: Ayes: 1618 Noes: Absent: Abstain:

January 13, 2004

**RESOLUTION NO. 04-13
(January 13, 2004)**

By Mr. Rogers, Chairman of Human Services Committee

**AUTHORIZATION FOR CHAIRMAN TO SIGN VARIOUS
CONTRACTS/GRANTS ON BEHALF OF THE WYOMING
COUNTY YOUTH BUREAU**

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

- A.) **NYSOCFS: Resource Allocation Plan** for 2004, plan has been submitted to OCFS. Amount of grant - \$99,035.00. Renewal of Grant.
- B.) **Early Intervention Administration and Children with Special Health Care Needs Grant from NYSDOH:** Grant is for \$51,695.00. Program expenses are grant reimbursable. Renewal of contract. Effective 10/01/03 – 09/30/04.
- C.) **Monroe2Orleans BOCES for Preschool services** – rate of \$50 per ½ hr session. New contract for autism consultant.
- D.) **ARC of Orleans: Rainbow Preschool** – PS services (renewal of contract) Budgeted Cove done
- E.) **Business Education Council** – with Pathways, development of Youth Resource Directory, \$7,500.00.

**ALL CONTRACTS CONTINGENT UPON THE AVAILABILITY OF
FUNDING**

Carried: Ayes: 1618 Noes: Absent: Abstain:

**RESOLUTION NO. 04-14
(January 13, 2004)**

By Mr. Knab, Chairman of the Public Health Committee:

**VARIOUS MEMBERS APPOINTED/REAPPOINTED
TO CSB MENTAL HEALTH SUB-COMMITTEE**

BE IT RESOLVED, That the following persons are hereby appointed/reappointed to the Mental Health Sub-committees, said terms to expire AS INDICATED:

Reappoint the following members to Community Services Board and various sub-committees for a four (4) year term to expire 12/31/07 or as indicated:

- A. **Susan Knapp**, Bullis Road, Cowlesville, NY 14037, to be appointed to the Community Services Board and the Mental Health Subcommittee. Term to run from 01/01/04 through 12/31/07.
- B. **Sheriff Farris Heimann** to replace Sheriff Ely on the Mental Health Subcommittee. Term to run through 12/31/05.
- C. **Aaron Anderson** to be reappointed to Alcohol and Substance Abuse Subcommittee. Term to run from 01/01/04 through 12/31/07.
- D. **Jackie Tisdale** to be moved to the MR/DD Subcommittee. Term to run through 12/31/06. Jackie will fill the vacancy created by Sabrina Pribeke's term ending. (This will also leave a vacancy on the Alcohol and Substance Abuse Subcommittee.)

Carried: Ayes: 1618 Noes: Absent: Abstain:

January 13, 2004

RESOLUTION NO. 04-15
(January 13, 2004)

By Mr. Knab, Chairman of the Public Health Committee:

**AUTHORIZE CHAIRMAN TO SIGN VARIOUS GRANT
APPLICATIONS AND/OR RENEWALS ON BEHALF OF
PUBLIC HEALTH**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney is hereby authorized and directed to sign the following grant applications/renewals on behalf of Wyoming County Public Health:

- | | |
|--|-----------------|
| A.) New York State Department of Health (NYSDOH)
Services
Contract period January 1, 2004-December 31, 2004 | \$450,000 Basic |
| B.) Men's and Women's Health Clinic (NYS DoH)
Contract period April 1, 2004 - March 31, 2005 | \$372,140 |
| C.) Men's and Women's Health Clinic (NYS DoH)
Amendment to Resolution 03-12 increasing grant amount
By \$50,000 to \$211,007 for 4/1/03 -3/31/04 | \$50,000 |
| D.) New York State Health Department - Lead Grant
Contract period April 1, 2004 - March 31, 2005 | \$40,000 |
| A.) Immunization Grant (IAP) with NYSDOH
Contract period April 1, 2004 - March 31, 2005 | \$45,000 |
| F.) Cancer Screening Program with NYSDOH
Contract period April 1, 2004 - March 31, 2005 | \$33,008 |

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G.) NYS Department of Health \$96,000
Water Enhancement Program
Contract period April 1, 2004 - March 31, 2005

H.) Diabetes Grant with Lake Plains \$6,500
Contract period April 1, 2004 - March 31, 2005

I.) Health Research, Inc. \$111,170
for Public Health Preparedness and Response to Bioterrorism
Contract period from September 1, 2003 – August 30, 2004

Carried: Ayes: 1618 Noes: Absent: Abstain:

#11

**RESOLUTION NO. 04-16
(January 13, 2004)**

By Mr. Knab, Chairman of the Public Health Committee:

**AUTHORIZE CHAIRMAN TO SIGN VARIOUS
CONTRACTS/AGREEMENTS ON BEHALF OF PUBLIC
HEALTH FOR THE YEAR 2004**

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 and or agreements on behalf of Wyoming County Public Health:

A.) Genesee Delivery

Per Price List

January 13, 2004

Courier Service for specimen transport TBD Based on
 Usage
 (Environmental Water Samples & MWHS Clinical Specimens)
 Renewal

Erie County Public Health Department – ECPHL Per Price List
 Laboratory testing services TBD Based on
 Usage
 (MWHS clinical specimens & Environmental Water Samples)
 Renewal

Linstar, Inc. \$ 1,250
 Service Agreement for Datacard Photo ID System
 January 10, 2004 – January 9, 2005
 Renewal

Ohri Medical Group \$ 1,200
 TB Program Services
 January 1 – December 31, 2004
 Renewal

Justa Goodell \$ 10,926
 Animal Control – Rabies related services
 January 1 – December 31, 2004
 Renewal

Freed Maxick and Battaglia, PC \$ 15,000
 Audit and Consulting Services (MWHS and CHHA)
 January 1 – December 31, 2004
 Renewal

Tom Clark \$ 2,500
 Professional Engineering Consultant
 January 1 – December 31, 2004
 Renewal

Susan Schell, RD \$15,000
 Registered Dietician Services
 January 1 – December 31, 2004
 Renewal

Monroe County \$29,612
 Medical Examiner Services

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January 1 – December 31, 2004

Multi-year agreement (1/1/02 – 12/31/04)

Wyoming County Interdepartmental Agreement \$ 49,132

IT Department for provision of computer support services

January 1 – December 31, 2004

Renewal

Erie County \$20,250

Intergovernmental Agreement with Eight Counties of WNY

(through BT/Emergency Preparedness Grant)

September 1, 2003 – August 31, 2004

Renewal

Men's & Women's Health Services

Theresita Dolojan, MD \$1,800

Medical Director Services

January 1 – December 31, 2004

Renewal

Clearpath Diagnostics (formerly Pathology Associates)

Laboratory Testing Services

Per Price List January 1 –

December 31, 2004

TBD Based on Usage

Renewal

ALL CONTRACTS CONTINGENT UPON THE AVAILABILITY OF FUNDING

Carried: Ayes: 1618 Noes: Absent: Abstain:

#12

RESOLUTION NO. 04-17 (January 13, 2004)

By Mr. Knab, Chairman of the Public Health Committee:

DR. GREGORY COLLINS APPOINTED MEDICAL DIRECTOR FOR THE PUBLIC HEALTH DEPARTMENT

BE IT RESOLVED: That **Gregory J. Collins, DO** of Avon, New York is hereby appointed as Medical Director of the Wyoming County Public

January 13, 2004

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Health Department, for a one year term from January 1, 2004 through December 31, 2004.

Carried: Ayes: 1618 Noes: Absent: Abstain:

#13

**RESOLUTION NO. 04-18
(January 13, 2004)**

By Mr. Knab, Chairman of the Public Health Committee:

**AUTHORIZE CHAIRMAN TO SIGN PURCHASE
ORDER/AGREEMENT FOR THE PURCHASE OF A NEW
VEHICLE ON BEHALF OF PUBLIC HEALTH**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney is hereby authorized and directed to sign a purchase order/agreement with McCarthy Ford as the lowest responsible bidder for the purchase of a new vehicle on behalf of Wyoming County Public Health.

BE IT FURTHER RESOLVED, That funds for this purchase are from the Water Enhancement Grant; contingent upon the availability of funding.

Carried: Ayes: 1618 Noes: Absent: Abstain:

#14

**RESOLUTION NO. 04-19
(January 13, 2004)**

By Mr. Knab, Chairman of the Public Health Committee:

**AUTHORIZE CHAIRMAN TO SIGN VARIOUS
CONTRACTS/AGREEMENTS ON BEHALF OF THE
CERTIFIED HOME HEALTH AGENCY**

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 and or agreements on behalf of Wyoming County CHHA:

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A.) Wyoming County Community Hospital:

- 1.) Physical Therapy
- 2.) Occupational Therapy
- 3.) Speech Therapy

B.) Step-by-Step:

- 1.) Physical Therapy

C.) Home Care & Hospice:

- 1.) Aide Services

D.) Gentiva

- 1.) Aide Services

**ALL CONTRACTS CONTINGENT UPON THE AVAILABILITY OF
FUNDING**

Carried: Ayes: 1618 Noes: Absent: Abstain:

#15

**RESOLUTION NO. 04-20
(January 13, 2004)**

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

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT
WITH THE TOWN OF COVINGTON ON BEHALF OF THE
SHERIFF'S DEPARTMENT**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign a contract with Town of Covington, 7414 Court Road, Pavilion, NY for the provision of additional enforcement of the Vehicle and Traffic Laws on Route 63; effective January 01, 2004 through December 31, 2004, said amount shall be per the language of the contract; contingent upon the availability of funding.

Carried: Ayes: 1618 Noes: Absent: Abstain:

#16

**RESOLUTION NO. 04-21
(January 13, 2004)**

January 13, 2004

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, 2004 and December 31, 2004; contingent upon the availability of funding.

Carried: Ayes: 1618 Noes: Absent: Abstain:

#17

**RESOLUTION NO. 04-22
(January 13, 2004)**

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 Public Safety Laboratory, in which they agree to furnish forensic laboratory services to the County of Wyoming; said contract will be for three (3) years and will be in the amount of:

2004	\$18,025.00
2005	\$18,385.00
2006	\$18,940.00

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. Said contract contingent upon the availability of funding.

Carried: Ayes: 1618 Noes: Absent: Abstain:

RESOLUTION NO. 04-23

(January 13, 2004)

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

**ADOPTION OF WYOMING COUNTY
COMPREHENSIVE EMERGENCY MANAGEMENT
PLAN**

WHEREAS, There always exists the threat of man-made or natural disasters; and

WHEREAS, New York State Executive Law, Article 2-B, authorizes local governments to prepare a disaster preparedness plan; and

WHEREAS, The Wyoming County Office of Fire & Emergency Services has coordinated the preparation of a Comprehensive Emergency Management Plan, with appropriate annexes as required by New York State Emergency Management Office (SEMO); and

WHEREAS, The Wyoming County Public Safety Committee recommends the adoption of this Plan; now, therefore, be it

RESOLVED, that this Wyoming County Board of Supervisors adopt the Wyoming County Comprehensive Emergency Management Plan as the plan under which Wyoming County will operate in the event of any disaster, effective immediately, and be it further

RESOLVED, that a certified copy of this resolution be sent to the Wyoming County Office of Fire/Emergency Services.

Carried: Ayes: 1618 Noes: Absent: Abstain:

#19

RESOLUTION NO. 04-24

(January 13, 2004)

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**

January 13, 2004

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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 2004 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 in the amount of \$39,000.00 (Thirty Nine Thousand Dollars), contingent on the availability of funding; said contract in effect from January 01, 2004 through December 31, 2004.

Carried: Ayes: 1618 Noes: Absent: Abstain:

#20

**RESOLUTION NO. 04-25
(January 13, 2004)**

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

**AUTHORIZE CHAIRMAN TO SIGN 2004 NYS DMV
GOVERNOR'S TRAFFIC SAFETY COMMITTEE
IMPAIRED DRIVING DETERRENCE PROJECT
AWARD**

BE IT RESOLVED, That this Board of Supervisors does hereby accept and approve the plan for the NYS DMV Governor's Traffic Safety Committee Impaired Driving Deterrence Project Award of \$7,200.00 (seven thousand two hundred dollars) for 2004 in Wyoming County; and be it

FURTHER RESOLVED, That the funds will be used to reimburse local police agencies for DWI patrols and equipment purchases; contingent upon the availability of funding.

Carried: Ayes: 1618 Noes: Absent: Abstain:

#21

**RESOLUTION NO. 04-26
(January 13, 2004)**

By Mr. Miller, Chairman of the Planning Committee:

**MEMBER REAPPOINTED TO THE MICROENTERPRISE
LOAN REVIEW COMMITTEE**

Regular Session

WHEREAS, A Microenterprise Loan Fund is providing loans of up to Twenty Five Thousand Dollars (\$25,000.00) for approved applicants to assist in the establishment and expansion of microenterprise business activity within Wyoming County; and

WHEREAS, The Wyoming County Industrial Development Agency is providing partial matching loan funding for approved microenterprise applicants; and will have responsibility for administering all aspects of the Microenterprise Loan Fund on behalf of Wyoming County; now therefore be it

RESOLVED, That Richard Tindell, 56 Mt. View Avenue, Town of Warsaw, Warsaw, New York is hereby reappointed to the Microenterprise Loan Review Committee for a term to expire December 31, 2005.

Carried: Ayes: 1618 Noes: Absent: Abstain:

#22

**RESOLUTION NO. 04-27
(January 13, 2004)**

By Mr. Miller, Chairman of the Planning Committee:

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

BE IT RESOLVED, That the following persons are hereby appointed to the Genesee/Finger Lakes Regional Planning Council for a one (1) year term to expire December 31, 2004.

- **A. D. Berwanger**, 6608 East Arcade Road, 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 an Alternate Supervisor Member Representative to the Genesee/Finger Lakes Regional Planning Board Council for a one year term to expire December 31, 2004.

Carried: Ayes: 1618 Noes: Absent: Abstain:

#23

January 13, 2004

**RESOLUTION NO. 04-28
(January 13, 2004)**

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 appointed/reappointed to the GLOW Regional Solid Waste Management Committee, to serve a one (1) year term, said term to expire 12/31/04:

MEMBER	TOWN	ADDRESS
Larry Rogers	Pike	14 East Koy Road, Pike, NY 14130
Kyle Glosser	Orangeville	4088 Route 20A Warsaw, NY 14569
Joseph Gozelski	Castile	6175 East Lake Road 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 (1) year term, said term to expire 12/31/04:

MEMBER	TOWN	ADDRESS
Larry Rogers	Pike	14 East Koy Road Pike, NY 14130
Richard Tindell	Warsaw	56 Mt. View Avenue Warsaw, NY 14569
Barbara Boyer	Warsaw	5478 Minor Road Warsaw, NY 14569

and be it

FURTHER RESOLVED, That the following person is hereby reappointed to the GLOW Planning Committee, to serve a one (1) year term, said term to expire 12/31/04:

MEMBER	TOWN	ADDRESS
Richard Tindell	Warsaw	56 Mt. View Avenue Warsaw, NY 14569

Carried: Ayes: 1618 Noes: Absent: Abstain:

#24

**RESOLUTION NO. 04-29
(January 13, 2004)**

By Mr. Miller, Chairman of the Planning Committee:

**CHAIRMAN AUTHORIZED TO SIGN
AGREEMENT WITH WYOMING COUNTY CHAMBER OF
COMMERCE ON BEHALF OF PLANNING AND
DEVELOPMENT**

BE IT RESOLVED, That the Chairman of the Board, with the approval of the County Attorney, is hereby authorized and directed to sign an agreement with the Wyoming County Chamber of Commerce, 6470 Route 20A, Suite 2, Perry, NY 14530-9798 for the purpose of providing economic development marketing services for Wyoming County; effective January 1, 2004 through December 31, 2004, cost of said agreement not to exceed Nineteen Thousand Seven Hundred Fifty Dollars (\$19,750), contingent upon the availability of funds.

Carried: Ayes: 1618 Noes: Absent: Abstain:

#25

**RESOLUTION NO. 04-30
(January 13, 2004)**

By Mr. Miller, Chairman of the Planning Committee:

**WYOMING COUNTY JOB SHADOW MONTH
PROCLAIMED**

January 13, 2004

WHEREAS, The Wyoming County Business Education Council serves as a liaison between the business and education sectors, and helps provide county students with career exploration opportunities such as a job shadowing program and

WHEREAS, Job Shadowing is recognized throughout the nation as an ideal opportunity for students and businesses to connect and it gives young people a new perspective on their studies by showing them a number of choices for their futures, and

WHEREAS, The Wyoming County Board of Supervisors recognizes that support for job shadowing at businesses throughout Wyoming County will give students a greater insight into the variety of current local workforce opportunities; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors hereby proclaim February 2004 as WYOMING COUNTY JOB SHADOW MONTH.

Carried: Ayes: 1618 Noes: Absent: Abstain:

Chairman Berwanger, T/Arcade, presented Ms. Shari Grugel and Mrs. Linda LaBlonde with the Proclamation.

#26

RESOLUTION NO. 04-31 (January 13, 2004)

By Mr. Miller, Chairman of the Planning Committee:

CHAIRMAN AUTHORIZED TO SIGN EXTENSION AGREEMENT WITH CARE ENVIRONMENTAL CORP. FOR GLOW REGION 2004 HOUSEHOLD HAZARDOUS WASTE COLLECTION PROGRAM

WHEREAS, The GLOW Region Solid Waste Management Committee has received funding from the NYS Department of Environmental Conservation (NYSDEC) for the 2004 Household Hazardous Waste Collection Program; and

WHEREAS, The GLOW Committee has recommended a one year extension of an existing contract with Care Environmental Corp. for a May 15, 2004 collection; 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 contract extension with the other GLOW Counties and Care Environmental

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Corp. for the 2004 GLOW Household Hazardous Waste Collection Program in an amount not to exceed Twenty Thousand Dollars (\$20,000.00); contingent upon the availability of funding.

Carried:

Ayes: 1618

Noes:

Absent: Abstain:

#27

**RESOLUTION NO. 04-32
(January 13, 2004)**

By Mr. Gozelski, Chairman of the Agriculture Committee:

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

BE IT RESOLVED, That the following members are reappointed to the Region 9-Fish and Wildlife Management Board for a term of two (2) years, said term to expire December 31, 2005:

- **Walter Hallbauer**, Box 96, Town of Java, Java Village, NY 14083 – Sportsman Representative
- **Edward Hulme**, 3313 Royce Road, Town of Orangeville, Varysburg, New York 14167 – Land Owner Representative.

Carried:

Ayes: 1618

Noes:

Absent: Abstain:

#28

**RESOLUTION NO. 04-33
(January 13, 2004)**

By Mr. Gozelski, Chairman of the Agriculture Committee:

**MEMBER APPOINTED TO THE REGION 9-FISH
AND WILDLIFE COUNCIL**

BE IT RESOLVED, That **Jerry Davis**, 7414 Court Road, Pavilion, NY 14525 is hereby appointed to the Region 9 Fish & Wildlife Council as a Supervisor

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Representative for a term of one (1) year, said term to expire December 31, 2004.

Carried: Ayes: 1618 Noes: Absent: Abstain:

#29

**RESOLUTION NO. 04-34
(January 13, 2004)**

By Mr. Gozelski, 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:

- **E. Joseph Gozelski**, 6175 East Lake Road, Town of Castile, Silver Springs, NY 14550 for a one (1) year term, said term to expire December 31, 2004;
- **Kyle Glosser**, 4088 Route 20A, Town of Orangeville, Warsaw, NY 14569 for a one (1) year term, said term to expire December 31, 2004.

Carried: Ayes: 1618 Noes: Absent: Abstain:

#30

**RESOLUTION NO. 04-35
(January 14, 2003)**

By Mrs. Humphrey, Chairman of the Finance Committee:

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

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

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

Carried:

Ayes: 1618

Noes:

Absent: Abstain:

#31

**RESOLUTION NO. 04-36
(January 13, 2004)**

By Mrs. Humphrey, Chairman of the Finance Committee:

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

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, and on behalf of Wyoming County Real Property Tax Service, is hereby authorized to execute a Tax Map Maintenance contract one (1) year extension with Grover and Bates Associates, Perry, New York 14530, said contract shall be in effect January 1, 2004 through December 31, 2004. This is the optional fourth year payment of the original three (3) year agreement. Payment to be paid in accordance with the following schedule; contingent upon the availability of funding:

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

Carried:

Ayes: 1618

Noes:

Absent: Abstain:

January 13, 2004

**RESOLUTION NO. 04-37
(January 13, 2004)**

By Mrs. Humphrey, Chairman of the Finance Committee:

**AUTHORIZE COUNTY TREASURER TO
TRANSFER FUNDS FROM ANY ACCOUNT TO BALANCE
2003 BUDGET EXPENSES**

BE IT RESOLVED, That the County Treasurer is hereby directed and authorized to transfer funds from any accounts as necessary to balance 2003 budget expenses.

Carried: Ayes: 1618 Noes: Absent: Abstain:

#33

**RESOLUTION NO. 04-38
(January 13, 2004)**

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 2004 activities between Wyoming County and the following:

Regular Session

Wyoming County Soil & Water Conservation	\$141,903.00
Pioneer Library System	29,652.00
Wyoming County Fair Association	19,569.00
Arts Council for Wyoming County	15,878.00
Erie Wyoming Soil & Water	2,514.00
Wyoming County Tourist Promotion Agency	109,145.00
Wyoming County Business Education Council	6,413.00

**ALL CONTRACTS CONTINGENT UPON THE AVAILABILITY OF
FUNDING**

Carried: Ayes: 1618 Noes: Absent: Abstain:

#34

**RESOLUTION NO. 04-39
(January 13, 2004)**

By Mrs. Humphrey, Chairman of the Finance Committee:

**CANCELLATION OF VOID TAXES, IN THE TOWN OF
ARCADE, APPROVED**

WHEREAS, Pursuant to the Real Property Tax Law §558(1), the County Legislative Body may direct the cancellation of certain unpaid taxes where it is determined that the lien of such tax cannot be enforced, and,

WHEREAS, such parcel(s) of real property exist within the County of Wyoming, and have been identified and so designated by the Finance Committee, now, therefore,

BE IT RESOLVED, That the County of Wyoming hereby directs the cancellation of any and all such unpaid taxes 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, if applicable, to the appropriate taxing authorities, to the extent to which each has been benefited thereby:

January 13, 2004

AUTHORITY: RPTL §558(1) - Cancellation of Void Tax.

PARCEL ONE: Town of Arcade
Tax Map #: 175.-1-35./1 (Lake Hiram)
ASSESSED TO: Energy Control Unlimited, Pine St., P.O. Box 288,
South Dayton, NY 14138

PARCEL TWO: Town of Arcade
Tax Map #: 194.-1-1.1/1 (Bray-Sikes)
ASSESSED TO: Energy Control Unlimited, Pine St., P.O. Box 288,
South Dayton, NY 14138

PARCEL THREE: Town of Arcade
Tax Map #: 193.-2-18./1 (James)
ASSESSED TO: Energy Control Unlimited, Pine St., P.O. Box 288,
South Dayton, NY 14138

ACTION: Approved

Carried: **Ayes: 1618** **Noes:** **Absent: Abstain:**

#35

RESOLUTION NO. 04-40
(January 13, 2004)

By Mrs. Humphrey, Chairman of the Finance Committee:

**APPOINT/REAPPOINT MEMBERS TO WYOMING
COUNTY COMMUNITY HOSPITAL BOARD OF
MANAGERS**

BE IT RESOLVED, That the following members are hereby reappointed to the Wyoming County Community Hospital Board of Managers for a five (5) year term effective January 01, 2004 through December 31, 2008:

- **Robert L. Bowles**, 75 Main Street, Castile, NY 14427
- President of the Wyoming Community Hospital Foundation or their designee.

Regular Session

And be it,

FURTHER RESOLVED, That the following individual be reappointed to the Wyoming County Community Hospital Board of Managers for a one (1) year term as the Town Supervisor Member:

- **Howard J. Miller**, 54 Keeney Rd., Town of Warsaw, Warsaw, NY 14569

Carried: **Ayes: 1618** **Noes:** **Absent: Abstain:**

#36

**RESOLUTION NO. 04-41
(January 13, 2004)**

By Mrs. Humphrey, Chairman of the Finance Committee:

INTER-COUNTY MEMBERS APPOINTED/REAPPOINTED

BE IT RESOLVED, That the following members are appointed/reappointed to Inter-County of Western New York for a one (1) year term effective January 01, 2004 to December 31, 2004:

- **Jerry Davis**, 7414 Court Street, Town of Covington, Pavilion, NY 14525
- **John Knab**, 2246 Thomas Road, Town of Sheldon, Varysburg, NY 14167
- **Larry Rogers**, P.O. Box 82, Town of Pike, Pike NY 14130-0082

BE IT FURTHER RESOLVED, That the following individuals be appointed/reappointed to Inter-County of Western New York as an alternate for a term of one year effective January 01, 2004 to December 31, 2004.

- **Douglas Berwanger**, 6608 East Arcade Road, Town of Arcade, NY 14009
- **Joseph Kushner**, 3468 E. Main Street, Town of Eagle, Bliss, NY 14024

Carried: **Ayes: 1618** **Noes:** **Absent: Abstain:**

#37

**RESOLUTION NO. 04-42
(January 13, 2004)**

By Mrs. Humphrey, Chairman of the Finance Committee:

January 13, 2004

**AUTHORIZE CHAIRMAN TO SIGN A CONTRACT
FOR PROFESSIONAL SERVICES FOR YOUTH SERVICES
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 to sign a contract with Jamie Thomas, 6905 Oatka Road, #7, Perry, NY 14530 on behalf of the Youth Bureau of Wyoming County. Said contract to provide for professional services related to Special Delinquency Prevention Program services funding; not to exceed Thirteen thousand dollars (\$13,000.00); contingent upon the availability of funds.

Carried: Ayes: 1618 Noes: Absent: Abstain:

#38

**RESOLUTION NO. 04-43
(January 13, 2004)**

By Mrs. Humphrey, Chairman of the Finance Committee:

**CORRECTION OF ERRORS IN THE TOWN OF WARSAW
APPROVED**

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 benefited thereby:

PARCEL ONE: Town of Warsaw
Tax Map # 564889 61.-2-29.2

ASSESSED TO: Clayton Carlson
2105 Sayre Rd
Wyoming, NY 14591

Regular Session

ERROR TYPE: Clerical – incorrect exemption

AUTHORITY: RPTL §550.2(b) *“an entry, which has a mathematical error present in the computation of a partial exemption.”*

ACTION: Recompute agricultural land exemption.
New Tax Bill amount - \$ 1,689.68

Carried: Ayes: 1618 Noes: Absent: Abstain:

#39

**RESOLUTION NO. 04-44
(January 13, 2004)**

By Mrs. Humphrey, Chairman of the Finance Committee:

SALARY SCHEDULE “S” AND “D” AMENDED

BE IT RESOLVED, That the Wyoming County Salary Plan Schedule “D” which became effective 10/14/2003, as amended, is hereby amended as follows:

The position of Clerk to the Board of Supervisors is to have the salary set at Fifteen Thousand dollars (\$15,000.00) annually effective 01/05/04,
And be it

FURTHER RESOLVED, That the Wyoming County Salary Plan “S” which became effective 10/14/2003, as amended, is hereby amended as follows:

The position of Deputy Clerk to the Board of Supervisors has the salary set at twenty five thousand dollars (\$25,000.00) annually, effective 01/05/04.

Carried: Ayes: 1618 Noes: Absent: Abstain:

#40

**RESOLUTION NO. 04-45
(January 13, 2004)**

By Mrs. Humphrey, Chairman of the Finance Committee:

January 13, 2004

Proceedings of the Board of Supervisors
RECREATE/ABOLISH POSITIONS IN THE SHERIFF'S
DEPARTMENT

BE IT RESOLVED, That effective 1/5/2004; one (1) position of Deputy Sheriff Sergeant Investigator in the Sheriff's Department be recreated and the salary set per DSA contract agreement, and one (1) position of Deputy Sheriff Investigator is abolished in the Sheriff's Department, and be it

FURTHER RESOLVED, That the Chairman of this Board is hereby authorized and directed to approve the appropriate vacancies (no more than two) arriving from the internal staffing changes.

Carried: Ayes: 1618 Noes: Absent: Abstain:

#41

RESOLUTION NO. 04-46
(January 13, 2004)

By Mrs. Humphrey, Chairman of the Finance Committee:

SALARY SCHEDULE "S" AMEMDED AND
ABOLISH ONE (1) POSITION IN THE DISTRICT
ATTORNEY'S OFFICE

BE IT RESOLVED, That the Wyoming County Salary Plan schedule "S" be amended for positions in the District Attorney's Office as follows:

- **First Assistant District Attorney's** salary to be set at Fifty four thousand five hundred and ten dollars (\$54,510.00) annually, effective January 05, 2004.
- **Second Assistant District Attorney's** salary to be set at Forty eight thousand two hundred dollars (\$48,200.00) annually, effective January 05, 2004; and be it

FURTHER RESOLVED, That the position of Third Assistant District Attorney be abolished, effective January 5, 2004.

Carried: Ayes: 1618 Noes: Absent: Abstain:

#42

RESOLUTION NO. 04-47
(January 13, 2004)

By Mrs. Humphrey, Chairman of the Finance Committee:

SALARY SCHEDULE “S” AMENDED

WHEREAS, The increase in salary is justified by an increase in duties and a savings by not contracting with outside sources.

THEREFORE BE IT RESOLVED, That the salary for the position Nutrition Service Coordinator in the Office for the Aging be set at thirty five thousand two hundred and seventy five dollars (\$35,275.00) annually, effective January 05, 2004.

Carried: Ayes: 1554 Noes: Absent: Abstain: (64) Meeder

Chairman Berwanger, T/Arcade, recognized Mr. Todd Fielding. Mr. Fielding is leaving his current reporter position to be Managing Editor for the Livingston County News. Mr. Fielding thanked the Board of Supervisors for allowing him to serve since 1997 for the Buffalo News, the Batavia Daily and the Associated Press. He is leaving with a “heavy heart” and once again thanked the Board. Chairman Berwanger, T/Arcade, expressed his and the Board’s appreciation and wished Mr. Fielding much success in his new position.

Supervisor Humphrey, T/Perry, made a motion to enter executive session to discuss pending litigation. The motion was seconded by Supervisor Davis, T/Covington, with all voting aye. Executive session was entered at 2:35 PM. The Board adjourned to the Committee Room (13).

Upon re-entering the Chambers at 2:51 PM, a motion was made by Supervisor Knab, T/Sheldon, to reconvene the regular session. This was seconded by Supervisor Bush, T/Gainesville, and all voted aye.

Chairman Berwanger, T/Arcade, asked if there were any objections to presenting Unanimous Consent Resolution #43. Hearing none, a voice vote was taken and all voted in favor of presenting the resolution.

UC #43

**Resolution NO. 04-48
(January 13, 2004)**

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

January 13, 2004

Proceedings of the Board of Supervisors
COUNTY ATTORNEY AUTHORIZED TO SETTLE
NAGOWSKI LAWSUIT

WHEREAS, the County of Wyoming is the plaintiff in a lawsuit captioned *County of Wyoming v. J. Nagowski Plumbing, Inc. and Nova Casualty Company*, Wyoming County Supreme Court Index No.: 31364; and

WHEREAS, the County has been informed that due to financial considerations it is in the best interest of the County to attempt to settle this matter for an amount of not less than \$5,000.00 subject to final negotiation and approval of terms by the County Attorney.

NOW, THEREFORE, BE IT RESOLVED that the Chairman of this Board, with the approval of the County Attorney, is hereby authorized to approve and settle the matter of *County of Wyoming v. J. Nagowski Plumbing, Inc. and Nova Casualty Company* as set forth in this resolution.

Carried: **Ayes: 1618** **Noes:** **Absent: Abstain:**

The meeting was adjourned at 2:53 PM.

Respectfully Submitted,

Paula A. Parker
Clerk to the Board of Supervisors

**REGULAR SESSION
(February 10, 2004)**

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 Supervisor Chambers, 143 North Main Street, Warsaw, New York with all members present. Also present were County Attorney Eric Dadd, County Treasurer John Edwards, and Clerk to the Board of Supervisors Paula Parker and Deputy Clerk to the Board of Supervisors Cheryl Ketchum.

At 2:15 PM Chairman Berwanger, T/Arcade, called the meeting to order and a moment of silence was observed for Dennis Pelletier.

The Chairman then introduced World War II Veteran, Mr. Robert A. Ault (Perry) to lead us in the Pledge of Allegiance to the Flag.

Mr. Ault is a 1940 graduate of Perry Central School. He entered the U.S. Army on June 9, 1944 and left for the European Theater of Operations on November 21, 1944. He participated in the battles for the **Ardennes, Central Europe, and the Rhineland**. For his actions in World War II, Mr. Ault was awarded the **European African Middle Eastern Campaign Medal, World War II Victory Medal, Good Conduct Medal, and Combat Infantry Badge and on February 6, 2004, he was awarded the Bronze Star Medal for Bravery**. Bob returned from Europe on March 16, 1946 and was discharged from active duty on March 21, 1946.

Mr. Ault returned to Perry, NY where he immediately started his own business, Bob's Sign Shop. He also worked at Durocraft in Perry for seventeen (17) years. Bob retired in 2000 to spend some quality time with his wife, Evelyn.

Chairman Berwanger recognized the **Department of Social Services Employee of the Month** by stating, "In addition to recognizing outstanding employees, Commissioner Wallace invites them to attend a Human Service Committee meeting and Board meeting to better understand the relationship between individual Departments and the Board of Supervisors.

This month's recipient has been with the Department since 1986. He has been employed in various different positions including Caseworker, Sr. Caseworker and most recently as a Supervisor in the Child Welfare Unit. Please join me in welcoming and recognizing Dennis Huff."

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“Also, for the month of February Board Meeting, we have Kathleen Schwab, who was ill at the January meeting and she is here to be recognized as January’s Employee of the month for the Department of Social Services.”

Paula Parker, Clerk to the Board, read the following communications:

C-1: Reservations for the Manure Treatment and Management Meeting at Noblehurst Farms in Livingston County are due by Thursday, February 12, 2003.

C-2: Inter-County Meeting will be held on February 20, 2004. Reservations must be made by Friday, February 13, 2004.

#1

**RESOLUTION NO. 04-49
(February 10, 2004)**

By Mrs. Humphrey, Chairman of Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2003 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2003 accounts as follows:

<u>CORONER</u>			
To: 01.32.1185.4.40908 Autopsy – Transport w/ revenue acct # 01.03.1185.1289 Departmental Income increased by the same. Reason: To cover the costs for Autopsy Transportation for year-end. Note that \$3,000.00 was budgeted in revenues and \$6,900.00 was billed out for FY 2003.	\$2,000.00	\$2,000.00	\$2,000.00
<u>MENTAL HEALTH</u>			
To: 01.38.4250.4.40926 ARA, Inc. w/revenue acct #01.11.4250.3490 State Aid increased by same Reason: One-time only increased in state aid for chemical abuse treatment services.	\$22,000.00	\$22,000.00	\$22,000.00
<u>SHERIFF</u>			
To: 01.37.3110.1.10301 Overtime Expense w/revenue acct #01.03.3110.1289 Department Income increased by the same. Reason: for overtime expenses for the Town of Covington Patrol.	\$302.78	\$302.78	\$302.78

Carried: Ayes: 1618 Noes: Absent: Abstain:

#2

**RESOLUTION NO. 04-50
(February 10, 2004)**

Regular Session

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By Mrs. Humphrey, Chairman of Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2004 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2004 accounts as follows:

<u>TREASURER</u>			
To: 01.40.6102.4.42250 MA-IGT/DSH With revenue 01.09.6102.2772 IGT/DSH increased by same	\$257,952.50	\$257,952.50	\$257,952.50
<u>BOARD OF SUPERVISORS</u>			
To: 01.31.1010.4.40007 Telephone – basic 01.31.1010.4.40402 Conference/Conventions 01.31.1010.4.40407 Supervisor Mileage 01.31.1010.4.40408 Supervisor Expense 01.31.1010.4.41010 Misc. Office Supplies 01.31.1010.4.41201 Postage 01.31.1010.4.41204 Advertising From: Any funds available. Reason: Provide additional funds for 2004; budget was cut too much.	\$200.00 1,000.00 11,000.00 1,100.00 500.00 400.00 800.00 15,000.00	\$15,000.00	\$15,000.00
<u>DEPARTMENT OF SOCIAL SERVICES</u>			
To: 01.39.6010.1.42274 Family Resolutions w/revenue acct # 01.12.6010.4610 Federal Aid increased by same Reason: re-appropriate unused funds from 2003 to 2004 budget year.	\$5,680.16	\$5,680.16	\$5,680.16
To: 01.39.6010.4.42254 Enhanced Child Care BG w/revenue acct # 01.12.6010.4610 Federal Aid increased by same Reason: Increase budgeted to allow for Child Care Automation Grant and contract expenditures.	\$35,146.00	\$35,146.00	\$35,146.00
<u>PUBLIC HEALTH</u>			
To: 01.38.4035.4.40304 Temporary Services w/offsetting revenues appropriated to acct. 01.12.4035.4489 Federal Aid Reason: For Temporary Nurse Practitioner in the current year.	\$30,000.00	\$30,000.00	\$30,000.00
<u>SHERIFF</u>			
To: 01.37.3110.4.41110 Canine expense w/revenue acct #01.11.3110.308901 State Aid Reason: To rollover unspent grant funds to the 2004 budget year.	\$5,601.26	\$5,601.26	\$5,601.26
<u>DISTRICT ATTORNEY</u>			
To: 01.37.3315.4.42101 Law Enforcement Supplies w/revenue acct #01.03.3315.1289 Departmental Income increased by same Reason: To purchase Alco-sensors for Probation Dept. (2003 money received from donations to be appropriated to the 2004 budget)	\$700.00	\$700.00	\$700.00
To: 01.32.1165.4.41302 Witness Expense From: Witness Expenses (Section 606) \$5,143.29 Airfare 1,241.90 w/revenue 01.11.1165.308905 Sec 606 Aid increased by same To cover expenditures for trial expenses.	\$6,385.19	\$6,385.19	\$6,385.19
<u>PUBLIC WORKS</u>			
To: 03.54.5130.2.23001 Motor Vehicles From: Any funds available (fund balance in the Machinery Fund) Reason: To replace worn out equipment. Funds were budgeted in 2003 and not spent because of the lateness of the State Bid listing.	\$250,409.00	\$250,409.00	\$250,409.00

Carried: Ayes: 1618 Noes: Absent: Abstain:

There was a motion by Supervisor Humphrey, T/Perry, to combine resolutions #3 and #4. A voice vote was taken and all voted aye.

#3

RESOLUTION NO. 04-51 (February 10, 2004)

February 10, 2004

By Mrs. Humphrey, Chairman of Finance Committee:

FUNDS TRANSFERRED IN VARIOUS 2003 ACCOUNTS

BE IT RESOLVED, That the Wyoming County Treasurer is hereby authorized and directed to transfer funds within various 2003 accounts as follows:

<u>HOSPITAL</u>			
From: 02.56.4510.1.10701 Accrued Vacation	\$75,000.00		
02.56.4510.2.20801 Equipment	322,723.66		
02.56.4510.4.42501 Contractual Hospital	<u>10,269.99</u>		
	\$407,993.65		
To: 02.56.4510.1.10101 Full Time Salaries		\$58,751.80	
02.56.4510.8.80001 Workers Comp.		8.00	
02.56.4510.8.81001 Retirement		62,511.00	
02.56.4510.8.84001 Unemployment Ins.		10,223.92	
02.56.4510.8.89001 Health Ins.		<u>276,498.93</u>	
		\$407,993.65	
Reason: To transfer funds to cover overdrafts for Hospital Accounts to balance 2003.			\$407,993.65

Carried: Ayes: 1618 Noes: Absent: Abstain: #4

**RESOLUTION NO. 04-52
(February 10, 2004)**

By Mrs. Humphrey, Chairman of Finance Committee:

FUNDS TRANSFERRED IN VARIOUS 2004 ACCOUNTS

BE IT RESOLVED, That the Wyoming County Treasurer is hereby authorized and directed to transfer funds within various 2004 accounts as follows:

<u>BOARD OF SUPERVISORS</u>			
From: 01.31.1010.1.10001 S/D/I Salary	\$20,250.00		
To: 01.31.1010.4.41202 Printing		\$1,000.00	
01.31.1010.4.42301 Books		250.00	
01.31.1010.8.84001 Unemployment Ins.		<u>19,000.00</u>	
		20,250.00	
Reason: To cover projected expenses and unemployment fees for 2004.			\$20,250.00
<u>PUBLIC HEALTH</u>			
Water Enhancement:			
From: #01.38.4011.4.40301 Professional Services	\$28,402.00		
To: # 01.38.4011.1.10101 Full Time CSEA contract		\$8,200.00	
01.38.4011.1.10502 On Call Pay		3,000.00	
01.38.4011.8.81001 Retirement		1,344.00	
01.38.4011.8.83001 FICA		695.00	
01.38.4011.8.85001 Medicare – FICA		163.00	
01.38.4011.2.20001 Furniture (Files)		<u>15,000.00</u>	

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Reasons: To cover cost of Water Techs. and On-Call pay through 03/31/04 (end of grant period). Also, to cover the cost of new filing system.		28,402.00	
Public Health: From: 01.38.4010.4.10101 Full Time CSEA contract 01.38.4010.8.81001 Retirement To: 01.38.4010.4.40304 Temporary Services Reason: To cover cost of Temporary Environmental Program Assistant through 03/31/04 (in connection with water enhancement – grant ending period)	\$8,200.00 <u>985.00</u> 9,185.00	\$9,185.00	
Bio-Terrorism: From: #01.38.4013.4.40301 Professional Services To: 01.38.4013.1.10101 Full Time CSEA contract 01.38.4013.1.10502 On Call Pay 01.38.4013.1.10602 Insurance Repudiation 01.38.4013.8.80001 Workman's Comp. 01.38.4013.8.81001 Retirement 01.38.4013.8.82002 CSEA Disability 01.38.4013.8.83001 FICA 01.38.4013.8.85001 Medicare – FICA 01.38.4013.8.86001 EAP Reason: To cover cost of BT Coordinator and On-Call pay through 08/30/04 (end of grant period) •	\$35,157.00	25,000.00 3,400.00 750.00 160.00 3,500.00 90.00 1,815.00 425.00 <u>17.00</u> 35,157.00	
Total Public Health			\$72,744.00

Carried: Ayes: 1618 Noes: Absent: Abstain:

Mrs. Totslane, Chairman of the Audit Committee, presented bills totaling \$1,686,738.59.

Carried: Ayes: 1618 Noes: Absent: Abstain:

There was a motion by Supervisor Rogers, T/Pike, to combine resolutions #5 through #7. A voice vote was taken and all voted aye.

#5

RESOLUTION NO. 04- 53 (February 10, 2004)

By Mr. Rogers, Chairman of Human Services Committee

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

BE IT RESOLVED, That the Chairman of this Board/Commissioner of 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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- Community Care of Western New York, Inc. for Parent Aide Services for the period of January 01, 2004 through December 31, 2004 in an amount not to exceed \$5,000.00 (Five thousand dollars); contingent upon the availability of funding.
- Child Care Block Grant award from the NYS Office of Children & Family Services in the amount of \$35,146.00 (Thirty-five thousand one hundred forty-six dollars); and further the Commissioner of Social Services, with the approval of the County Attorney, is authorized to enter into a contract agreement with the appropriate vendor, in an amount not to exceed \$35,146.00 (Thirty-five thousand one hundred forty-six dollars) to complete the Child Care Automation Service as outlined in the above grant; contingent on the availability of funding. This plan is 100% grant funded and must be expended by March 31, 2004.

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

RESOLUTION NO. 04- 54
(February 10, 2004)

By Mr. Rogers, Chairman of Human Services Committee

YOUTH BOARD MEMBERS REAPPOINTED

BE IT RESOLVED, That the following individuals are appointed/reappointed as a Youth Board Member for Wyoming County's Youth Bureau.

- **One (1) year appointment (January 01, 2004 through December 31, 2004)**
 1. Holly Kirsch, 450 Bloecher Rd., Strykersville, NY 14145
- **Two (2) year appointments (January 01, 2004 through December 31, 2005)**
 1. Stephen Tarbell II, 68 South Main St., P.O. Box 351, Silver Springs, NY 14550
 2. CeCe Kirsch (Youth Rep.), 450 Bloecher Rd., Strykersville, NY 14145
- **Three (3) year appointments (January 01, 2004 through December 31, 2006)**
 1. Paula Knitter, 3235 Suckerbrook Rd., Perry NY 14530

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2. Tanya Gayton (Probation Department), 143 N. Main Street, Warsaw NY 14569
3. Michelle Reding, 3507 East Main Street, Bliss NY 14024

Carried:

Ayes: 1618

Noes:

Absent:

Abstain:

#7

**RESOLUTION NO. 04- 55
(February 10, 2004)**

By Mr. Rogers, Chairman of Human Services Committee

**OFFICE FOR THE AGING ADVISORY COUNCIL
MEMBERS
&
ADVISORY BOARD MEMBERS
APPOINTED/REAPPOINTED**

BE IT RESOLVED, That the following individuals are reappointed to the Office for the Aging's Advisory Council and Advisory Board for Wyoming County for a term of one (1) year effective January 01, 2004 through December 31, 2004:

Advisory Council Member:

- Harold Bush (Supervisor, Town of Gainesville), 4579 Miller Rd., Silver Springs NY 14550.

Advisory Board Member:

(Members At Large)

- Brigid Cotton (Livingston Co.), Campus Building #8, Mt. Morris NY 14510
- John Barrett (Wyoming Co.), 171 N. Maple St., Warsaw NY 14569

Carried:

Ayes: 1618

Noes:

Absent:

Abstain:

#8

**RESOLUTION NO. 04-56
(February 10, 2004)**

February 10, 2004

Proceedings of the Board of Supervisors

By Mr. Knab, Chairman of Public Health Committee

**AUTHORIZE CHAIRMAN TO SIGN AMENDED
CONTRACT WITH ARA, INC. ON BEHALF OF MENTAL
HEALTH**

WHEREAS, This resolution amends resolution number 02-307 regarding the contract with ARA, Inc., 4222 Bolivar Road, Wellsville, NY 14895, dated January 01, 2003, for the provision of an Alcohol and Substance Abuse Treatment Program. Said contract to be increased by \$22,000.00 (Twenty-two thousand dollars) to an amount not to exceed \$336,968.00 (Three hundred thirty-six thousand nine hundred sixty-eight dollars), with all other conditions remaining in effect.

WHEREAS, This increase reflects an increase in state aid funds, as per the authorization of the New York Office of Alcohol and Substance Abuse.

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 the contractual amendment on behalf of the Wyoming County Department of Mental Health.

Carried: Ayes: 1491 Noes: Absent: Abstain: 127 (Grant)

#9

**RESOLUTION NO. 04-57
(February 10, 2004)**

By Mr. Knab, Chairman of Public Health Committee

**DR. GREGORY COLLINS APPOINTED TO COMMUNITY
SERVICES BOARD**

BE IT RESOLVED, That Dr. Gregory Collins, Wyoming County Public Health Department, 338 North Main Street, Warsaw NY 14569, is hereby appointed to the Community Services Board (CSB) for a four (4) year term; effective January 01, 2004 through December 31, 2007.

Carried: Ayes: 1491 Noes: Absent: Abstain: 127 (Grant)

#10

RESOLUTION NO. 04-58

Regular Session

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(February 10, 2004)

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By Mr. Knab, Chairman of Public Health Committee

**MEMBER REAPPOINTED TO
MENTAL HEALTH COMMUNITY SERVICES BOARD
AND MENTAL HEALTH SUBCOMMITTEE**

BE IT RESOLVED, That Larry Rogers, Supervisor, Pike of Town, P. O. Box 82, Pike, NY 14130-0082 is hereby reappointed to a one (1) year term on the Mental Health Community Services Board, effective January 01, 2004 through December 31, 2004.

BE IT FURTHER RESOLVED, That Mr. Rogers is also reappointed to the Mental Health Subcommittee to serve for a term of one (1) year effective January 01, 2004 through December 31, 2004.

Carried: Ayes: 1491 Noes: Absent: Abstain: 127 (Grant)

There was a motion by Supervisor Knab, T/Sheldon, to combine resolutions #11 through #13. A voice vote was taken and all voted aye.

#11

**RESOLUTION NO. 04-59
(February 10, 2004)**

By Mr. Knab, Chairman of Public Health Committee

**MEMBER REAPPOINTED TO MENTAL
RETARDATION/DEVELOPMENTAL DISABILITIES
SUBCOMMITTEE**

BE IT RESOLVED, That Gretchen Jackson, 181 West Buffalo Street, Warsaw NY 14569, is hereby reappointed to the Mental Retardation/Developmental Disabilities Subcommittee for a four (4) year term; effective January 01, 2004 through December 31, 2007.

Carried: Ayes: 1512 Noes: Absent: Abstain: 106 (Knab)

#12

February 10, 2004

Proceedings of the Board of Supervisors
RESOLUTION NO. 04-60
(February 10, 2004)

By Mr. Knab, Chairman of Public Health Committee

**AUTHORIZE CHAIRMAN TO SIGN CONTRACTS ON
BEHALF OF PUBLIC HEALTH DEPARTMENT**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized to sign the following contracts on behalf of the Wyoming County Department of Public Health; contingent on the availability of funds:

- Eastern Laboratory Services, 390 North Pennsylvania Ave, S. Waverly, PA 18840 for the provision of Public Health Environmental Laboratory Services effective January 1, 2004 through December 31, 2004 in an amount not to exceed \$30,000.00 (Thirty thousand dollars).
- Adecco, PO Box 371084, Pittsburgh, PA 15250-7084 (billing address), 230 East Main Street, Arcade, NY 14009 (local contact) for temporary employment services. Contract to be effective January 1, 2004 through December 31, 2004 in order to fulfill the Water Enhancement Grant and NYS Department of Health Bureau of Women's Health in an amount not to exceed approved grant amounts of \$105,000.00 (One hundred five thousand dollars).
- Preferred Care, 259 Monroe Avenue, Rochester, NY 14607 to establish a third party billing relationship between Wyoming County Health Department Certified Home Health Agency and Preferred Care (as Rochester Area Health Maintenance Organization, Inc., Preferred Administrative Services, Inc. and Preferred Assurance Company, Inc.); effective 2004. Total amount of contract is based on volume/usage. Purpose is to allow the CHHA to bill Preferred Care for Home Health services.

Carried: Ayes: 1512 Noes: Absent: Abstain: 106 (Knab)
#13

RESOLUTION NO. 04-61
(February 10, 2004)

Regular Session

By Mr. Knab, Chairman of Public Health Committee

**MEMBER REAPPOINTED TO WYOMING COUNTY
BOARD OF HEALTH**

BE IT RESOLVED, That John Knab, Supervisor, Town of Sheldon, 2246 Thomas Road, Varysburg, NY 14167 is hereby reappointed to the Wyoming County Board of Health as a Supervisor Member for a term of one (1) year effective January 1, 2004 through December 31, 2004.

Carried: Ayes: 1512 Noes: Absent: Abstain: 106 (Knab)

#14

**RESOLUTION NO. 04-62
(February 10, 2004)**

By Mrs. Meeder, Chairman of Human Resource Committee

**AUTHORIZE CHAIRMAN 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 an amount not to exceed \$4,800.00 (Four thousand eight hundred dollars), to be paid in quarterly installments of \$1,200.00 (One thousand two hundred dollars) at the beginning of each quarter, effective January 01, 2004 through December 31, 2004; contingent on the availability of funds.

Carried: Ayes: 1618 Noes: Absent: Abstain:

There was a motion by Supervisor Davis, T/Covington, to combine resolutions #15 through #22. A voice vote was taken and all voted aye.

#15

**RESOLUTION NO. 04-63
(February 10, 2004)**

February 10, 2004

**AUTHORIZE CHAIRMAN TO SIGN
LEASE AGREEMENTS FOR VEHICLES ON BEHALF OF
BUILDING CODE ENFORCEMENT**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign two (2) New York State contract lease agreements with Merchants Leasing, 5700 Wheel Wright Way, Haymarket, VA 20169. Each lease is for a Chevy 4x4 Blazer, for a period of 36 months; the payments will be in the amount of \$354.00 per vehicle, per month. Each agreement not to exceed \$12,488.00 (Twelve thousand four hundred eighty eight dollars).

BE IT FURTHER RESOLVED, That one lease will be effective from April 1, 2004 to March 31, 2007 and the other will be effective from June 1, 2004 to May 31, 2007; contingent on the availability of funds.

Carried: Ayes: 1512 Noes: Absent: Abstain: 106 (Knab)

#16

**RESOLUTION NO. 04-64
(February 10, 2004)**

By Mr. Davis, Chairman of Public Safety Committee

**AUTHORIZE CHAIRMAN TO SIGN CONTRACTS ON
BEHALF OF THE SHERIFF'S DEPARTMENT**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign the following contracts on behalf of the Sheriff's Department; contingent on the availability of funds:

- Chautauqua County, 3 North Erie Street, Mayville, NY 14757-1007, to pool agreement for the Southern Tier Task Force Drug Enforcement. In an amount not to exceed \$35,672.00 (Thirty five thousand six hundred seventy two dollars). Effective April 01, 2003 through March 31, 2004.
- Town of Bennington for the rental of a substation in the amount of \$600.00 (Six hundred dollars). Effective January 01, 2004 through December 31, 2004.

Carried: Ayes: 1512 Noes: Absent: Abstain: 106 (Knab)

Regular Session

**RESOLUTION NO. 04-65
(February 10, 2004)**

By Mr. Davis, Chairman of Public Safety Committee

**AUTHORIZE CHAIRMAN TO SIGN GRANT
ACCEPTANCE AWARDS ON BEHALF OF EMERGENCY
SERVICES**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign the following Grant Acceptance Awards on behalf of Wyoming County's Emergency Services Department:

- Homeland Security Exercise and Evaluation with the Department of Criminal Justice, 4 Tower Place, Albany NY 12203 to evaluate response to weapons of mass destruction response at the county and local government; in the amount of \$13,335.00 (Thirteen thousand three hundred and thirty five dollars); effective April 01, 2003 through March 31, 2005.
- Homeland Security Exercise and Evaluation with the Department of Criminal Justice, 4 Tower Place, Albany NY 12203 to conduct exercise and evaluation of county and local resources in response to weapons of mass destruction activity; in the amount of \$12,000.00 (Twelve thousand dollars); effective May 01, 2003 through April 31, 2005.
- Homeland Security Exercise and Evaluation Program with the Department of Criminal Justice, 4 Tower Place, Albany NY 12203 to evaluate response to weapons of mass destruction response at local and county levels of government, in the amount of \$1,214.00 (Twelve hundred fourteen dollars); effective August 8, 2003 through July 31, 2004.

Carried: Ayes: 1512 Noes: Absent: Abstain: 106 (Knab)

February 10, 2004

**RESOLUTION NO. 04-66
(February 10, 2004)**

By Mr. Davis, Chairman of Public Safety Committee

**AUTHORIZE CHAIRMAN TO SIGN 2004 HOMELAND
SECURITY GRANT**

WHEREAS, Permission is granted to submit a work plan and to apply for the 2004 Homeland Security Grant; said grant consists of \$50,000.00 (Fifty thousand dollars) for Homeland Security and \$15,000.00 (Fifteen thousand dollars) for Law Enforcement.

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign the Homeland Security Grant Award for the year 2004. Effective dates are to be determined when the contract is finalized.

**Carried: Ayes: 1512 Noes: Absent: Abstain: 106 (Knab)
#19**

**RESOLUTION NO. 04-67
(February 10, 2004)**

By Mr. Davis, Chairman of Public Safety Committee

**AUTHORIZE CHAIRMAN TO SIGN A CONTRACT WITH
MERCY FLIGHT**

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 Mercy Flight of Western New York, 3580 Lake Shore Road, Buffalo NY 14219 for the air medical transfer of patients in Wyoming County; in an amount not to exceed \$9,000.00 (nine thousand dollars); effective January 01, 2004 through December 31, 2004, contingent on the availability of funds.

**Carried: Ayes: 1512 Noes: Absent: Abstain: 106 (Knab)
#20**

Proceedings of the Board of Supervisors
RESOLUTION NO. 04-68
(February 10, 2004)

59

By Mr. Davis, Chairman of Public Safety Committee

**MEMBER REAPPOINTED TO MERCY FLIGHT
CITIZENS ADVISORY COMMITTEE**

BE IT RESOLVED, That John Knab, Supervisor, Town of Sheldon, 2246 Thomas Rd., Varysburg, NY 14167, is hereby reappointed to the Mercy Flight Citizens' Advisory Committee for a term of one (1) year effective January 1, 2004 through December 31, 2004.

Carried: Ayes: 1512 Noes: Absent: Abstain: 106 (Knab)
#21

RESOLUTION NO. 04-69
(February 10, 2004)

By Mr. Davis, Chairman of Public Safety Committee

**AUTHORIZE CHAIRMAN TO SIGN A MEMORANDUM
OF UNDERSTANDING (MOU) FOR EMERGENCY
MEDICAL DIRECTOR**

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 Hospital on behalf of Wyoming County Emergency Services for the Emergency Medical Director. Said contract is effective January 01, 2004 through December 31, 2004, in an amount not to exceed \$6,000.00 (six thousand dollars); contingent on the availability of funds.

Carried: Ayes: 1512 Noes: Absent: Abstain: 106 (Knab)
#22

RESOLUTION NO. 04-70
(February 10, 2004)

By Mr. Davis, Chairman of Public Safety Committee

February 10, 2004

**AUTHORIZE CHAIRMAN TO SIGN AN AGREEMENT
WITH URS CORPORATION FOR THE TRAINING
CENTER CLEAN UP**

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 URS Corporation, for services related to implementing the Supplemental Hydrogeologic Investigation, at the Wyoming County Fire Training Center Facility, as per the draft Work Plan submitted to New York State Department of Environmental Conservation in an amount not to exceed \$38,400.00 (thirty eight thousand four hundred dollars); contingent upon the availability of funds.

**Carried: Ayes: 1512 Noes: Absent: Abstain: 106 (Knab)
#23**

**RESOLUTION NO. 04-71
(February 10, 2004)**

By Mr. Kushner, Chairman of Public Works Committee

**AUTHORIZE CHAIRMAN TO SIGN A GRANT AWARD
ACCEPTANCE ON BEHALF OF BUILDINGS AND
GROUNDS**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a grant award acceptance with New York State Department of State, Contract Administration Unit – LMI, 41 State Street, 10th Floor, Albany NY 12231-0001, in the amount of \$50,000.00 (fifty thousand dollars); said grant is to cover the cost of the building and parking lot renovations at the fire training center facility located in Wethersfield; effective April 01, 2003 through July 31, 2005.

Carried: Ayes: 1618 Noes: Absent: Abstain:

There was a motion by Supervisor Miller, T/Warsaw, to combine resolutions #24 through #28. A voice vote was taken and all voted aye.

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Before the roll was taken Chairman Berwanger commented that there are two (2) openings for Wyoming County on the GLOW Workforce Investment Board that need to be filled by people for the private sector and business sector.

#24

**RESOLUTION NO. 04-72
(February 10, 2004)**

By Mr. Miller, Chairman of Planning Committee

**MEMBER APPOINTED TO THE
WYOMING COUNTY PLANNING BOARD**

BE IT RESOLVED, That the following member is appointed to the Wyoming County Planning Board for a term of three (3) years, said term to expire December 31, 2006.

TOWN	REPRESENTATIVE	ADDRESS
Town of Bennington	Walter Stevens	67 Clinton Street, Alden, NY 14004

Carried: Ayes: 1618 Noes: Absent: Abstain:

#25

**RESOLUTION NO. 04-73
(February 10, 2004)**

By Mr. Miller, Chairman of Planning Committee

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

WHEREAS, The County of Wyoming has appropriated the sum of \$6,647.00 (Six thousand six hundred forty seven) as its share of the Year 2004 operating funds of the Genesee/Finger Lakes Regional Planning Council; and

February 10, 2004

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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 S. Zorn, Executive Director of the Council, as the officer to receive payments of such monies; and

WHEREAS, The Genesee/Finger Lakes Regional Planning Council has secured a Public Employees Fidelity (Blanket) Bond, issued by National Grange Mutual Insurance Company, providing faithful performance blanket bond coverage for officers and employees of the Council in the amount of \$220,000.00 (Two hundred twenty thousand dollars); now, therefore,

BE IT RESOLVED, That the Wyoming county Board of Supervisors hereby approves such a bond as the official undertaking required pursuant to section 119-00 of the General Municipal Law.

Carried: Ayes: 1618 Noes: Absent: Abstain:

#26

**RESOLUTION NO. 04-74
(February 10, 2004)**

By Mr. Miller, Chairman of Planning Committee

**REQUESTING INTRODUCTION AND ENACTMENT OF A
SPECIAL LAW AUTHORIZING AND EMPOWERING THE
COUNTY OF WYOMING TO ADOPT AND AMEND
LOCAL LAWS IMPOSING IN WYOMING COUNTY A
HOTEL/MOTEL ROOM OCCUPANCY TAX**

WHEREAS, Wyoming County's tourism industry contributes significantly to the economic well-being of the County and its citizens; and

WHEREAS, To ensure the industry's growth and success in a highly competitive tourism marketplace, a source of funding is essential to enhance the general economy of the County of Wyoming through the promotion of tourism; and

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WHEREAS, Wyoming County desires to impose a Hotel/Motel Room Occupancy Tax of three percent (3%), with revenues from such tax dedicated to the marketing and promotion of tourism in Wyoming County; be it

RESOLVED, That the Wyoming County Board of Supervisors does hereby petition State Senator Dale Volker and Assemblyman Daniel Burling to draft and introduce a special law in the New York State Legislature authorizing and empowering the County of Wyoming to adopt and amend local laws imposing in such County a three percent (3%) Hotel/Motel Occupancy Tax; and be it

FURTHER RESOLVED, That certified copies of this resolution be sent to Governor George Pataki, Senator Volker and Assemblyman Burling.

Carried: **Ayes: 1618** **Noes:** **Absent: Abstain:**

#27

**RESOLUTION NO. 04-75
(February 10, 2004)**

By Mr. Miller, Chairman of Planning Committee

**SUPERVISOR MEMBER REAPPOINTED
TO THE BUSINESS EDUCATION COUNCIL**

BE IT RESOLVED, That Anne Humphrey, Supervisor, Town of Perry, 50 St. Helena Street, Perry NY 14530, is hereby reappointed to the Business Education Council as a Supervisor Member for a term of one (1) year. Term to be effective from January 01, 2004 through December 31, 2004.

Carried: **Ayes: 1618** **Noes:** **Absent: Abstain:**

#28

**RESOLUTION NO. 04-76
(February 10, 2004)**

By Mr. Miller, Chairman of Planning Committee

February 10, 2004

Proceedings of the Board of Supervisors
MEMBERS REAPPOINTED TO THE
GLOW WORKFORCE INVESTMENT BOARD

BE IT RESOLVED, That the following members are hereby reappointed to the G.L.O.W. Workforce Investment Board:

Private Sector Members

(Term effective January 01, 2004 through December 31, 2006)

- James Pierce (Wyoming County Chamber of Commerce), 6470 Route 20A, Suite #2, Perry NY 14530.
- Norbert Fuest (Employee Relations Manager), Morton Salt Co., 45 Ribaud Avenue, Silver Springs NY 14550.

(Term effective January 01, 2004 through December 31, 2004)

- Stuart Hempel (Wyoming County Community Hospital), 400 N. Main St., Town of Warsaw, Warsaw, NY 14569

Supervisor Member

(Term effective January 01, 2004 through December 31, 2004)

- Anne C. Humphrey, Supervisor Town of Perry, 50 St. Helena St., Perry NY 14530

Community Based Organization Representative

(Indefinite term)

- Jon Costello (Wyoming County Community Action) 6470 Route 20A, suite #1, Perry NY 14530.

Carried: Ayes: 1618 Noes: Absent: Abstain:

Supervisor Gozelski as Chairman of the Agriculture Committee motioned to have resolution number 29 withdrawn.

#29

Withdrawn

RESOLUTION NO. 04-
(February 10, 2004)

By Mr. Gozelski, Chairman of Agriculture Committee

MEMBER APPOINTED TO
SOIL AND WATER BOARD OF DIRECTORS

BE IT RESOLVED, That Ronald Herman, Sr, of 4344 Hermitage Rd.,

Warsaw NY 14569 is hereby appointed to the Soil & Water Board of Directors
Regular Session

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as the Wyoming County Farm Bureau Representative. The term is effective January 01, 2004 for an indefinite period of time.

Carried:

Ayes:

Noes:

Absent: Abstain:

There was a motion by Supervisor Gozelski, T/Castile, to combine resolutions #30 through #35. A voice vote was taken and all voted aye.

#30

**RESOLUTION NO. 04-77
(February 10, 2004)**

By Mr. Gozelski, Chairman of Agriculture Committee

**AUTHORIZE CHAIRMAN TO SIGN A MEMORANDUM
OF AGREEMENT WITH CORNELL COOPERATIVE
EXTENSION**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a memorandum of agreement with Cornell Cooperative Extension Association of Wyoming County. Said Memorandum of Agreement is for the year 2004 concerning the payment of County appropriations in an amount not to exceed \$420,218.10 (four hundred twenty thousand two hundred eighteen dollars and ten cents); contingent upon the availability of funds.

Carried: Ayes: 1491 Noes: Absent: Abstain: 127 (Gozelski)

#31

**RESOLUTION NO. 04-78
(February 10, 2004)**

By Mr. Gozelski, Chairman of Agriculture Committee

**MEMBERS REAPPOINTED TO WYOMING COUNTY
AGRICULTURE & FARMLAND PROTECTION BOARD**

February 10, 2004

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BE IT RESOLVED, That the following members are hereby reappointed to the Wyoming County Farmland Protection Board:

Farm Members (4 year term)

(Effective January 1, 2004 through December 31, 2007)

- David Chamberlain, Town of Middlebury, 5509 Fox Road, Wyoming NY 14591
- Russell Miller, Town of Java, 5401 Curriers Rd., Arcade NY 14009
- David Shearing, Town of Perry, 13 Stainton Place, Perry NY 14530

County Planning Director (2 year term)

(Effective January 01, 2004 through December 31, 2005)

- Richard Tindell, Town of Warsaw, 6470 Route 20A, Suite 4, Perry NY 14530

Cooperative Extension Agent (4 year term)

(Effective January 01, 2004 through December 31, 2007)

- Steve Childs, Town of Eagle, 401 N. Main Street, Warsaw, NY 14569

Supervisor Member (1 year term)

(Effective January 01, 2004 through December 31, 2005)

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

Carried: Ayes: 1491 Noes: Absent: Abstain: 127 (Gozelski)

#32

**RESOLUTION NO. 04-79
(February 10, 2004)**

By Mr. Gozelski, Chairman of Agriculture Committee

**ALTERNATE SUPERVISOR MEMBER APPOINTED
TO THE REGION 9 FISH AND WILDLIFE COUNCIL**

BE IT RESOLVED, That Joseph Kushner, Supervisor, Town of Eagle, 3468 East Main Street, Bliss, NY 14024 is hereby appointed to the Region 9 Fish and Wildlife Council as an Alternate Supervisor Member, for a term of one (1) year; effective January 01, 2004 through December 31, 2004.

Carried: Ayes: 1491 Noes: Absent: Abstain: 127 (Gozelski)

**RESOLUTION NO. 04-80
(February 10, 2004)**

By Mr. Gozelski, Chairman of Agriculture Committee

**SUPERVISOR MEMBER APPOINTED
TO THE RESOURCE CONSERVATION &
DEVELOPMENT COUNCIL**

BE IT RESOLVED, That E. Joseph Gozelski, Supervisor, Town of Castile, 6175 East Lake Road, P.O. Box 331, Silver Springs NY 14550 is hereby appointed to the Resource Conservation & Development Council for a term of one (1) year; effective January 1, 2004 through December 31, 2004.

Carried: Ayes: 1491 Noes: Absent: Abstain: 127 (Gozelski)
#34

**RESOLUTION NO. 04-81
(February 10, 2004)**

By Mr. Gozelski, Chairman of Agriculture Committee

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

BE IT RESOLVED, That E. Joseph Gozelski, Supervisor, Town of Castile, 6175 East Lake Road, P.O. Box 331, Silver Springs NY 14550 is hereby reappointed to the Wyoming County Cooperative Extension's Board of Directors as a Supervisor Member for a term of one (1) year; effective January 1, 2004 through December 31, 2004.

Carried: Ayes: 1491 Noes: Absent: Abstain: 127 (Gozelski)

February 10, 2004

**RESOLUTION NO. 04-82
(February 10, 2004)**

By Mr. Gozelski, Chairman of Agriculture Committee

**WYOMING COUNTY BOARD OF SUPERVISORS
EXPRESS OPPOSITION TO INCLUSION OF THE DAIRY
INDUSTRY IN THE U.S. – AUSTRALIA FREE TRADE
AGREEMENT**

WHEREAS, The inclusion of the dairy industry under such an agreement could significantly increase dairy imports from Australia – An Australian report indicates open access would increase the nation's dairy exports to the U. S. by 354%, and

WHEREAS, This agreement would displace more than 13% of U. S. milk production and cost U. S. dairy farmers on average \$2.6 billion annually due to lower milk prices over the life span of this nine-year agreement, and

WHEREAS, The U. S. – Australia Free Trade Agreement would cause several thousand farms to go out of business and negatively impact over 1 million dairy sector jobs and hurt our rural economies; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors is in opposition of the U. S. Dairy Industry's inclusion in the U. S. – Australia Free Trade Agreement.

BE IT FURTHER RESOLVED, That a certified copy of this resolution will be forwarded to Inter-County for further support.

Carried: Ayes: 1491 Noes: Absent: Abstain: 127 (Gozelski)

Chairman Berwanger called a short recess at 2:45 PM to await information from the County Attorney in regards to one of the resolutions being presented by the Finance Committee.

2:50 PM session resumed.

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There was a motion by Supervisor Humphrey, T/Perry, to combine resolutions #36, 37, 39, and #40. Resolution number 38 will be voted on separately. A voice vote was taken and all voted aye.

#36

**RESOLUTION NO. 04-83
(February 10, 2004)**

By Mrs. Humphrey, Chairman of Finance Committee

**AUTHORIZE CHAIRMAN TO SIGN CONTRACTS
WITH STU BROWN & J. O'CONNELL**

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

- Stu Brown, 640 Crosskeys Office Park, Fairport NY 14450
- J. O'Connell & Associates, Grants Consultants, 10646 Main Street, Clarence, NY 14031

For grant writing services from March 01, 2004 through February 28, 2005; each contract will be for \$75.00 per hour, not to exceed amount budgeted; said contracts contingent on the availability of funds.

Carried: Ayes: 1618 Noes: Absent: Abstain:

#37

**RESOLUTION NO. 04-84
(February 10, 2004)**

By Mrs. Humphrey, Chairman of Finance Committee

RESCIND SALE OF PROPERTY TO VILLAGE OF PERRY

BE IT RESOLVED, That Resolution number 03-249, adopted September 09, 2003, approving the sale of property located at 87 South Main Street, Tax Map #100.7-7-37 formerly assessed Buell Oil Company Inc., to the Village of Perry is hereby rescinded.

Carried: Ayes: 1618 Noes: Absent: Abstain:

February 10, 2004

RESOLUTION NO. 04-85
(February 10, 2004)

By Mrs. Humphrey, Chairman of the Finance Committee:

APPROVES PROPERTY AUCTION SALES

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 property and recommends the acceptance thereof, namely:

MWT Architecture, PC of 6390 Main Street, Suite 120, Williamsville, NY 14221 has offered \$77,000.00 for property located in the Town & Village of Warsaw, 283 North Main Street, Warsaw, New York, 14569, Tax Map #73.15-1-25. Said property will use the name of 283 North Main Street, LLC.

Now, therefore, be it

RESOLVED, That the above are hereby approved and accepted, contingent upon a favorable legal opinion from the County Attorney, and the County Treasurer, in the name of the County, is hereby authorized to execute and deliver a standard form tax deed to the purchaser, providing payment of said purchase price is received by him on or before March 5, 2004.

Carried: Ayes: 1618 Noes: Absent: Abstain

#39

RESOLUTION NO. 04-86
(February 10, 2004)

By Mrs. Humphrey, Chairman of the Finance Committee:

COUNTY PURCHASE AGENT REAPPOINTED

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BE IT RESOLVED, That A. Douglas Berwanger, Chairman to the Board of Supervisors, 6608 East Arcade Road, Arcade NY 14009 is hereby reappointed as the County Purchase Agent. The term shall be effective from January 01, 2004 through December 31, 2005.

Carried: Ayes: 1618 Noes: Absent: Abstain:

#40

**RESOLUTION NO. 04-87
(February 10, 2004)**

By Mrs. Humphrey, Chairman of the Finance Committee:

**AUTHORIZE CHAIRMAN TO SIGN A RENTAL
AGREEMENT WITH WYOMING COUNTY COMMUNITY
ACTION**

WHEREAS, The five year lease agreement effective July 1, 1999 as adopted on April 13, 1999 by Resolution 99-90 and amended by Resolution 03-54 adopted on February 11, 2003 is hereby terminated by both parties effective February 29, 2004, and;

WHEREAS, A new lease will be entered into for the same premises of approximately 6000± square feet at 6470 Route 20A in the Town of Perry, New York (also known as the Wyoming County Business Center) and shall be for a period of five (5) years commencing on March 1, 2004 and terminating on February 28, 2009,

WHEREAS, The rent amount shall be \$4,378.00 (four thousand three hundred seventy eight dollars) monthly; with an \$833.00 (eight hundred thirty three dollar) monthly reduction in payment; said monthly reduction is for the duration of this five-year lease.

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a rental lease agreement with Wyoming County Community Action, contingent on the availability of funds.

Carried: Ayes: 1618 Noes: Absent: Abstain:

There being no further business to come before this board the meeting was adjourned by Mrs. Humphrey at 2:55 PM.

February 10, 2004

REGULAR SESSION
(March 9, 2004)

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 Supervisor Chambers, 143 North Main Street, Warsaw, New York with all members present. Also present were County Attorney Eric Dadd, County Treasurer John Edwards, and Clerk to the Board of Supervisors Paula Parker and Deputy Clerk to the Board of Supervisors Cheryl Ketchum.

At 2:25 PM Chairman Berwanger, T/Arcade, called the meeting to order.

The Chairman then introduced **U.S. Air Force Reservist, Ms. Gina Marie Pizzaconi (Warsaw)** to lead us in the Pledge of Allegiance to the Flag.

Ms. Pizzaconi is a 1994 graduate of Spencerport High School and a 1999 graduate of Houghton College. She is presently enrolled in the Master's Program at the American Military University, Charles Town, VA, specializing in Competitive Intelligence.

She enlisted in the U.S. Air Force Reserves in September 2001 as an Intelligence Analyst. She was activated for operation Enduring Freedom/Iraqi Freedom in March 2003 and deployed to Iraq from August 2003 to December 2003. For her service in Iraq, she will receive the National Defense Medal, Global War on Terrorism Service Medal, Global War on Terrorism Expeditionary Medal, Armed Forces Reserve Medal with an "M" Device, Air Force Expeditionary Service Ribbon with oak leaf cluster, Air Force Achievement Medal and the Armed Forces Expeditionary Medal. Gina is anticipating a Commission as a 2nd Lieutenant in the near future.

Ms. Pizzaconi has been employed at Financial Institutions as a Commercial Credit Analyst since July 2003 and is a homeowner and resident in Warsaw.

Chairman Berwanger recognized the **Department of Social Services Employee of the Month** by stating, "I'd like to take this opportunity to recognize the Department of Social Services Employee of the Month, **Craig Traynor**. In addition to recognizing outstanding employees, Commissioner Wallace invites them to attend a Human Service Committee meeting and Board

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meeting to better understand the relationship between individual Departments and the Board of Supervisors.

This month's employee is a Support Investigator and has been working with Social Services since 1979. He was nominated as a result of a customer appreciation letter from a woman who is now receiving regular child Support as a result of his diligent efforts. Please join me in recognizing Craig Traynor."

Paula Parker, Clerk to the Board, read the following communications:

C-1: Inter-County Meeting will be held on March 19, 2004.
Reservations must be made by Friday, March 12, 2004.

#1

RESOLUTION NO. 04-88 (March 09, 2004)

By Mrs. Humphrey, Chairman of Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2003 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2003 accounts as follows:

Workers Compensation			
To: 05.58.1720.4.41602 Indemnity Payments w/ revenue acct # 05.04.1710.2222 Assessments increased by the same. Reason: To cover expenses for estimated Worker's Compensation Liability	\$579,177.17	\$579,177.17	
Total Workers Compensation			\$579,177.17

Carried: Ayes: 1405 Noes: Absent: 213 (Miller) Abstain:
#2

RESOLUTION NO. 04-89 (March 09, 2004)

By Mrs. Humphrey, Chairman of Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2004 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2004 accounts as follows:

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<u>SHERIFF</u>			
To: 01.37.3110.2.20501 Law Enforcement Equipment w/01.11.3110.308901 revenue acct. (State Aid) Reason: For the purchase of eight (8) sets of foldable traffic cones.	\$680.00	\$680.00	
To: 01.37.3110.1.10301 Overtime w/01.03.3110.1289 Other Dept. Income by same Reason: Reimbursement for the Month of January 2004 from T/Covington	\$ 64.35	\$64.35	
Total Sheriff			\$744.35
<u>OFFICE FOR THE AGING</u>			
To: 01.44.6772.1.10001 OFA fixed salary line w/01.03.6772.1289 revenue acct. increased by the same amt. Reason: This is for the increase to the nutrition coordinator salary of from the CHHA.	\$5,000.00	\$5,000.00	\$5,000.00
Total Office for the Aging			\$5,000.00
<u>SOCIAL SERVICES</u>			
To: 01.39.6010.4.42217 FS E & T Training Contract. w/ 01.12.6010.4611 offsetting revenue increased by same Reason: to re-appropriate balance 2003 to 2004	\$7,437.50	\$7,437.50	
To: 01.39.6010.4.42450 Food Stamp Nutrition w/rev. acct #01.12.6010.4610 increased by the same amt. Reason: to re-appropriate from 2003 to 2004.	\$7,992.00	\$7,992.00	
To: 01.39.6010.4.42275 Incentive Program (students) w/revenue acct #01.12.6010.4610 increased by same Reason: Appropriate additional money granted under the TANF Prevention of Non-Secure Detention Placement and PINS Age 16-17 Services.	\$40,000.00	\$40,000.00	
Total Social Services			\$55,429.50
<u>MENTAL HEALTH</u>			
2004 – Mental Health Reinvestment #4324 To: 01.38.4324.4.40301 Prof Contract Service 01.38.4324.4.41010 Misc. Office Supplies 01.38.4324.4.42301 Misc. Other Exp. Adjust revenue account: w/01.03.4324.1289 Other Department Revenue increased by same amt. Reason: Per Resolution #03-344 Dept. contract with CCSI to provide an individual to work on the Western Care Coordination Project's Peer and Family Advisory Group and related expenses	\$ 10,300.00 1,000.00 900.00	\$12,200.00	
Total Mental Health			\$12,200.00
<u>PUBLIC HEALTH</u>			
To: 01.38.4010.4.42460 HIV Grant w/offsetting revenues 01.04.4010.160110 Reason: To appropriate for expenses related to the HIV 50+ Coalition grant.	\$525.00	\$525.00	
Total Public Health			\$525.00
<u>AGRICULTURE</u>			
To: 01.42.6421.4.40301 Professional Services from any funds available; to fund Wyoming County Soil & Water for a one (1) year contract to provide the County of Wyoming with Agriculture Districts Review. Effective 01/01/04 through 12/31/04; contingent upon the availability of funds.	\$15,000.00	\$15,000.00	
Total Agriculture			\$15,000.00

Carried: **Ayes: 1405** **Noes:** **Absent: 213 (Miller)** **Abstain:**
#3

RESOLUTION NO. 04-90
(March 09, 2004)

By Mrs. Humphrey, Chairman of Finance Committee:

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FUNDS TRANSFERRED IN VARIOUS 2004 ACCOUNTS

BE IT RESOLVED, That the Wyoming County Treasurer is hereby authorized and directed to transfer funds within various 2004 accounts as follows:

<u>HOSPITAL</u>			
From: 02.56.4510.4.42501 Contractual	\$100,000.00		
To: 02.56.4510.2.20801 Equipment-Hospital		\$100,000.00	
Reason: To cover expenses for 2004 per Paul Brozyna			
Total Hospital			\$100,000.00
<u>PUBLIC HEALTH</u>			
From: 01.38.4050.1.10001 Salaries S/D/I	21,000		
01.38.4050.1.10602 Insurance Repudiation	450		
01.38.4050.8.81001 Retirement	2,520		
01.38.4050.8.83001 FICA	1,302		
01.38.4050.8.85001 Medicare – FICA	<u>305</u>		
To: 01.38.4050.4.40936 MSW		\$25,577	
Reason: To cover cost of contractual MSW (T. Miller resignation)			
Total Public Health			\$25,577.00

Carried: Ayes: 1405 Noes: Absent: 213 (Miller) Abstain:

Mrs. Totstline, Chairman of the Audit Committee, presented bills totaling \$1,587,453.27

Carried: Ayes: 1405 Noes: Absent: 213 (Miller) Abstain:

There was a motion by Supervisor Davis, T/Covington, to combine resolutions #4 through #7. A voice vote was taken and all voted aye.

#4

RESOLUTION NO. 04-91
(March 09, 2004)

By Mr. Davis, Chairman of the Public Safety Committee

**AUTHORIZE CHAIRMAN TO SIGN CONTRACTS 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 the following contracts on behalf of the Public Defender's office:

March 09, 2004

- Carried: Ayes: 1405 Noes: Absent: 213 (Miller) Abstain: #5**

By Mr. Davis, Chairman of the Public Safety Committee

Carried: Ayes: 1405 Noes: Absent: 213 (Miller) Abstain: #6

By Mr. Davis, Chairman of the Public Safety Committee

Regular Session

**AUTHORIZE CHAIRMAN TO SIGN A CONTRACT FOR
2004 AID TO PROSECUTION**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign the renewal contract with the New York State Department of Criminal Justice System for 2004's Aid to Prosecution Grant in the amount of \$42,500.00 (Forty two thousand five hundred dollars); effective from April 04, 2003 through September 30, 2005.

Carried: Ayes: 1405 Noes: Absent: 213 (Miller) Abstain:
#7

**RESOLUTION NO. 04-94
(March 09, 2004)**

By Mr. Davis, Chairman of the Public Safety Committee

**DR. GREGORY COLLINS APPOINTED AS
DIRECTOR OF EMERGENCY MEDICAL SERVICES**

BE IT RESOLVED, That Dr. Gregory J. Collins, DO, 4820 Darby Road, Avon, NY is hereby appointed as Director of Emergency Medical Services for a term of one (1) year effective January 01, 2004 through December 31, 2004 with salary to be set at \$12,000.00 (Twelve thousand dollars) annually.

Carried: Ayes: 1405 Noes: Absent: 213 (Miller) Abstain:

There was a motion by Supervisor Rogers, T/Pike, to combine resolutions #8 through #12. A voice vote was taken and all voted aye.

#8

**RESOLUTION NO. 04-95
(March 09, 2004)**

By Mr. Rogers, Chairman of the Human Services Committee

**MEMBER APPOINTED TO WYOMING COUNTY'S
March 09, 2004**

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OFFICE FOR THE AGING ADVISORY COUNCIL

BE IT RESOLVED, That Louis Zittle, 657 Lapp Road, Alden NY 14004 has been reappointed to the Office for the Aging's Advisory Council for Wyoming County as the Bennington representative for a term of three (3) years; effective January 01, 2004 through December 31, 2006.

Carried: **Ayes: 1405** **Noes:** **Absent: 213 (Miller)** **Abstain:**
#9

RESOLUTION NO. 04-96
(March 09, 2004)

By Mr. Rogers, Chairman of the Human Services Committee

AUTHORIZE CHAIRMAN TO SIGN CONTRACTS
ON BEHALF OF THE YOUTH BUREAU

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

- Youth Court Coordinator (Steve Tarbell) - \$11.00 per hour not to exceed \$4,500.00 (Four thousand five hundred dollars). No change from previous contract; effective January 01, 2004 through December 31, 2004.
- Buffalo Hearing and Speech, 50 East North Street, Buffalo NY 14203 – Preschool related services provided to preschoolers with disabilities in the amount of \$50 / \$25 / \$7.00 per each half hour of speech service for Individual / Group / and Aid services respectively; effective March 01, 2004 through June 30, 2005.
- Hearing and Speech Center of WNY, 15 South Forest Road, Williamsville NY 14221 – Preschool related services provided to preschoolers with disabilities in the amount of \$50 / \$25 / \$7.00 per each half hour of speech service for Individual / Group / and Aid services respectively; effective March 01, 2004 through June 30, 2005.

Carried: Ayes: 1405 Noes: Absent: 213 (Miller) Abstain: #10

By Mr. Rogers, Chairman of the Human Services Committee

BE IT RESOLVED, That the following members have been appointed/reappointed to the Wyoming County Youth Board:

- **Keith Countermine** (Town of Attica Representative) 100 Genesee Street, Attica NY 14011
- **Kyle Countermine** (Town of Attica Representative) 100 Genesee Street, Attica NY 14011
- **Roxanne Dueppengiesser** (Cornell Cooperative Extension Representative) 401 North Main Street, Warsaw NY 14569

- **Aaron Anderson** (Sheriff's Department Representative) 143 N. Main Street, Warsaw NY 14569
- **Dick Carlson** (Town of Middlebury Representative) 1912 Warsaw Wyoming Rd., Wyoming NY 14591

- **Cyndy Hickey** (Town of Cowlesville Representative) 1308 Folsomdale Road, Cowlesville NY 14037
- **Siobhan Hickey** (Town of Cowlesville Representative) 1308 Folsomdale Road, Cowlesville NY 14037
- **Jim Swatt** (Mental Health Representative) 338 North Main Street, Warsaw NY 14569

Carried: Ayes: 1405 Noes: Absent: 213 (Miller) Abstain:

March 09, 2004

RESOLUTION NO. 04-98
(March 09, 2004)

By Mr. Rogers, Chairman of the Human Services Committee

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

BE IT RESOLVED, That one (1) position of Clerk, 1.00 FTE, in the Department of Social Services is hereby abolished effective immediately.

Carried: **Ayes: 1405** **Noes:** **Absent: 213 (Miller)** **Abstain:**
#12

RESOLUTION NO. 04-99
(March 09, 2004)

By Mr. Rogers, Chairman of the Human Services Committee

**AUTHORIZE CHAIRMAN/COMMISSIONER TO
SIGN MERIT INCENTIVE PROGRAM CONTRACTS**

BE IT RESOLVED, That the Chairman of this Board/Commissioner of the Department of Social Services with the approval of the County Attorney are hereby authorized and directed to sign a contract for the Merit Incentive Program in an amount not to exceed \$40,000.00 (Forty thousand dollars). Expenditures are for the period of July 1, 2003 and ending June 30, 2004. Contingent upon the availability of funds.

Carried: **Ayes: 1405** **Noes:** **Absent: 213 (Miller)** **Abstain:**

There was a motion by Supervisor Knab, T/Sheldon, to combine resolutions #13 through #15. A voice vote was taken and all voted aye.

#13

RESOLUTION NO. 04-100

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(March 09, 2004)

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By Mr. Knab, Chairman of the Public Health Committee

**MEMBERS APPOINTED TO THE MENTAL
HEALTH COMMUNITY SERVICES BOARD AND
ALCOHOL AND SUBSTANCE ABUSE SUBCOMMITTEE**

BE IT RESOLVED, That **Jim Messe, Wyoming County Drug Court Coordinator**, 143 North Main Street, Warsaw, NY 14569 is hereby appointed to the **Alcohol and Substance Abuse Subcommittee** for a term of 4 years effective January 01, 2004 through December 31, 2007.

BE IT FURTHER RESOLVED, That **Patricia Meek, 66 Park Street, Warsaw NY 14569** is hereby appointed to the **Community Services Board** and the **Alcohol and Substance Abuse Subcommittee** for a term of 4 years effective January 01, 2004 through December 31, 2007.

Carried: Ayes: 1278 Noes: Absent: 213 (Miller) Abstain: 127 (Grant)
#14

RESOLUTION NO. 04-101
(March 09, 2004)

By Mr. Knab, Chairman of the Public Health Committee

RESOLUTION NUMBER 03-12 AMENDED

BE IT RESOLVED, That the Wyoming County Board of Supervisors' Resolution Number 03-12, authorizing the Chairman of this Board to sign contracts on behalf of the Public Health Department be amended. This amendment is to increase the amount of Contract #C018374 with the New York State Department of Health Division of Chronic Disease Prevention for the provision of the Cancer Services Program by \$2,085.00 (Two thousand eighty five dollars) to \$35,093.00 (Thirty five thousand ninety-three dollars). The effective date for the above contract is from April 01, 2003 through March 31, 2004.

Contingent upon the availability of funding.

Carried: Ayes: 1405 Noes: Absent: 213 (Miller) Abstain:
#15

March 09, 2004

Proceedings of the Board of Supervisors
RESOLUTION NO. 04-102
(March 09, 2004)

By Mr. Knab, Chairman of the Public Health Committee

**AUTHORIZE CHAIRMAN TO SIGN CONTRACT
WITH KAREN NELSON ON BEHALF OF THE
WYOMING COUNTY CERTIFIED HOME HEALTH
AGENCY**

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 Karen Nelson, 7138 Lynman Rd. Bergen, NY 14416 for the provision of Medical Social Work services for CHHA patients. The contract will be in effect from February 25, 2004 through December 31, 2004 in the amount of \$60.00 per visit not to exceed \$24,000.00 (Twenty four thousand dollars); contingent upon the availability of funds.

Carried: Ayes: 1405 Noes: Absent: 213 (Miller) Abstain:
#16

RESOLUTION NO. 04-103
(March 09, 2004)

By Mrs. Meeder, Chairman of the Human Resource Committee:
By Mr. Davis, Chairman of the Public Safety Committee:

**RESOLUTION IN OPPOSITION TO GOVERNOR
GEORGE PATAKI'S EXECUTIVE BUDGET PROPOSAL
TARGETING PISTOL PERMIT OWNERS**

WHEREAS; In an attempt to generate revenue and close the state's enormous budget cap, Governor George Pataki has included in his Executive Budget a proposal that targets, and seeks to profit from, law-abiding gun owners; and

WHEREAS; The provision in budget bills S.6056/A.9556 will require handgun licensees to pay a \$100.00 (One hundred dollar) certification fee to the state and institute a five-year expiration period for licenses (currently most

jurisdictions issue lifetime licenses), and charge a fee of \$25.00 (Twenty five dollars) for every amendment made to each handgun owned; and

WHEREAS, This proposal would remove the caps on local processing fees, which means fees can be expected to climb; and

WHEREAS, Removing the caps on local processing fees could price gun owners, sportsmen, and collectors out of the market in many jurisdictions; and

WHEREAS, Instead of directly banning handguns, this proposal would simply make it too expensive to legally own handguns and that this legislation could lead to an infringement of the rights of individuals, guaranteed under the Second Amendment of the U. S. Constitution.

BE IT RESOLVED, That the Wyoming County Board of Supervisors goes on record as opposing this proposal in the Executive Budget S.6056/A.9556;

AND BE IT FURTHER RESOLVED, That the Clerk to this Board of Supervisors is directed to transmit a certified copy of this Resolution to Governor George Pataki; Speaker Pro Tem, Majority Leader of the New York State Senate, Joseph Bruno; Speaker of the New York State Assembly, Sheldon Silver; Senator Patricia McGee; State Senator Dale Volker; Assemblyman Daniel Burling and to Inter – County of Western New York.

Carried: Ayes: 1405 Noes: Absent: 213 (Miller) Abstain:

There was a motion by Supervisor Kushner, T/Eagle, to combine resolutions #17 and #18. A voice vote was taken and all voted aye.

#17

**RESOLUTION NO. 04-104
(March 09, 2004)**

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

**AUTHORIZE CHAIRMAN TO SIGN PURCHASE
CONTRACT FOR RIGHT OF WAY FOR COVINGTON
BRIDGE**

March 09, 2004

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WHEREAS, The real property purchase contracts in the Town of Covington obtained by the Public Works Committee on February 27, 2004, needed for the replacement of Covington Bridge #31, BIN #3366400 CR #53 (Starr Rd.) over the Tributary to 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:

Jerald P. Schumacher	Map #1 Parcel #1 .076± acres	\$ 95.00
	Parcel #2 .083± acres	<u>100.00</u>
	Sub-total	\$195.00
	Improvements: (field grass – parcel 1)	150.00
	Cost to Cure: (replace barbed wire fencing)	<u>225.00</u>
	Total Cost:	\$570.00

Carried: Ayes: 1405 Noes: Absent: 213 (Miller) Abstain: #18

**RESOLUTION NO. 04-105
(March 09, 2004)**

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

**AUTHORIZE CHAIRMAN TO SIGN CONTRACT WITH
VILLAGE OF PERRY 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 the Village of Perry, 46 North Main Street, Perry NY 14530, on behalf of the Wyoming County Highway Department. The contract is for repair costs at Perry's Bridge No. 8, Walnut Street Bridge over the Silver Lake Outlet,

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amount not to exceed \$15,000.00 (Fifteen thousand dollars); contingent upon the availability of funds.

Carried: Ayes: 1405 Noes: Absent: 213 (Miller) Abstain:

There was a motion by Supervisor Glosser, T/Orangeville, to combine resolutions #19 through #21. A voice vote was taken and all voted aye.

#19

**RESOLUTION NO. 04-106
(March 09, 2004)**

By Mr. Miller, Chairman of the Planning Committee:

**FRED HUMPHREY APPOINTED TO GENESEE
TRANSPORTATION COUNCIL PLANNING COMMITTEE**

BE IT RESOLVED, That Fred Humphrey, 243 Liberty Street, Warsaw NY 14569 has been appointed to the Genesee Transportation Council Planning Committee for an indefinite term; effective January 01, 2004.

**Carried: Ayes: 1405 Noes: Absent: 213 (Miller) Abstain:
#20**

**RESOLUTION NO. 04-107
(March 09, 2004)**

By Mr. Miller, Chairman of the Planning Committee:

**SUPERVISOR MEMBERS APPOINTED TO THE
WYOMING COUNTY TOURIST PROMOTION AGENCY**

BE IT RESOLVED, That **Jim Fleischman**, Supervisor for the Town of Java, 5824 Java Lake Road, Arcade NY 14009 is hereby appointed to the Wyoming County Tourist Promotion Agency as a **Supervisor Member** for the term of one (1) year, effective January 01, 2004 through December 31, 2004, and be it

FURTHER RESOLVED, That **Ellen Grant**, Supervisor for the Town of Bennington, 134 Clinton St., Alden NY 14004 is hereby appointed to the Wyoming County Tourist Promotion Agency as a **Supervisor**
March 09, 2004

Member/Alternate for the term of one (1) year, effective January 01, 2004 through December 31, 2004.

Carried: Ayes: 1405 Noes: Absent: 213 (Miller) Abstain: #21

RESOLUTION NO. 04-108
(March 09, 2004)

By Mr. Miller, Chairman of the Planning Committee:

**MEMBERS REAPPOINTED TO
G.L.O.W. WORKFORCE INVESTMENT BOARD**

BE IT RESOLVED, That the following individuals are hereby reappointed to the Genesee Livingston Orleans Wyoming Workforce Investment Board:

Indefinite Terms:

- Community Services Block Grant/HUD E & T Rep.:
Rita White (WCCA) 6470 Route 20A, Suite #1, Perry NY 14530
- Local Education Entity Rep:
Sharon Grugel (Business Education Council) 6470 Route 20A, Suite #3,
Perry NY 14530
- Public Sector Rep:
Thomas Gangloff, 46 Windelin Dr., Henrietta NY 14467

One (1) Year Term ending December 31, 2004:

- Private Sector Rep.:
Rosemary Ott (Wyoming County Bank, Sales & Marketing Director)
55 North main Street, Warsaw NY 14569

Carried: Ayes: 1405 Noes: Absent: 213 (Miller) Abstain:

There was a motion by Supervisor Gozelski, T/Castile, to combine resolutions #22 and #23. A voice vote was taken and all voted aye.

**RESOLUTION NO. 04-109
(March 09, 2004)**

By Mr. Gozelski, Chairman of the Agriculture Committee:

**MEMBER APPOINTED TO THE
SOIL & WATER CONSERVATION DISTRICT BOARD OF
DIRECTORS**

BE IT RESOLVED, That **Walter Faryna**, 4018 Route 39, Perry NY 14530 is hereby appointed to the Wyoming County Soil & Water Conservation District Board of Directors as the Wyoming County Farm Bureau Representative for an indefinite term; effective January 01, 2004.

**Carried: Ayes: 1405 Noes: Absent: 213 (Miller) Abstain:
#23**

**RESOLUTION NO. 04-110
(March 09, 2004)**

By Mr. Gozelski, Chairman of the Agriculture Committee:

**SUPERVISOR MEMBER APPOINTED TO THE REGION 9
FOREST PRACTICE BOARD PLANNING COMMITTEE**

BE IT RESOLVED, That **A. Douglas Berwanger**, Town of Arcade Supervisor, 6608 East Arcade Road, Arcade NY 14009 is hereby appointed to a two (2) year term on the **Region 9 Forest Practice Board Planning Committee** as a Supervisor Member; effective January 01, 2004 through December 31, 2005.

**Carried: Ayes: 1405 Noes: Absent: 213 (Miller) Abstain:
#24**

**RESOLUTION NO. 04-111
(March 09, 2004)**

March 09, 2004

By Ms. Humphrey, Chairman of the Finance Committee

AMEND SALARY SCHEDULE “D”

BE IT RESOLVED, That the Wyoming County Salary Plan Schedule “D” which became effective January 1, 1967, as amended on October 14, 2003, is hereby amended as follows: the position of Emergency Medical Director in the Emergency Services Department, be placed on Schedule D, of the Wyoming County Salary Schedule Plan with the salary to be set at \$12,000.00 (Twelve thousand dollars) annually, effective January 1, 2004.

Carried: Ayes: 1405 Noes: Absent: 213 (Miller) Abstain:

There being no further business to come before this board the meeting was adjourned by Senior Supervisor, Mrs. Humphrey at 2:50 PM.

REGULAR SESSION
(April 13, 2004)

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 located at 143 North Main Street, Warsaw, New York with 15 members present. Supervisor Bush, T/Gainesville was absent. Also present were Assistant County Attorney Jane Monaghan, County Treasurer John Edwards, and Clerk to the Board of Supervisors Paula Parker and Deputy Clerk to the Board of Supervisors Cheryl Ketchum.

At 2:10 PM Chairman Berwanger, T/Arcade, called the meeting to order.

The Chairman then introduced **U.S. Army Veteran, Mr. Philip A. Schillaci (Silver Springs)** to lead us in the Pledge of Allegiance to the Flag.

Mr. Schillaci is a 1940 graduate of Warsaw Central School. He entered the U.S. Army on February 7, 1941 and was shipped to the European Theater of Operations on December 9, 1944. While in Europe, he participated in the Battle for Central Europe, namely, "The Battle of the Bulge". In July of 1945, he was transferred to the Western Pacific Theater of Operation in preparation for the invasion of Japan. With the dropping of the atomic bomb on mainland Japan, and Japan's surrender, Mr. Schillaci was returned to the U.S. on December 17, 1945 and discharged from active duty on December 25, 1945. For his actions during World War II, Mr. Schillaci was awarded the **American Service Medal, Asiatic-Pacific Service Medal, European African Middle Eastern Service Medal, World War II Victory Medal, and the Good Conduct Medal.**

After his discharge from the service until approx. 1958, Mr. Schillaci and his brother founded and operated Skill Brother's Texaco Station in Rock Glen, which is the present sight of the Wyoming County Highway Department. He then worked for Borden's Product's in Perry until his appointment to the New York State Department of Transportation in 1959. Mr. Schillaci retired from the NYS DOT in 1974.

Mr. Schillaci is an active member of numerous veteran organizations, including: Walter Klein Post #532 of the American Legion (Warsaw), Warsaw Memorial Post #4823 of the Veterans of Foreign Wars and Batavia Chapter #156 of Disabled American Veterans (D.A.V.), of which he has been Commander since 1997. He is a volunteer at the Batavia VA Medical Center and the Wyoming

April 13, 2004

Mr. Schillaci and his wife, Ruth live on Battin Road in Silver Springs, N.Y.

Mr. Schillaci addressed the Board regarding honoring the dead by addressing the living and reminded all present that there is a Disabled American Veterans Association in Batavia. He stated most are unaware this organization exists.

Senior Airman Gina Marie Pizziconi, last month's Veteran who lead the Board in the Pledge of Allegiance presented American Flags that were flown over the skies of Iraq by the 328th Expeditionary Airlift Squadron deployed out of Niagara Falls, NY in a C-130 Hercules, call sign Bison-27 on a Combat Mission into Baghdad, Iraq on December 4, 2003 to The Wyoming County Board of Supervisors, Frank Hollister of Veterans Services, and to Wyoming County Bank.

Chairman Berwanger recognized the **Department of Social Services Employee of the Month** by stating, "I'd like to take this opportunity to recognize the Department of Social Services Employee of the Month. In addition to recognizing outstanding employees, Commissioner Wallace invites them to attend a Human Service Committee meeting and Board meeting to better understand the relationship between individual Departments and the Board of Supervisors.

This month's nominee started as a Caseworker in November of 2000 and in July of 2002 moved up to a Senior Caseworker. He was nominated for employee of the month based on his consistent high quality work and his unwavering efforts to improve employee morale. Notably in a recent exit interview an employee indicated that he was the "best boss" she ever had. Please join me in recognizing **David Rumsey** as this month's employee of the month.

Mrs. Humphrey, Chairman of the Finance Committee then had Mrs. Parker read the title to the first resolution being presented and Chairman Berwanger then read the proclamation in support of the 2004 United Way Campaign. The proclamation was presented to this year's United Way Campaign Chairman, Supervisor Rogers, Karen Rumfola, and Karen DuBois of the United Way Foundation.

#1

RESOLUTION NO. 04-112
(April 13, 2004)

Regular Session

By Ms. Humphrey, Chairman of the Finance Committee:

2004 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 2004 campaign goal of \$300,000 (Three hundred thousand dollars) for these needed services to county residents; now, therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors does hereby endorse and support the 2004 United Way Campaign, and encourages county and municipal employees, and county residents and employers to make a critical investment in their community and help us “take care of our own”, by participating in this years Campaign.

Carried: Ayes: 1522 Noes: Absent: 96 (Bush) Abstain:

After the vote was taken Supervisor Rogers presented a United Way video that made everyone present eligible to enter this year’s sweepstakes. Pledge forms were also made available to those in need by contacting either Karen Rumfola and/or Karen DuBois.

#2

RESOLUTION NO. 04-113 (April 13, 2004)

By Mrs. Humphrey, Chairman of Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2004 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2004 accounts as follows:

Treasurer			Dept. Totals:
To: 01.34.1364.4.40301 Professional Services	\$500.00		
01.34.1364.4.41201 Postage	2,500.00		
01.34.1364.4.41204 Advertising	2,000.00		
w/ revenue acct # 01.03.1364.1235 Tax Sale &	5,000.00		
Redemption Advertising increased by the same.		\$5,000.00	
Reason: Needed for Increase in cost of foreclosures,			
revenue coming from fee added to tax bill.			\$5,000.00
Buildings & Grounds			
To: 01.34.1620.4.40802 Building Supplies – Repairs	\$2,123.00		
W/rev. acct 01.08.1620.2680 Insurance Recovery			
increased by same amt.		\$2,123.00	
Reason: To replace light pole in parking lot.			\$2,123.00

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<u>Public Health Department</u>			
To: 01.04.4035.168903 FP Private Insurance To appropriate revenue for 2003 PO rolled into 2004 with offsetting expense which was appropriated via the PO rollover.		\$1,114.24	
To: 01.38.4013.4.41010 Misc. Office Supplies 01.38.4013.4.41701 Physicals/County Employees 01.38.4013.4.41214 Supplies Purchased with acct #01.12.4013.448916 offsetting revenues to be appropriated in by the same amount. Reason: To appropriate for Estimated Expenses in the current year	\$5,000.00 3,400.00 <u>10,825.00</u> \$19,225.00	\$19,225.00	
Total Public Health:			\$20,339.24
<u>Sheriff's Department</u>			
To: 01.37.3110.1.10301 Overtime w/rev. acct #01.03.3110.1289 Other Dept. Income increased by same. Reason: for reimbursement of overtime expended for the Town of Covington.	\$64.35	\$64.35	
			\$64.35
<u>Emergency Services</u>			
To: 01.37.3640.8.81001 Retirement 01.37.3640.8.83001 FICA 01.37.3640.8.85001 FICA Med. from any funds available (will come from contingency). (Dr. Collins' EMS Director Position)	\$1,440.00 744.00 <u>174.00</u> \$2,358.00	\$2,358.00	
			\$2,358.00
B.) <u>Public Defender / Indigent Parolee Program</u>			
To: 01.32.1171.4.40902 Legal Services 01.11.1171.308910 ATI Revenue balance of \$10,000 from any funds available.	\$20,000.00	\$10,000.00	
			\$20,000.00

Carried: Ayes: 1522 Noes: Absent: 96 (Bush) Abstain: #3

RESOLUTION NO. 04-114 (April 13, 2004)

By Mrs. Humphrey, Chairman of Finance Committee:

FUNDS TRANSFERRED TO VARIOUS 2004 ACCOUNTS

BE IT RESOLVED, That funds are hereby transferred to the various 2004 accounts as follows:

<u>Civil Service/Personnel</u>			<u>Dept. Totals:</u>
From: 01.34.1430.1.10001 Salaries To: 01.34.1430.4.40304 Contracts Reason: to cover the cost of temporary help	\$9,100.00	\$9,100.00	
Total Civil Service / Personnel:			\$9,100.00
<u>Emergency Services</u>			
From: 01.37.3640.4.40308 Emerg. Med. Serv. To: 01.37.3640.1.10001 Salaries Reason: Transfer Medical Directors Monthly fee to Salaries	\$12,000.00	\$12,000.00	

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Total Emergency Services:			\$12,000.00
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Carried: Ayes: 1522 Noes: Absent: 96 (Bush) Abstain:

Mrs. Totslie, T/Genesee Falls, Chairman of the Audit Committee, presented bills totaling \$1,620,870.51

Carried: Ayes: 1522 Noes: Absent: 96 (Bush) Abstain:

There was a motion by Supervisor Kushner, T/Eagle, to combine resolutions #4 and #5. A voice vote was taken and all voted aye.

#4

RESOLUTION NO. 04-115 (April 13, 2004)

By Mr. Kushner, Chairman of the Public Works Committee

AUTHORIZE CHAIRMAN TO SIGN RENEWAL CONTRACTS ON BEHALF OF THE BUILDINGS AND GROUNDS

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

- TCCT, Inc. 2276 Silver Lake Rd. Perry, NY 14530 for janitorial services for the Board of Elections, Human Services, Public/Mental Health and the Courthouse in the amount of \$64,254.00 (Sixty four thousand two hundred fifty-four dollars); effective May 15, 2004 through May 14, 2005.
- Hendry Cleaning Service, 12 E. Court Street, Warsaw, NY 14569 for cleaning services for the Department of Social Services (Upper & Lower Buildings) and the Highway Department in the amount of \$28,620.00 (Twenty eight thousand six hundred and twenty dollars); effective May 15, 2004 through May 14, 2005.
- Wolcott Farms, 3820 Hermitage Road, Warsaw NY 14569, for the provision of lawn care in the amount of \$10,875.00 (Ten thousand eight

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hundred seventy-five dollars); effective April 01, 2004 through December 31 2004.

All contracts contingent upon the availability of funds.

Carried: **Ayes: 1522** **Noes:** **Absent: 96 (Bush)** **Abstain:**
#5

**RESOLUTION NO. 04-116
(April 13, 2004)**

By Mr. Kushner, Chairman of the Public Works Committee

**AUTHORIZE CHAIRMAN TO SIGN
SERVICE AGREEMENT ON BEHALF OF BUILDINGS
AND GROUNDS**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a three year service agreement with Ferguson Electric Service Co. Inc., 321 Ellicott St., Buffalo NY 14203, for testing all 15,000 volt electrical equipment at the Courthouse Campus. Said contract to be effective from April 13, 2004 through December 31, 2006 in an amount not to exceed \$3,500.00 (Three thousand five hundred dollars) for each of the three years, contingent upon the availability of funds.

Carried: **Ayes: 1522** **Noes:** **Absent: 96 (Bush)** **Abstain:**

There was a motion by Supervisor Rogers, T/Pike, to combine resolutions #6 through #12. A voice vote was taken and all voted aye.

#6

RESOLUTION NO. 04-117

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**AUTHORIZE CHAIRMAN TO SIGN A NEW
THREE-YEAR LEASE FOR FOUR (4) CAR LEASES
ON BEHALF OF SOCIAL SERVICES**

Carried: Ayes: 1522 Noes: Absent: 96 (Bush) Abstain: #7

April 13, 2004

Proceedings of the Board of Supervisors**BE IT RESOLVED**, That the Wyoming County Board of

Supervisors' Resolution Number 03-122, authorizing the Chairman of this Board to sign contracts on behalf of the Department of Social Services is hereby amended. This amendment is to increase the contract with Wyoming County Chemical Abuse Treatment Program, 422 North Main Street, Warsaw, NY 14569 for the provision of drug and alcohol assessments for applicants applying for assistance by \$10,000.00 (Ten thousand dollars) from the original amount of \$3,630.00 (Three thousand six hundred thirty dollars) to a total amount of \$13,630.00 (Thirteen thousand six hundred thirty dollars). Social Services regulations require TANF & Safety Net applicants/recipients to be assessed if suspected to be substance abusers. The effective date for the above contract is from March 23, 2003 through March 22, 2006; contingent upon the availability of funds.

Carried:**Ayes: 1522****Noes:****Absent: 96 (Bush)****Abstain:****#8****RESOLUTION NO. 04-119****(April 13, 2004)**

By Mr. Rogers, Chairman of the Human Services Committee

**AUTHORIZE CHAIRMAN TO SIGN AGREEMENT WITH
COMMUNITY CARE OF WNY, INC. ON BEHALF OF
OFFICE FOR THE AGING**

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

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agreement with Community Care of Western New York, Inc. of 1225 West State Street, Olean NY 14760, for the period of April 1, 2004 through December 31, 2008, to provide Personal Care Level I and II Aide Services for the provision of Expanded In-Home Services for the Elderly Program (EISEP). Rates will vary depending on the availability of services but will not exceed the 2004 Budget of \$101,827.00 (One hundred one thousand eight hundred twenty-seven dollars). Contract is contingent upon the availability of funding.

Carried: **Ayes: 1522** **Noes:** **Absent: 96 (Bush)** **Abstain:**
#9

RESOLUTION NO. 04-120
(April 13, 2004)

By Mr. Rogers, Chairman of the Human Services Committee

**APRIL 18 – 24, 2004 PROCLAIMED NATIONAL
VOLUNTEER WEEK**

WHEREAS, National Volunteer Week began in 1974 when President Richard Nixon signed an executive order establishing the week as an annual celebration of volunteering. Since then, every U.S. President has signed a proclamation promoting National Volunteer Week. Additionally, governors, mayors, and other elected officials make public statements and sign proclamations in support of National Volunteer Week, and

WHEREAS, During National Volunteer Week, organizations of all types host awards ceremonies recognizing millions of our nation's volunteers for their outstanding contributions to their communities over the past year, and

WHEREAS, A new national awards program being kicked off during National Volunteer Week this year is the Presidential Volunteer Service Awards. The President's Volunteer Service Award gives presidential recognition to people of all ages who have demonstrated a sustained commitment to volunteer service. The Award honors their achievements as a

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BE IT RESOLVED, That the Wyoming County Board of Supervisors does hereby proclaim *April 18 through April 24, 2004* as:

“NATIONAL VOLUNTEER WEEK”

Carried: Ayes: 1522 Noes: Absent: 96 (Bush) Abstain: #10

RESOLUTION NO. 04-121
(April 13, 2004)

By Mr. Rogers, Chairman of the Human Services Committee

MAY 2004 PROCLAIMED OLDER AMERICANS MONTH

WHEREAS, The theme for Older Americans Month 2004 is, “Aging Well, Living Well”. This theme has been selected to celebrate and recognize older Americans who are living longer, healthier, and more productive lives. Older persons are not only adding years to their lives, they are also improving the quality of their lives, and

WHEREAS, This theme gives us the opportunity to highlight issues that directly relate to aging well and living well. An older person's health status most often determines his or her ability to live a productive later life. Studies reveal that staying physically active, eating right, and getting regular health screenings can help prevent or delay many diseases and disease-related disabilities, and

WHEREAS, When Older Americans Month was established in 1963, only 17 million living Americans had reached their 65th birthdays. About a third of older Americans lived in poverty and there were few programs to meet their needs. Interest in older Americans and their concerns was growing, however. In April of 1963, President John F. Kennedy’s meeting with the National Council of Senior Citizens served as a prelude to designating May as “Senior Citizens Month.” Thanks to President Jimmy Carter’s 1980 designation, what

WHEREAS, Historically, Older Americans Month has been a time to acknowledge the contributions of past and current older persons to our country, in particular those who defended our country. Every President since JFK has issued a formal proclamation during or before the month of May asking that the entire nation pays tribute in some way to older persons in their communities. Older Americans Month is celebrated across the country through ceremonies, events, fairs and other such activities, now therefore

“OLDER AMERICANS’ MONTH”

Carried: Ayes: 1522 Noes: Absent: 96 (Bush) Abstain: #11

By Mr. Rogers, Chairman of the Human Services Committee

WHEREAS, National Nursing Home Week will begin on Mothers' Day, May 9th and continue through May 15, 2004. This year's theme, "Embracing Our Heritage," calls residents, family members, caregivers, and volunteers to reflect on the past and to contemplate the future by participating in special group activities, and

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family members, celebrate quality, and recognize all staff members who demonstrate excellent care giving, and

WHEREAS, One activity that lends itself well to the theme of reflection is the Veterans History Project organized by The National Folklife Center at the Library of Congress. This project aims to preserve the memories of our veterans from World War II. The project is collecting and preserving wartime memories and memorabilia of veterans and those who supported their efforts. Collecting stories from nursing home residents is an excellent activity for National Nursing Home week and one residents and future generations benefit from, now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors does hereby proclaim *May 09, through May 15, 2004* as:

“National Nursing Home Week”

in Wyoming County, New York and urges all citizens to honor and serve the individuals who laid the foundations of Wyoming County by participating in this year’s National Nursing Home Week observance at one of our county’s nursing facilities.

Carried: **Ayes: 1522** **Noes:** **Absent: 96 (Bush)** **Abstain:**
#12

RESOLUTION NO. 04-123
(April 13, 2004)

By Mr. Rogers, Chairman of the Human Services Committee

**AUTHORIZE CHAIRMAN TO SIGN A CONTRACT
WITH TRUDY CHAPMAN ON BEHALF OF THE YOUTH
BUREAU**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Trudy Chapman, SLP, 9736 Alexander Road, Alexander NY for related services for Preschoolers with disabilities (speech therapy). This contract is not to exceed 2004 budget at rates set by NYS Department of Health

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with variable rates depending on the number of services used; effective April 01, 2004 through June 30, 2005; contingent on the availability of funds.

Carried: Ayes: 1522 Noes: Absent: 96 (Bush) Abstain:

The titles for Resolutions #6 through #12 were read and the Chairman presented proclamations to Deb Fuest, Office for the Aging Director for National Volunteer Week, Older Americans Month, and Nursing Home Week. Ms. Fuest stated that they would be having all kinds of special activities throughout the month and to please feel free to participate.

There was a motion by Supervisor Knab, T/Sheldon, to combine resolutions #13 through #16. A voice vote was taken and all voted aye.

#13

RESOLUTION NO. 04-124 (April 13, 2004)

By Mr. Knab, Chairman of the Public Health Committee:

MENTAL HEALTH MONTH PROCLAIMED

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-efficiency, 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

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“MENTAL HEALTH MONTH”

Carried: Ayes: 1522 Noes: Absent: 96 (Bush) Abstain: #14

By Mr. Knab, Chairman of the Public Health Committee:

WHEREAS, Early diagnosis and appropriate treatment of mental health problems among children and adolescents provide them better opportunities to lead full and productive lives; the participation of family

members in the assessment and treatment of children and adolescents is integral to positive clinical outcomes; and

WHEREAS, Children's Mental Health Week was developed by families of children with special mental, emotional and behavioral needs, to focus on the needs of their children and families; in celebrating this year's theme: "We Are All In This Together," it is fitting to increase public awareness among all the New Yorkers of this important issue; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors does hereby proclaim *May 2nd through May 8th in the year 2004* as

"CHILDREN'S MENTAL HEALTH WEEK"

in Wyoming County.

Carried: **Ayes: 1522** **Noes:** **Absent: 96 (Bush)** **Abstain:**
#15

RESOLUTION NO. 04-126
(April 13, 2004)

By Mr. Knab, Chairman of the Public Health Committee:

AMEND RESOLUTION NUMBER 03-268

BE IT RESOLVED, That the Wyoming County Board of Supervisors' Resolution Number 03-268 authorizing the Chairman of this Board to sign contracts on behalf of the Public Health Department is hereby amended. This amendment is to increase the contract amount with Health Research, Inc. (HRI) by \$6,500.00 (Six thousand five hundred dollars) to \$11,138.00 (Eleven thousand one hundred thirty-eight dollars) to accommodate increased grant funds. The effective date for the above contract is from June 30, 2003 through June 29, 2004; contingent upon the availability of funding.

Carried: **Ayes: 1522** **Noes:** **Absent: 96 (Bush)** **Abstain:**
#16

RESOLUTION NO. 04-127
(April 13, 2004)

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By Mr. Knab, Chairman of the Public Health Committee:

AMEND RESOLUTION NUMBER 04-15

BE IT RESOLVED, That the Wyoming County Board of Supervisors' Resolution Number 04-15 authorizing the Chairman of this Board to sign contracts on behalf of the Public Health Department is hereby amended. This amendment is to increase the contract amount with New York State Department of Health Division by \$59,680.00 (Fifty nine thousand six hundred eighty dollars) to \$270,687.00 (Two hundred seventy thousand six hundred eighty-seven dollars). This contract is to provide funding for Men's and Women's Health Services Clinical operations. The effective date for the above contract is also amended to reflect the new ending day of June 30, 2004; contingent upon the availability of funding.

Carried: Ayes: 1522 Noes: Absent: 96 (Bush) Abstain:

The titles for Resolutions #13 through #16 were read and Chairman Berwanger presented proclamations for Mental Health Month and Children's Mental Health Week to Stephen Snell, Director of Community Services. Mr. Snell thanked the Board of Supervisors for their support throughout the year and commented on the tradition of high standards his departments adheres to.

#17

**RESOLUTION NO. 04-128
(April 13, 2004)**

By Ms. Meeder, Chairman of the Human Resources Committee:

**AUTHORIZE CHAIRMAN TO SIGN A CONTRACT
WITH ADECCO ON BEHALF OF CIVIL
SERVICE/PERSONNEL**

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 Adecco for a Temporary Data Entry Clerk for 35-40 hours per week for a period not to exceed six (6) months, in an amount not to exceed \$12,480.00 (Twelve thousand four hundred eighty dollars). The main goal for contracting with Adecco will be to bring all civil service / personnel records current within six months.

Carried: Ayes: 1522 Noes: Absent: 96 (Bush) Abstain:

There was a motion by Supervisor Davis, T/Covington, to combine resolutions #18 through #23. A voice vote was taken and all voted aye.

#18

**RESOLUTION NO. 04-129
(April 13, 2004)**

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

**AUTHORIZE CHAIRMAN TO SIGN A CONTRACT
WITH UNITED UNIFORMS ON BEHALF OF THE
SHERIFF'S DEPARTMENT AND THE JAIL.**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with United Uniform Co. Inc., 495 North French Road, Buffalo, NY 14228 to provide uniforms for the Sheriff and the Jail. The contract effective dates are from March 01, 2004 through February 28, 2005; amount of said contract per the language of the contract; contingent upon the availability of funds.

**Carried: Ayes: 1522 Noes: Absent: 96 (Bush) Abstain:
#19**

**RESOLUTION NO. 04-130
(April 13, 2004)**

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

**AUTHORIZE CHAIRMAN TO SIGN A CONTRACT
WITH WILMAC ON BEHALF OF THE SHERIFF'S
DEPARTMENT**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with WILMAC, P. O. Box 14387, Rochester, NY 14387 for the maintenance contract for the Racal Wordnet Digital Voice Logger. The contract

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is effective April 01, 2004 through March 31, 2005 in an amount not to exceed \$2,695.00 (Two thousand six hundred ninety-five dollars); contingent upon the availability of funds.

Carried:**Ayes: 1522****Noes:****Absent: 96 (Bush)****Abstain:****#20****RESOLUTION NO. 04-131
(April 13, 2004)**

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

**DESIGNATING THE WYOMING COUNTY 911 CENTER
AS THE PUBLIC SAFETY ANSWERING POINT
TO RECEIVE ALL WIRELESS 911 CALLS IN WYOMING
COUNTY**

WHEREAS, the Board of Supervisors wishes to designate the Wyoming County 911 Public Service Answering Point (PSAP) as the local public safety answering point to receive all wireless 911 calls from wireless telephone service suppliers that own, operate or control wireless telecommunications facilities in Wyoming County;

WHEREAS, the Wyoming County 911 PSAP wants to submit an application for Expedited Deployment Funding to the New York State 911 Board; now, therefore be it

RESOLVED, that the Wyoming County 911 PSAP is designated as the public safety answering point to receive all wireless 911 calls from wireless telephone service suppliers that own, operate or control wireless telephone communications facilities located in the County of Wyoming; and be, it further

RESOLVED, that this Board of Supervisors finds that the Wyoming County 911 PSAP complies with the standards of the New York State 911 Board in 21 NYCRR (New York Consolidated Rules & Regulations) Parts 5200, 5201, 5202, and 5250 and will, following the acquisition of the items for which Expedited Deployment Funding is requested, comply with the Board's standards under 21 NYCRR Part 5203; and be it further

RESOLVED, that the County supports the request for Expedited Deployment Funding in the amount of \$403,970.00 (Four hundred three thousand nine hundred seventy dollars) as available through the New York State

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911 Board. These are State Funds with a 10% local match, which will make the County's Phase II compliant.

Carried: **Ayes: 1522** **Noes:** **Absent: 96 (Bush)** **Abstain:**
#21

RESOLUTION NO. 04-132
(April 13, 2004)

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

**AUTHORIZE CHAIRMAN TO SIGN CONTRACT WITH
MICROSYSTEMS ON BEHALF OF PROBATION**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign an annual contract on behalf of Wyoming County's Department of Probation with Microsystems, 409 East Main Street, Suite 2R, Madison, Wisconsin 53703, for a Software Maintenance Agreement. The said contract is in the amount of \$3,191.00 (Three thousand one hundred ninety one dollars); effective June 19, 2004 through June 18, 2005; contingent upon the availability of funds.

Carried: **Ayes: 1522** **Noes:** **Absent: 96 (Bush)** **Abstain:**
#22

RESOLUTION NO. 04-133
(April 13, 2004)

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

**MEMBERS APPOINTED
TO THE CONDITIONAL RELEASE COMMISSION**

BE IT RESOLVED, That *Edwin Law*, 4324 Bug Road, Warsaw, NY 14569 is hereby appointed to fill the unexpired term of John Beresh as the Chairman of the Commission, effective January 01, 2004 through September 30, 2005.

BE IT FURTHER RESOLVED, That *Larry McClurg*, 29 Gardeau Street, Perry, NY 14530 is hereby appointed to fill the unexpired term of Edwin
April 13, 2004

Law as an Alternate Member, effective January 01, 2004 through March 30, 2005.

Carried: Ayes: 1522 Noes: Absent: 96 (Bush) Abstain:

#23

**RESOLUTION NO. 04-134
(April 13, 2004)**

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

**BOARD OF SUPERVISORS EXPRESS OPPOSITION TO
SENATE BILL S.6056 AND ASSEMBLY BILL A.9556**

WHEREAS, Senate Bill S.6056 / Assembly Bill A.9556 are the same as Bills for changing New York State's Executive Budget for 2004, and

WHEREAS, There is an item contained in S.6056/A.9556; Part Z Section 1 page 73 lines 39 and 40 which 'would provide that only fines or penalties associated with a violation "with which the defendant was originally charged" are returned to a city, town or village.' This means that if a violation is reduced to a lower penalty all the fines that are now retained by the local municipality would be given to the State of New York, and

WHEREAS, this change is improper interference with the courts and could seriously impact local courts and municipalities and the financing of the local courts, now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors is hereby opposed to the Senate Bill S.6056 / Assembly Bill A.9556 and its potential effect to reallocate fine money to the State of New York's General Fund, rather than returning the monies to local Town, Village, and County Governments, and be it further

RESOLVED, that certified copies of this resolution will be forwarded to Governor Pataki; Senator Volker; Assemblyman Dan Burling; Assemblywoman Helen Weinstein, Chairperson of the Assembly Judiciary Committee; and the Inter-County Association of Western New York.

Carried: Ayes: 1522 Noes: Absent: 96 (Bush) Abstain:

Supervisor Rogers commented that this is just another way for the State to grab our money.

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There was a motion by Supervisor Miller, T/Warsaw, to combine resolutions #24 and #25. A voice vote was taken and all voted aye.

#24

**RESOLUTION NO. 04-135
(April 13, 2004)**

By Mr. Miller, Chairman of the Planning Committee:

**CHAIRMAN AUTHORIZED TO SIGN AN AGREEMENT
WITH WYOMING COUNTY SOIL & WATER
CONSERVATION DISTRICT**

WHEREAS, The County of Wyoming needs to review and re-certify the County's NYS Agricultural Districts on a regular basis to help support Wyoming County's farm businesses; now therefore

BE IT RESOLVED, That the Chairman of the Board, with the approval of the County Attorney, is hereby authorized and directed to sign an agreement with the Wyoming County Soil & Water Conservation District, 31 Duncan Street Extension, Warsaw, New York 14569 to review County Ag Districts 1 and 6 in compliance with NYS Agriculture District regulations and guidelines; said contract not to exceed \$15,000.00 (Fifteen thousand dollars), effective April 13, 2004 through December 31, 2004; contingent upon the availability of funds.

**Carried: Ayes: 1522 Noes: Absent: 96 (Bush) Abstain:
#25**

**RESOLUTION NO. 04-136
(April 13, 2004)**

By Mr. Miller, Chairman of the Planning Committee:

**MEMBERS APPOINTED TO THE
GENESEE LIVINGSTON ORLEANS WYOMING**

April 13, 2004

Carried: Ayes: 1522 Noes: Absent: 96 (Bush) Abstain: #26

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Carried: Ayes: 1522 Noes: Absent: 96 (Bush) Abstain: #28

April 13, 2004

Carried: Ayes: 1522 Noes: Absent: 96 (Bush) Abstain: #30

By Mrs. Humphrey, Chairman of the Finance Committee:

WHEREAS, Assets with a useful life of greater than one reporting period will be considered for capitalization. The threshold to be used for the following purposes and or categories of assets is as follows:

and,

Land Improvements	30 years
Buildings and Improvements	50 years
Furniture and Equipment	20 years
Vehicles	5 years

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BE IT RESOLVED, That Wyoming County's Board of Supervisors approves the Capitalization (\$ Threshold) for Wyoming County under GASB 34.

Carried: **Ayes: 1522** **Noes:** **Absent: 96 (Bush)** **Abstain:**
#31

RESOLUTION NO. 04-142
(April 13, 2004)

By Mrs. Humphrey, Chairman of the Finance Committee:

**AUTHORIZES CHAIRMAN TO SIGN SUCCESSOR
TRUSTEE AGREEMENT**

WHEREAS, The County of Wyoming did established a Model Deferred Compensation Plan for its employees adopted July 9, 1991 for eligible County employees and elected or appointed officials, and

WHEREAS, The County of Wyoming selected Hartford Life Insurance Company as the administrator and Financial Provider and Allfirst Trust Company, NA (M & T Bank) as Trustee; and

WHEREAS, M & T Bank, Successor to Allfirst Trust Company, N.A., f/k/a FMB Trust Company N.A., wherein M & T Bank acted as directed trustee for the Plan: and wishes to resign as the plan's directed trustee, and

WHEREAS, Hartford Life Insurance Company has recommended that Investors Bank and Trust ("IBT") of Boston Massachusetts be appointed as Successor Trustee, now therefore

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to execute a Successor Trustee Agreement with Investors Bank and Trust Company ('IBT'). Said contract to provide Trustee Services for Wyoming County Deferred Compensation Plan effective June 1, 2004 or earlier, upon complete execution of the agreement.

Carried: **Ayes: 1522** **Noes:** **Absent: 96 (Bush)** **Abstain:**

April 13, 2004

RESOLUTION NO. 04-143
(April 13, 2004)

By Mrs. Humphrey, Chairman of the Finance Committee:

**MEMBER APPOINTED TO THE
WYOMING TRANSPORTATION SERVICE ADVISORY
COMMITTEE**

BE IT RESOLVED, That ***Joseph Kushner***, 3468 E. Main Street, Eagle NY 14024, Town of Eagle Supervisor is hereby appointed to the Wyoming Transportation Service Advisory Committee; effective April 13, 2004 for an undetermined length of time.

Carried: Ayes: 1522 Noes: Absent: 96 (Bush) Abstain: #33

RESOLUTION NO. 04-144
(April 13, 2004)

By Mrs. Humphrey, Chairman of the Finance Committee:

RECLASIFICACION DE POSITION IN THE PUBLIC HEALTH DEPARTMENT

BE IT RESOLVED, That the Wyoming County Salary Plan Schedule "S", which became effective October 14th, 2003 as amended on January 13, 2004 by resolution number 04-46 is hereby amended as follows:

The title of the Fiscal Officer 1 position assigned to the Public Health Department is hereby reclassified by the Wyoming County Personnel Officer to the title of Fiscal Administrator assigned to the Public Health Department. Said reclassification to take effect immediately.

Carried: Ayes: 1522 Noes: Absent: 96 (Bush) Abstain:

**RESOLUTION NO. 04-145
(April 13, 2004)**

By Mrs. Humphrey, Chairman of the Finance Committee:

AMEND SALARY SCHEDULE “S”

BE IT RESOLVED, That the Wyoming County Salary Plan Schedule “S” which became effective October 14, 2003, as amended January 13, 2004, Resolution number 04-46, is hereby amended as follows:

The position of Public Health Administrator in the Department of Public Health is to have the salary set at \$34,924.00 (Thirty four thousand nine hundred twenty-four dollars) annually, effective May 10, 2004 and is not retroactive.

Additionally, the position of Fiscal Administrator assigned to the Department of Public Health is to have the salary set at \$33,320.00 (Thirty three thousand three hundred twenty dollars) annually, effective May 10, 2004 and is not retroactive.

Carried: Ayes: 1522 Noes: Absent: 96 (Bush) Abstain:

There being no further business to come before the Board this day the meeting was adjourned by Senior Member, Supervisor Humphrey.

April 13, 2004

REGULAR SESSION
(May 11, 2004)**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 located at 143 North Main Street, Warsaw, New York with 14 members present. Supervisor Davis, T/Covington and Supervisor Glosser, T/Orangeville were absent. Also present were County Attorney Eric T. Dadd, County Treasurer John Edwards, Clerk to the Board of Supervisors Paula Parker and Deputy Clerk to the Board of Supervisors, Cheryl Ketchum.

At 2:12 PM Chairman Berwanger, T/Arcade, called the meeting to order.

The Chairman then introduced **U.S. Army Veteran, Mr. Donald E. Brown (Warsaw)** to lead us in the Pledge of Allegiance to the Flag.

Mr. Brown is a 1940 graduate of Warsaw Central School. He worked as a Mechanic until his induction in the U. S. Army on January 1, 1944. He was trained in and graduated from Tank Destroyer Training at Ft. Hood, Texas, and was then sent to Ft. Jackson, South Carolina, for more training as a gunner. With the cessation of hostilities during World War II, he was discharged from active duty on April 25, 1946. For his service to his country, Mr. Brown received the American Theater Service Medal, the World War II Victory Medal, and the Good Conduct Medal.

After his active duty, Mr. Brown worked for the Town of Warsaw Highway Department, Oram's Ford Dealership in Warsaw, and Tillner's Chevrolet in Warsaw. He also attended the Buffalo Bible Institute for which he graduated in 1960 with a degree in Theology. Mr. Brown has been the Pastor at the Dale Baptist Church since 1966.

Mr. Brown and his wife Marion live on Butternut Street in the Village of Warsaw.

Chairman Berwanger recognized the **Department of Social Services Employee of the Month** by stating, "I'd like to take this opportunity to recognize the Department of Social Services Employee of the Month. In addition to recognizing outstanding employees, Commissioner Wallace invites them to attend a Human Service Committee meeting and Board meeting to

better understand the relationship between individual Departments and the Board of Supervisors.

Chris Started in September of 1999 as a Clerk in Social Services. She has also held the position of Community Service Worker, and is currently a Program Specialist Trainee in the Medicaid Unit. Please join me in recognizing **Chris Busch.**”

Communications were read:

- C1 – Inter-County Association of Western New York meeting reminder of May 21, 2004.
- C2 – Wyoming County Business Education Council’s 23rd Annual Breakfast Meeting reminder May 27th at 7:30 AM.
- C3 – Merit Incentive Awards Ceremony Thursday, June 3, 2004 from 6-8 PM at the Charcoal Corral.

#1

**RESOLUTION NO. 04-146
(May 11, 2004)**

By Mrs. Humphrey, Chairman of Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2004 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2004 accounts as follows:

<u>Treasurer / Capital</u>			<u>Dept. Totals:</u>
To: 01.52.9950.9.99004 Transfer to Capital From any funds available.	\$894.16	\$894.16	
To: 18.67.1620.4.42707 Cap. Proj – Govt Center Renovation	\$11,551.08		
To: Revenue Accounts: 18.05.1620.2401 Interest Revenue 18.13.1620.5031 Interfund Transfer		\$10,656.92 894.16	
Reason: To cover cost of project final payment and close out.			
<u>Treasurer / Capital Total</u>			\$12,445.23

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<u>Buildings & Grounds / Capital</u>			
To: 12.61.1620.2.21002 Property Renovations w/rev. acct. # 12.13.1620.5031 increased by same. Reason: To proceed with the roof repair on the DMV building.	\$40,000.00	\$40,000.00	
<u>Buildings & Grounds Total</u>			\$40,000.00
<u>Department of Social Services w/J. Wallace</u>			
To: 01.39.6010.4.42264 (Community Solutions) w/rev. acct. #01.12.6010.4610 increased by same. Reason: Appropriate additional money granted under the Community Solutions for Transportation.	\$46,085.00	\$46,085.00	
To: 01.39.6010.4.42216 (Domestic Violence Contract) w/rev. acct. #01.12.6010.4610 increased by same. Reason: Appropriate additional money granted under the Non Residential Domestic Violence.	\$20,000.00	\$20,000.00	
<u>Department of Social Services Total</u>			\$66,085.00
<u>Mental Health</u>			
To: 01.38.4310.4.40406 Employee Mileage w/01.11.4310.3490 State Aid increased by same Reason: To increase revenues and expenses to match the State aid allocation letter.	\$ 2.00	\$2.00	
To: 01.38.4324.4.40926 ARA, Inc. w/01.11.4324.349004 State Aid – Reinvestment increased by same. Reason: To increase revenues and expenses to match the State aid allocation letter.	\$1,905.00	\$1,905.00	
To: 01.38.4320.4.40926 ARA, Inc. w/01.11.4320.3490 State Aid increased by same Reason: To increase revenues and expenses to match the State aid allocation letter.	\$7.00	\$7.00	
Budget Reduction: To: 01.38.4250.4.40926 ARA, Inc. w/01.11.4250.3490 State Aid adjusted by same Reason: To reduce revenues and expenses to match the State aid allocation letter.	-\$1,190.00	-\$1,190.00	
Budget Reduction: To: 01.38.4323.4.42306 Other w/01.11.4323.3490 State Aid adjusted by same Reason: To reduce revenues and expenses to match the State aid allocation letter.	-\$3,200.00	-\$3,200.00	
Budget Reduction: To: 01.38.4325.4.40001 Gas (heating) 01.38.4325.4.40002 Electricity 01.38.4325.4.40926 ARA, Inc 01.38.4325.4.41201 Postage 01.38.4325.4.42441 Misc. Mental Health Prog. 01.38.4325.4.42445 Supported Apartment w/01.11.4325.349004 State Aid – Reinvestment adjusted by same. Reason: To reduce revenues and expenses to match the State aid allocation letter.	-\$68.00 -250.00 -43,087.00 -232.00 -200.00 -1005.00 -\$44,842.00		-\$44,842.00
<u>Mental Health Total</u>			-\$47,318.00
<u>County Attorney</u>			
To: 01.34.1420.4.42304 Arbitration Expense From any funds available. Reason: To appropriate for Hancock & Estabrook, LLP for the Deputy Sheriff's Assoc. Union contract arbitration.	\$4,000.00	\$4,000.00	
<u>County Attorney Total</u>			\$4,000.00
<u>Emergency Services</u>			
To: 01.37.3020.2.20001 Furniture for Computer Aided Dispatch (CAD) Positron System 01.37.3020.2.20201 Computer Equipment w/revenue acct #01.02.3020.1140 increased by same	\$41,973.34 132,530.00 \$174,503.34		\$174,503.34
To: 01.37.3991.4.40401 Training / Education 01.37.3991.4.42102 Safety Supplies w/revenue acct #01.12.3991.438901 increased by same	\$630.00 584.00 \$ 1,214.00		\$ 1,214.00
<u>Emergency Services Total</u>			\$175,717.24

<u>Jail</u>			
To: 01.37.3150.4.40803 Building Supplies - Repairs w/revenue acct #01.04.3150.1525 increased by same Reason: To appropriate prisoner revenue and expense to cover the cost of repairing the Ansel jail kitchen extinguishing system.	\$3,300.00	\$3,300.00	
<u>Jail Total</u>			\$3,300.00
<u>Public Defender</u>			
To: 01.32.1170.4.40305 Public Defender-Other w/acct #01.11.1170.308910 increased by same Reason: To appropriate the difference left to spend out in the "Burling Legislative Block Grant" originally in the amount \$5,000.	\$3,661.10	\$3,661.10	
To: 01.32.1171.4.40902 Legal Services w/ revenue acct #01.12.1171.448914 increased by same Reason: To appropriate the estimated amount for the new Byrne grant funding for 2004.	\$50,000.00	\$50,000.00	
<u>Public Defender Total</u>			\$53,661.10

Carried: Ayes: 1516

Noes:

Absent: 54 (Davis)

Abstain:

48 (Glosser)

102

#2

RESOLUTION NO. 04-147

(May 11, 2004)

By Mrs. Humphrey, Chairman of Finance Committee:

FUNDS TRANSFERRED TO VARIOUS 2004 ACCOUNTS

BE IT RESOLVED, That funds are hereby transferred to the various 2004 accounts as follows:

<u>Highway</u>			<u>Dept. Totals:</u>
Transfer Revenues (Reclassify) From: 04.13.5110.5031 Interfund Transfer To: 04.11.5110.308912 MM-2000 State Aid Reason: To reclassify revenue from transfer from the General Fund to Multi-Modal State Aid Revenue.	\$300,000.00	\$300,000.00	
Transfer Expenses From: 01.52.9901.9.99001 Lowman To: 01.52.9950.9.99004 Capital Reserve Reason: To reduce the amount to be Transferred to the Highway Department (LOWMAN) and move the funds to the Capital Reserve Fund for transfer.	\$300,000.00	\$300,000.00	
<u>Total Highway (reclassifv and transfer)</u>			\$600,000.00
<u>District Attorney(4/6/04)</u>			
From: 01.32.1167.8.89001 Medical/Hosp. Ins. To: 01.32.1167.1.10602 Ins. Repudiation 01.32.1167.4.41010 Misc. Office Supplies 01.32.1167.4.41101 Paper 01.32.1167.8.81001 Retirement 01.32.1167.8.83001 FICA 01.32.1167.8.85001 Medicare	\$6,702.36	\$750.00 5,661.50 143.50 90.00 46.50 10.86	\$6,702.36

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<u>Buildings & Grounds w/D. Halstead</u>			
From: 01.34.1411.4.40601 DMV Rent Expense 01.34.1620.4.40601 DMV Rent Expense To: 01.52.9950.9.99004 Capital Reserve Reason: To reduce the amount of rent expense for the Kaplan Building as budgeted in the DMV and Building & Ground's budgets and transfer that same amount of funds to the Capital Reserve Fund for the beginning of the Kaplan building modifications.	\$34,650.00 <u>5,350.00</u> \$40,000.00	\$40,000.00	\$40,000.00
<u>Department of Social Services w/J. Wallace</u>			
From: 01.40.6123.4.42263 Juvenile Delinquents To: 01.39.6010.4.42232 NR Legal/Fair Hearing 01.39.6010.4.42233 NR Training Fees Reason: Transfer necessary to cover costs for the balance of 2004.	\$13,592.00	10,846.00 <u>2,746.00</u> \$13,592.00	\$13,592.00

Carried: Ayes:1516 Noes: Absent: 54 (Davis) Abstain:
48 (Glosser)
102

Mrs. Totslime, T/Genesee Falls, Chairman of the Audit Committee, presented bills totaling \$845,237.23

Carried: Ayes:1516 Noes: Absent: 54 (Davis) Abstain:
48 (Glosser)
102

There was a motion by Supervisor Kushner, T/Eagle, to combine resolutions #3 and #4. A voice vote was taken and all voted aye.

#3

RESOLUTION NO. 04-148
(May 11, 2004)

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

CHAIRMAN AUTHORIZED TO SIGN CONTRACTS
ON BEHALF OF 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, P. C. with its office at 108 W. Jefferson St., Suite 400, Syracuse, NY 13202, in an amount not to exceed \$380,100.00 (Three hundred eighty thousand one hundred dollars), on behalf of Wyoming County's Highway department. The purpose of the contract is to provide the county with Architectural/Engineering consultation and construction inspection services for the Town of Arcade's Bridge No. 3, located on Hurdville Rd. Said contract will

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terminate at the end of the project and is contingent upon the availability of funding.

Carried: Ayes:1516

Noes:

Absent: 54 (Davis)

Abstain:

48 (Glosser)

102

#4

**RESOLUTION NO. 04-149
(May 11, 2004)**

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

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

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Urethane Insulation & Seamless Roof, Robert Binnion, 3334 South Warsaw Road, Warsaw NY 14569 in the amount of \$18,352.40 (Eighteen thousand three hundred fifty-two dollars and forty cents) to remove all existing unnecessary roof penetrations, patch holes and spray urethane foam and roof coating on the DMV building; effective May 1, 2004 through the completion of the project. The above mentioned contract comes with a twenty-year warranty. Contract is contingent upon the availability of funding.

Carried: Ayes:1516

Noes:

Absent: 54 (Davis)

Abstain:

48 (Glosser)

102

There was a motion by Supervisor Rogers, T/Pike, to combine resolutions #5 and #6. A voice vote was taken and all voted aye.

May 11, 2004

RESOLUTION NO. 04-150
(May 11, 2004)

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

BARBARA FOX APPOINTED TO THE OFA ADVISORY COUNCIL

BE IT RESOLVED, That ***Barbara Fox***, 18 High Street, Attica NY 14011 is hereby appointed to the Office for the Aging Advisory Council as a Representative from the Town of Attica for a term of 3 (three) years; effective January 01, 2004 through December 31, 2006.

Carried: Ayes:**15**16 Noes: Absent: **54** (Davis) Abstain:
 48 (Glosser)
 102

#6

RESOLUTION NO. 04-151
(May 11, 2004)

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

APPOINT MEMBERS TO THE YOUTH BOARD

BE IT RESOLVED, That the following members are hereby appointed to the Youth Board:

- **Megan White**, (Cornell Cooperative Extension) 401 North Main Street, Warsaw NY 14569 to fill the unexpired 1 (one) year term of Roxanne Dueppenguisser; effective April 01, 2004 to December 31, 2004.
- Three (3) year terms (effective January 01, 2004 to December 31, 2006):**
- **Lori Duschen**, PO Box 72, Pike NY 14130 (Community Member - Pike)
 - **Tawnee Burrows**, 7893 Route 19, Fillmore, NY 14735 (Community Member/Alternate - Pike)

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Carried: Ayes:1516 Noes: Absent: 54 (Davis) Abstain:
48 (Glosser)
102

There was a motion by Supervisor Knab, T/Sheldon, to combine resolutions #7 through #9. A voice vote was taken and all voted aye.

#7

**RESOLUTION NO. 04-152
(May 11, 2004)**

By Mr. Knab, Chairman of the Public Health Committee:

**AUTHORIZE CHAIRMAN TO SIGN CONTRACT WITH
LINCARE, INC. ON BEHALF OF THE CERTIFIED HOME
HEALTH AGENCY**

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 Lincare, Inc. of 4705 Crossroads Park Drive, Liverpool, NY 13088 for the Certified Home Health Agency (CHHA) to provide revenue producing services of intravenous services and education for Lincare clients. Lincare is to provide all supplies; effective May 01, 2004 through April 30, 2005.

Carried: Ayes:1516 Noes: Absent: 54 (Davis) Abstain:
48 (Glosser)
102

#8

**RESOLUTION NO. 04-153
(May 11, 2004)**

By Mr. Knab, Chairman of the Public Health Committee:

**AUTHORIZE CHAIRMAN TO SIGN RENEWAL
CONTRACT WITH BUFFALO HOSPITAL SUPPLY ON
BEHALF OF THE CERTIFIED HOME HEALTH AGENCY**

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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renewal contract with Buffalo Hospital Supply, 4039 Genesee St. Buffalo, NY 14225, in an amount not to exceed \$30,000.00 (Thirty thousand dollars). The purpose for the contract is to provide medical supplies for the CHHA patients and will be effective April 01, 2004 to March 31, 2005. Contract contingent upon the availability of funding.

Carried: Ayes:1516**Noes:****Absent: 54 (Davis)****Abstain:****48 (Glosser)****102****:#9****RESOLUTION NO. 04-154****(May 11, 2004)**

By Mr. Knab, Chairman of the Public Health Committee:

**JUNE 14, 2004 PROCLAIMED
 “DRIVE OUT BREAST CANCER DAY”
 IN WYOMING COUNTY**

WHEREAS, More than one hundred eighty thousand (180,000) women in the United States will learn for the first time that they have breast cancer and more than forty thousand (40,000) women will lose their lives – three thousand four hundred (3,400) in New York State alone; and

WHEREAS, Early detection and prompt treatment can significantly reduce the suffering and deaths caused by this disease; and

WHEREAS, in recognition of the fact that mammography, an “x-ray” of the breast, is the single most effective method of detecting breast changes that may be cancer long before physical symptoms can be seen or felt; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors does hereby declare *June 14, 2004* as:

“Drive Out Breast Cancer Day”

in Wyoming County; and be it

FURTHER RESOLVED, That all citizens are urged to take advantage of early detection screenings and participate in the activities sponsored by the American Cancer Society.

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Carried: Ayes: 1516 Noes: Absent: 54 (Davis) Abstain:
48 (Glosser)
102

There was a motion by Supervisor Meeder, T/Middlebury, to combine resolutions #10 through #13. A voice vote was taken and all voted aye.

#10

RESOLUTION NO. 04-155
(May 11, 2004)

By Sally Meeder, Chairman of the Human Resource Committee:

**RESOLUTION OF SUPPORT FOR THE ELIMINATION OF
THE SUNSET PROVISION OF THE LOCAL
GOVERNMENT RECORDS MANAGEMENT
IMPROVEMENT FUND (LGRMIF)**

WHEREAS, The local Government Records Management Improvement Fund was created in 1989 to provide technical assistance and grants to establish, improve or enhance records management programs in New York's more than 4,300 local governments; and

WHEREAS, A sunset date for the LGRMIF was established in the original legislation to permit its operation as a five-year experiment; and

WHEREAS, The New York State Legislature in 1995 has twice extended the sunset date, most recently to December 31, 2005; and

WHEREAS, The LGRMIF has effectively supported essential advisory services and 6,300 grants totaling over \$113 million to improve the management of records for over half of all NYS local governments; and

WHEREAS, The LGRMIF and the programs it supports continue to operate at a high standard of excellence and provide direct and significant benefit to local governments at no cost to the taxpayers; and

WHEREAS, Wyoming County has benefited from technical assistance, training, publications and eight (8) grants totaling two hundred fifty thousand six hundred thirty five dollars (\$250,635) supported by the LGRMIF; and

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WHEREAS, The LGRMIF continues to be critically important in the fulfillment of the many records and information related responsibilities of Wyoming County; therefore

BE IT RESOLVED, That Wyoming County supports the elimination of said sunset provision of December 31, 2005 in order to make the LGRMIF permanent;

AND BE IT FURTHER RESOLVED, That the Clerk to this Board of Supervisors is directed to transmit a certified copy of this Resolution to Governor George Pataki; NYS Senate Majority Leader, Joseph Bruno; Speaker of the New York State Assembly, Sheldon Silver; New York State Senator, Dale Volker; Assemblyman, Daniel Burling; Inter-County of Western New York, and any other individuals designated by the Chairman of the Board of Supervisors.

Carried: Ayes: 1516 Noes: Absent: 54 (Davis) Abstain:
48 (Glosser)
102

#11

RESOLUTION NO. 04-156
(May 11, 2004)

By Ms. Meeder, Chairman of the Human Resource Committee:

**WYOMING COUNTY SHERIFF'S EMPLOYEE
 ASSOCIATION (S.E.A.) CONTRACT APPROVED**

BE IT RESOLVED, That the Wyoming County Board of Supervisors hereby accepts the Agreement between The Wyoming County Sheriff's Employees Association (S.E.A.) and The County of Wyoming/Wyoming County Sheriff dated January 1, 2003 to December 31, 2005, subject to language clarification 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 Committee of the Whole of this Board, with the approval of the County Attorney are hereby authorized and directed to execute the above mentioned agreements on behalf of the County of Wyoming.

This resolution shall become effective immediately, contingent on the ratification of said agreement by all parties.

Carried: Ayes: 1516 Noes: Absent: 54 (Davis) Abstain:
48 (Glosser)
102

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**RESOLUTION NO. 04-157
(May 11, 2004)**

By Ms. Meeder, Chairman of the Human Resource Committee:

**WYOMING COUNTY DEPUTY SHERIFF'S
ASSOCIATION CONTRACT APPROVED**

BE IT RESOLVED, That the Wyoming County Board of Supervisors hereby accepts the Agreement between The Wyoming County Deputy Sheriff's Association (D.S.A.) and The County of Wyoming/Wyoming County Sheriff dated January 1, 2003 to December 31, 2005, subject to language clarification 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 Committee of the Whole of this Board, with the approval of the County Attorney are hereby authorized and directed to execute the above mentioned agreements on behalf of the County of Wyoming.

This resolution shall become effective immediately, contingent on the ratification of said agreement by all parties.

Carried: Ayes: 1516 Noes: Absent: 54 (Davis) Abstain:
48 (Glosser)
102

#13

**RESOLUTION NO. 04-158
(May 11, 2004)**

By Ms. Meeder, Chairman of the Human Resource Committee:

**RE-ORGANIZATION OF THE CIVIL
SERVICE/PERSONNEL DEPARTMENT AND CALL FOR A
PUBLIC HEARING**

WHEREAS, the Board of Supervisors for the County of Wyoming has elected to change the form of administration of the New York Civil Service Law and any related laws or regulations for the County of Wyoming from a

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“personnel officer” system to a “municipal civil service commission” as specified under New York Civil Service Law §15; and

WHEREAS, New York Civil Service Law §16 requires that a public hearing be held prior to the County of Wyoming exercising its right to elect a change in the form of Civil Service administration, now, therefore,

BE IT RESOLVED, that said public hearing is scheduled for June 8, 2004 at 2:00 PM.

Carried: Ayes:1516 Noes: Absent: 54 (Davis) Abstain:
48 (Glosser)
102

There was a motion by Supervisor Davis, T/Covington, to combine resolutions #14 and #15. A voice vote was taken and all voted aye.

#14

RESOLUTION NO. 04-159
(May 11, 2004)

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

**AUTHORIZE CHAIRMAN TO SIGN CONTRACT
 WITH HOWARD’S FLOORING ON BEHALF
 OF EMERGENCY SERVICES**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Howard’s Floor Covering, 85 South Main Street, Warsaw, NY 14569. This contract is to provide for repair of the floor in Dispatch at the Public Safety Building in an amount not to exceed \$2,880.00 (Two thousand eight hundred eighty dollars) and will be paid out of the current 911 budget.

Carried: Ayes:1516 Noes: Absent: 54 (Davis) Abstain:
48 (Glosser)
102

#15

RESOLUTION NO. 04-160
(May 11, 2004)

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

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**AUTHORIZE CHAIRMAN TO SIGN CONTRACT
WITH LANE FIRE & SAFETY ON BEHALF OF
BUILDING CODE ENFORCEMENT**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Lane Fire & Safety, 1243 Military Road, Buffalo, NY 14217 to upgrade the fire suppression system in the Jail. The cost of such upgrade is in the amount of \$3,095.00 (Three thousand ninety-five dollars); contingent upon the availability of funding.

Carried: Ayes:1516 Noes: Absent: 54 (Davis) Abstain:
48 (Glosser)

There was a motion by Supervisor Miller, T/Warsaw, to combine resolutions #16 through #18. A voice vote was taken and all voted aye.

#16

**RESOLUTION NO. 04-161
(May 11, 2004)**

By Mr. Miller, Chairman of the Planning Committee:

**JON COOPER APPOINTED TO THE
INDUSTRIAL DEVELOPMENT AGENCY**

BE IT RESOLVED, That *Jon Cooper*, Wyoming County Bank, 55 N. Main St., Warsaw NY 14569 is hereby appointed to the Industrial Development Agency for a term of 3 (three) years. Said term to be effective immediately and will expire on June 13, 2006.

Carried: Ayes:1516 Noes: Absent: 54 (Davis) Abstain:
48 (Glosser)
102

#17

**RESOLUTION NO. 04-162
(May 11, 2004)**

By Mr. Miller, Chairman of the Planning Committee:
May 11, 2004

BE IT RESOLVED, That resolution number 04-74, adopted on February 10, 2004, regarding Senate Bill S.6209/ Assembly Bill A.9838 Hotel/Motel Tax, authorizing the County of Wyoming to impose a 3 (three) percent hotel and motel occupancy tax, is hereby rescinded as adopted effective immediately, and be it

Carried: Ayes:1516 Noes: Absent: 54 (Davis)
 48 (Glosser) Abstain:
 102

RESOLUTION NO. 04-163
(May 11, 2004)

SEEKING EXPANSION OF EMPIRE ZONES TO ALL COUNTIES

WHEREAS, the success of the Empire Zones program led Site Selection magazine in 2003 to report that New York State now ranks third in the nation in attracting new and expanded corporate facilities; and

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preferences to companies located, or seeking to locate, within an Empire Zone; and

WHEREAS, only eleven of New York's 62 counties do not currently have an Empire Zone, namely Wyoming, Delaware, Greene, Hamilton, Livingston, Nassau, Putnam, Rockland, Schoharie, Tompkins and Yates; and

WHEREAS, these 11 counties are unable to match the State financed incentives that communities with an Empire Zone can provide to stimulate job creation and retention; and

WHEREAS, this places the 11 counties without an Empire Zone at a distinct disadvantage in attempting to encourage new corporate location or expansion decisions; and

WHEREAS, the enabling legislation creating the Empire Zone program is due to expire in June of 2004; and

WHEREAS, by simple economic necessity the 11 counties have joined together to address this inequity, now therefore,

BE IT RESOLVED, That the Wyoming County Board of Supervisors urges Governor Pataki and the New York State Legislature to amend the Empire Zones program to allow for the designation of one Empire Zone in each of New York's 62 counties; and

BE IT FURTHER RESOLVED, That copies of this resolution be sent to Governor George Pataki, President Pro Tem of the New York State Senate Joseph Bruno, Speaker of the Assembly Sheldon Silver, Commissioner of Empire State Development Charles Gargano, Senator Dale Volker, Assemblyman Dan Burling and Clerks of the Legislative bodies of the eleven counties mentioned herein.

Carried: Ayes:1516 Noes: Absent: 54 (Davis) Abstain:
48 (Glosser)
102

There was a motion by Supervisor Gozelski, T/Castile, to combine resolutions #19 and #20. A voice vote was taken and all voted aye.

#19

RESOLUTION NO. 04-164

May 11, 2004

**CLERK OF THE BOARD DIRECTED TO PUBLISH
NOTICE OF 30-DAY REVIEW OF AGRICULTURAL
DISTRICTS #6 AND #1**

BE IT RESOLVED, That the Clerk to the Board of Supervisors is directed to publish a notice in a newspaper having general circulation within the area of Agricultural Districts No. 6 and 1, that notice be posted in at least five conspicuous places within the district, and that said notice also be sent to the affected municipalities in the District; and be it

FURTHER RESOLVED, That a certified copy of this resolution be sent to Wyoming County Soil & Water Conservation.

#20

**GREG McKURTH APPOINTED TO THE SENECA TRAIL
RESOURCE CONSERVATION AND DEVELOPMENT
COUNCIL**

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BE IT RESOLVED, That ***Greg McKurth***, District Manager for Wyoming County's Soil and Water Conservation District, 31 Duncan Street, Warsaw NY 14569 is hereby appointed to the ***Seneca Trail Resource Conservation and Development Council***. This appointment shall be as the ***Soil and Water Representative*** for a ***term of 3 (three) years*** as recommended by Soil and Water's District Directors; effective January 01, 2004 through December 31, 2006.

Carried: Ayes:1516 Noes: Absent: 54 (Davis) Abstain:
48 (Glosser)
102

There was a motion by Supervisor Humphrey, T/Perry, to combine resolutions #21 and #26. A voice vote was taken and all voted aye.

#21

RESOLUTION NO. 04-166 (May 11, 2004)

By Ms. Humphrey, Chairman of the Finance Committee:

SEMI-ANNUAL MORTGAGE TAX REPORT

BE IT RESOLVED, That the Chairman of the Finance Committee, presented the Semi-Annual Mortgage Tax Report for the period of October 1, 2003 through March 31, 2004 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 \$264,773.22 to the several tax districts of Wyoming County, in accordance with the report filed with the Clerk of the Board of Supervisors, as follows:

TAX DISTRICTS	MORTGAGE TAX DISTRIBUTED	VILLAGE	TOWN
Arcade	\$29,174.64	\$7,333.20	\$21,841.44
Attica	\$22,194.48	\$4,683.76	\$17,510.72
Bennington	\$33,224.47		\$33,224.47
Castile	\$27,639.40	\$2,090.85	\$23,768.31
Perry Village		\$1,780.24	
Covington	\$8,419.43		\$8,419.43
Eagle	\$8,906.99		\$8,906.99

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Gainesville	\$8,776.77	\$262.66	\$6,717.94
Silver Springs Village		\$1,796.17	
Genesee Falls	\$2,494.09		\$2,494.09
Java	\$21,174.94		\$21,174.94
Middlebury	\$7,778.04	\$774.36	\$7,003.68
Orangeville	\$8,925.22		\$8,925.22
Perry	\$25,909.88	\$6,840.84	\$19,069.04
Pike	\$5,959.24	\$567.83	\$5,391.41
Sheldon	\$17,642.43		\$17,642.43
Warsaw	\$30,665.53	\$10,943.27	\$19,722.26
Wethersfield	\$5,887.67		\$5,887.67
Total		\$37,073.18	\$227,700.04
Grand Total	\$264,773.22		

Let this be your Warrant for Such Payment: **\$264,773.22** IN WITNESS
WHEREOF, I have hereunto set my hand and seal of the Board of Supervisors
this 11th day of May, 2004.

s/ Paula A. Parker, Clerk
Board of Supervisors

Carried: Ayes:1516 Noes: Absent: 54 (Davis) Abstain:
48 (Glosser)
102
#22

RESOLUTION NO. 04-167
(May 11, 2004)

By Mrs. Humphrey, Chairman of the Finance Committee:

EXTENDS BENEFITS OF SCHEDULES G, AND H

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

SCHEDULES G & H

1. For the annexed Schedules “G” and “H” for job titles therein listed, wages
will be determined annually by the Board of Supervisors.
2. Effective January 1, 2003, all benefits of employment by the County of
Wyoming, which were granted in the Wyoming County Civil Service
Regular Session

Employees' Association Agreement by and between the County of Wyoming and the Wyoming County Employees Unit, Wyoming County Local #1000, Civil Service Employees Association, Inc., are hereby extended and granted to all employees, except part-time, seasonal and temporary employees, on Schedules "G" and "H" of the Wyoming County Wage and Salary Plan, except for the following:

- a. There shall be no right to receive vacation pay without taking vacation as described in Section 11.7(d) (or as renumbered) of the said 2003 – 2005 C.S.E.A. Agreement.
- b. In no event shall there be any right to compensation for an unused personal leave day as such personal leave days are described in Section 11.5 (or as renumbered) of the said 2003 – 2005 C.S.E.A. Agreement.
- c. No such employee shall be allowed to the buy-back provision as described in Section 11.2 (or as renumbered) of the 2003 – 2005 C.S.E.A. Agreement.
- d. No such employee shall be entitled to the provision described in Section 11.8 (or as renumbered) of the 2003 – 2005 C.S.E.A. Agreement.
- e. No such employee shall be entitled to the provision of Article 1 Section 1.2 (or as renumbered) of the 2003 – 2005 C.S.E.A. Agreement.
- f. Vacation, personal, and sick leave cannot be accrued.

Carried: Ayes:1516

Noes:

Absent: 54 (Davis)

Abstain:

48 (Glosser)

102

#23

RESOLUTION NO. 04-168

(May 11, 2004)

By Mrs. Humphrey, Chairman of the Finance Committee:

**CANCELLATION OF TAXES AFTER PARCEL HAS
BEEN WITHDRAWN FROM FORECLOSURE**

May 11, 2004

WHEREAS, several parcel(s) of real property exist within the County of Wyoming, and have been identified and so designated by the Finance Committee, now, therefore,

AUTHORITY: RPTL §1138(6)(a) - Cancellation of Tax.

Tax Map # : 147.-3-15

Tax Map # : 121.-1-54

Tax Map # : 100.7-7-37

Tax Map # : 89.-1-7

Carried: Ayes:1516

Noes:

Absent: 54 (Davis)

Abstain:

48 (Glosser)

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) position of Student Aide (Seasonal) in the Wyoming County Information and Technology Department at a rate of \$6.00 (Six dollars) per hour plus \$.25 (Twenty-five cents) per hour for each previous season worked, with no other benefits except those mandated by law.

[illegible]

#25

RESOLUTION NO. 04-170
(May 11, 2004)

By Mrs. Humphrey, Chairman of the Finance Committee:

CREDIT OF 2004 TOWN/COUNTY TAX IN THE TOWN OF BENNINGTON

WHEREAS, Pursuant to the Real Property Tax Law, application has been made for refund and credit of Real Property Taxes 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 credit the various amounts thereof, as and if applicable, to the appropriate taxing authorities to the extent to which each has been benefited thereby:

May 11, 2004

PARCEL ONE: Town of Bennington
Tax Map #14.-1-1.2

OWNER: William Lieder
10 Clinton St.
Attica, NY 14011

ERROR TYPE: Excessive Assessed Value

AUTHORITY: RPTL Section: 550.2(a) *“an incorrect entry of assessed valuation on a tax roll which, does not conform to the entry for the same parcel which appears on the property record card, field book or other final work product of the assessor”* Letter from Bennington Assessor included.

ACTION: Credit of 2004 Town/County Tax (w/school relevy) \$1,503.93 before interest and penalty.
(This tax has not been paid to date, therefor the interest and penalty will be established as of the date of payment.)

Carried:	Ayes: 1516	Noes:	Absent: 54 (Davis)	Abstain:
			48 (Glosser)	
			102	

#26

RESOLUTION NO. 04-171
(May 11, 2004)

By Mrs. Humphrey, Chairman of the Finance Committee:

**RESOLUTION MEMORIALIZING THE SENTIMENTS OF
THE WYOMING COUNTY BOARD OF SUPERVISORS
URGING THE NEW YORK STATE LEGISLATURE TO
PASS ASSEMBLY BILL A.01757 AND SENATE BILL S.675
PROPOSING AMENDMENTS TO ARTICLE 9 OF THE
STATE CONSTITUTION IN RELATION TO
PROHIBITING UNFUNDED MANDATES**

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WHEREAS, There is now pending before the New York State Legislature Bill Nos. A.01757 and S.675 which propose to amend Article 9 of the State Constitution in relation to prohibiting unfunded mandates; and

WHEREAS, Unfunded mandates shift the responsibility and the financial cost of carrying out programs from the state to local governments causing resulting increases in local real property taxes and possible cuts in other worthwhile local programs; and

WHEREAS, The adoption and implementation of this proposed legislation will result in potentially enormous savings to local governments.

NOW, THEREFORE, It is hereby

RESOLVED, To express the sentiments of this Board to Governor George E. Pataki and to the New York State Legislature, that we most strongly urge the passage of Assembly Bill A.01757 and Senate Bill S.675; and it is further

RESOLVED, that individual copies of this resolution be conveyed to Governor Pataki of the State of New York, Senator Volker, Assemblyman Burling and to Inter-County of Western New York so that they may be apprised hereof and take all necessary and appropriate action to prevent the enactment of such measures.

Carried: Ayes: 1516 Noes: Absent: 54 (Davis) Abstain:
48 (Glosser)
102
#UC27

RESOLUTION NO. 04-172
(May 11, 2004)

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

PERMANENT RULES OF PROCEDURE AMENDED

BE IT RESOLVED, That the Rules of Procedure of this Board of Supervisors, as adopted on July 11, 2000 by resolution number 00-179 are hereby amended and adopted as the Permanent Rules of this Board.

Carried: Ayes: 1516 Noes: Absent: 54 (Davis) Abstain:
48 (Glosser)
102

May 11, 2004

RESOLUTION NO. 04-173
(May 11, 2004)

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

**AUTHORIZE CHAIRMAN TO SIGN A CONTRACT WITH
CLARK PATTERSON ON BEHALF OF EMERGENCY
SERVICES**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Clark Patterson Associates, Design Professionals, with its office at 186 North Water Street, Rochester NY 14604. The contract shall be in an amount not to exceed \$31,000.00 (Thirty one thousand dollars), on behalf of Wyoming County's Emergency Services. The purpose of the contract is to provide the County with engineering services for the construction of the emergency services self-supporting communications tower at the Training Center Facility in the Town of Wethersfield; and is contingent upon the availability of funding.

Carried: Ayes: 1516 Noes: Absent: 54 (Davis) Abstain:
48 (Glosser)
102

There being no further business to come before this Board the Chairman asked Vice Chairwoman Humphrey to call the meeting adjourned at 2:40 PM.

REGULAR SESSION
(June 8, 2004)

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 located at 143 North Main Street, Warsaw, New York with 15 members present. Supervisor Gozelski, Town of Castile was absent. Also present were County Attorney Eric T. Dadd, County Treasurer John Edwards, Clerk to the Board of Supervisors Paula Parker and Deputy Clerk to the Board of Supervisors, Cheryl Ketchum.

At 2:14 PM Chairman Berwanger, T/Arcade, called the meeting to order.

The Chairman then introduced **World War II Veteran Kenneth R. Walker of Perry, NY**

Mr. Walker attended Perry Central School and enlisted in the U. S. Army on August 1, 1940. He served his first three years of his enlistment at Panama Canal, before being transferred to Ft. Benning, Georgia. Prior to being sent to the European Theater of Operation on November 1, 1944. Mr. Walker participated in the battles for the Ardennes, Central Europe, the Rhineland and was an active participant in the "Battle of the Bulge", at which time he was assigned to Co. "C" 18th Infantry Regiment. For his actions during World War II, Mr. Walker was awarded the **Distinguished Unit Badge w/Oak Leaf Cluster, the European African Middle Eastern Service Medal, the American Defense Service Medal w/Bronze Star, the Good Conduct Medal** and today we are honoring Mr. Walker by presenting him with the ***Combat Infantry Badge and the Bronze Star!*** Mr. Walker returned from Europe on September 15, 1945 and was Honorably discharged on September 21, 1945.

After his discharge, Mr. Walker worked at Robeson, Champion Products and Pavilion Gas/RG&E until his retirement in 1984. He is very proud to state that he was born in and has lived at 162 South Main Street, Perry NY all of his life.

Frank Hollister, Director of Veterans Services, gave a brief explanation of the Badges about to be presented to Mr. Walker.

Mrs. Humphrey assisted the Chairman in presenting the Combat Infantry Badge and the Bronze Star to Mr. Walker.

June 08, 2004

The Chairman then opened the Public Hearing regarding the Reorganization of Civil Service/Personnel.

Chairman Berwanger then introduced *Tammy Meyer*, of Attica, as this year's *Wyoming County Dairy Princess Alternate*. Tammy is the daughter of Dennis and Brenda Meyer of Varysburg, where she helps with the milking chores on the family farm.

The Chairman continued with, "While studying math and science as a senior at Attica High School, Tammy enjoys riding horses, cheerleading, and track and is a member of SADD and International Club. Tammy will be attending SUNY Morrisville this fall pursuing studies in agricultural science.

Kyle Glosser, Vice Chairman of the Agriculture Committee presented resolution #21, by the Agriculture Committee to the Board of Supervisors.

#21

**RESOLUTION NO. 04-174
(June 08, 2004)**

By Mr. Gozelski, Chairman of the Agriculture Committee:

**WYOMING COUNTY PROCLAIMS
JUNE 2004 AS NATIONAL DAIRY MONTH**

WHEREAS, June is the month when nature bestows upon us her most nearly perfect weather, and

WHEREAS, Milk is nature's most nearly perfect food, it follows that June is the most fitting month to celebrate Dairy Month. June is the start of summer, when everyone appreciates the ease and convenience of the whole gamut of good dairy foods, and

WHEREAS, June is the time to enjoy to the fullest all the milk products whose vitamins, calcium and minerals contribute so much to health and vitality all year long, and

WHEREAS, We hereby dedicate this month of June to the idea of eating dairy foods, every day, and

WHEREAS, We also set aside the month of June to pay tribute to the nation's vast dairy industry -- one-sixth of the nation's farm economy -- whose daily work and dedication contribute so much to the nation's health and prosperity every day of the year, and

WHEREAS, We propose a salute to MILK, the beverage that has helped our children grow taller, our young adults become more vigorous and our senior citizens to enjoy the longest, most productive lives in the history of the world; now therefore

BE IT RESOLVED, That this Wyoming County Board of Supervisors, hereby proclaims *June 2004* to be:

National Dairy Month in Wyoming County

and encourages all our citizens to enjoy milk and other dairy foods, and urges 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: 1491 Noes: Absent: 127 (Gozelski) Abstain:

This resolution was presented to Ms. Meyer. Ms. Meyer expressed to the Board and all of the attendees her honor in being invited to today's Board Meeting.

Chairman Berwanger recognized the **Department of Social Services Employee of the Month** by stating, "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 to see how Departmental requests are processed by the Board.

This month's participant is ***Marilyn Jordan***. Marilyn has been employed by Social Services since May 1995 as a Data Entry Machine Operator working with the AFIS administration, WMS technical support, and the EBT administration. Her great work ethics and positive attitude led to her nomination as employee of the month.

The Clerk to the Board was asked if there were any communications. There were none.

RESOLUTION NO. 04-175 (June 08, 2004)

By Mrs. Humphrey, Chairman of Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2004 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2004 accounts as follows:

<u>County Attorney</u>			<u>Dept. Totals:</u>
To: 01.34.1420.4.42304 Interest Arbitration Expense From any funds available.	\$4,000.00	\$4,000.00	
<u>County Attorney Total</u>			\$4,000.00
<u>Real Property Tax Services</u>			
To: 01.33.1355.4.40402 Conferences w/rev. acct. #01.03.1355.1289 increased by same. Reason: reimbursement check from NYS – Prior conference	\$651.90	\$651.90	
<u>Real Property Tax Services Total</u>			\$651.90
<u>Highway</u>			
To: 04.53.5110.1.10202 Temporary 04.53.5110.8.83001 FICA 04.53.5110.8.85001 Medicare w/ 04.04.5110.2306 Roads & Bridges other Govt. increased by same Reason: Appropriate funds to hire 6 (six) seasonal laborers from fund balance.	\$23,000.00 1,426.00 333.50 \$24,759.50	\$24,759.50	
<u>Highway Total</u>			\$24,759.50
<u>Veterans</u>			
To: 01.43.6510.2.20201 Computer Equipment w/revenue acct #01.11.6510.3710 increased by same. Reason: To budget additional State Grant money for the purchase of an additional printer for the Veteran's Service Agency.	\$1,860.00	\$1,860.00	
<u>Veterans Total</u>			\$1,860.00
<u>Department of Social Services</u>			
To: 01.39.6010.4.42212 Foster Parent Appreciation w/rev. acct. 01.09.6010.2770 increased by same Reason: Appropriate additional money for Foster Parent Appreciation.	\$300.97	\$300.97	
<u>Department of Social Services Total</u>			\$300.97
<u>Public Health</u>			
To: 01.38.4035.2.20201 Computer Equipment 01.38.4035.2.20707 Institutional Equipment 01.38.4035.4.41706 Medical Supplies w/offsetting revenues to acct #01.12.4035.4489 Reason: To appropriate for computer upgrade, exam table, and medical supplies.	\$2,000.00 2,000.00 6,000.00 \$10,000.00	\$10,000.00	
To: 01.38.4050.1.10101 Full Time CSEA contract 01.38.4050.8.81001 Retirement 01.38.4050.8.82002 CSEA Disability 01.38.4050.8.83001 FICA 01.38.4050.8.85001 Medicare – FICA 01.38.4050.8.86001 EAP 01.38.4050.8.89001 Medical/Hospitalization w/offsetting revenues to be appropriated in acct. #s 01.04.4050.161003 Private Insurance 01.11.4050.3401 PH SA Reason: To appropriate for additional RPN (CSEA Grade 10A) position.	\$17,972.00 2,157.00 132.00 1,115.00 261.00 17.00 5,245.00 \$26,899.00	\$10,000.00 16,899.00 \$26,899.00	

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Public Health Total			\$36,899.00
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Carried: Ayes: 1491 Noes: Absent: 127 (Gozelski) Abstain: #2

**RESOLUTION NO. 04-176
(June 08, 2004)**

By Mrs. Humphrey, Chairman of Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2004 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2004 accounts as follows:

<u>Sheriff</u>			<u>Dept. Totals:</u>
To: 01.37.3110.2.20401 Miscellaneous Equipment w/ 01.11.3110.308901 State Aid increased by same Reason: For equipment purchase through 2004 Homeland Security Grant for 4 wheeler and trailers.	\$15,000.00	\$15,000.00	
<u>Sheriff Total</u>			\$15,000.00

Carried: Ayes: 1277 Noes: 214 (Humphrey) Absent: 127 (Gozelski) Abstain:

Mrs. Totslie, T/Genesee Falls, Chairman of the Audit Committee, presented bills totaling \$832,118.08.

Carried: Ayes: 1491 Noes: Absent: 127 (Gozelski) Abstain:

There was a motion by Supervisor Kushner, T/Eagle, to combine resolutions #3 and #4. A voice vote was taken and all voted aye.

#3

**RESOLUTION NO. 04-177
(June 08, 2004)**

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

**AUTHORIZE CHAIRMAN TO AWARD AND SIGN A
CONTRACT FOR THE REPLACEMENT OF COVINGTON**

June 08, 2004

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BRIDGE NO. 31 (STARR ROAD OVER THE OATKA CREEK)

WHEREAS, E&R General Construction, Inc. of 38 St. David's Drive, West Seneca, NY 14224, the apparent low bidder for the replacement of Covington Bridge No. 31 (BIN #3366400) Starr Road over Oatka Creek at \$135,646.44 (One hundred thirty five thousand six hundred forty six dollars and forty four cents), and

WHEREAS, Bryant Associates, Engineers for this project, need to approve the proposed plans by E&R General Construction before they can be officially awarded the contract, 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 contract with E&R General Construction, Inc.

Carried: Ayes: 1491 Noes: Absent: 127 (Gozelski) Abstain: #4

RESOLUTION NO. 04-178
(June 08, 2004)

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

**AUTHORIZING THE IMPLEMENTATION, AND
FUNDING IN THE FIRST INSTANCE 100% OF THE
FEDERAL-AID AND STATE "MARCHISELLI"
PROGRAM-AID ELIGIBLE COSTS, OF A
TRANSPORTATION FEDERAL-AID PROJECT, AND
APPROPRIATING FUNDS THEREFOR**

WHEREAS, a Project for the replacement of Hurdville Rd. Bridge over Cattaraugus Creek, Town of Arcade, Wyoming County, P.I.N. 475367 BIN 3319450 ("the Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

WHEREAS, the County of Wyoming desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of Preliminary Engineering and ROW Incidentals.

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

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

RESOLVED, that the Board of Supervisors hereby authorizes the County Treasurer to pay in the first instance 100% of the federal and non-federal share of the cost of \$459,000.00 (Four hundred fifty nine thousand dollars) work for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$459,000.00 (Four hundred fifty nine thousand dollars) is hereby appropriated from 04.53.5112.4.40940 and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Board of Supervisors shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the NYS DOT thereof, and it is further

RESOLVED, that the Chairman of the Board of Supervisors of Wyoming County be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the Board of Supervisors with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefor that are not so eligible, and it is further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to all necessary Agreement in connection with the Project, and it is further

June 08, 2004

RESOLVED, this Resolution shall take effect immediately.

Carried: Ayes: 1491 Noes: Absent: 127 (Gozelski) Abstain:

There was a motion by Supervisor Rogers, T/Pike, to combine resolutions #5 through #10. A voice vote was taken and all voted aye.

Mr. Rogers commented on the celebration that he, Ms. Grant, Supervisor, T/Bennington and Chairman Berwanger attended on June 7th, 2004 for Ms. Corliss and that he had never been kissed by a 100 year old lady before. #5

**RESOLUTION NO. 04-179
(June 08, 2004)**

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

**RUTH KENSINGER APPOINTED TO THE
OFFICE FOR THE AGING ADVISORY COUNCIL**

BE IT RESOLVED, That *Ruth Kensinger* of 3336 Syler Road, Varysburg, NY 14167 is hereby appointed to the *Office for the Aging Advisory Council* as a representative for the Town of Orangeville to complete the unexpired term left by the resignation of Isabel Almeter. Term is effective from *June 1, 2004 to December 31, 2005*.

Carried: Ayes: 1491 Noes: Absent: 127 (Gozelski) Abstain: #6

**RESOLUTION NO. 04-180
(June 08, 2004)**

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

**AUTHORIZE CHAIRMAN TO SIGN A CONTRACT WITH
REHABILITATION TODAY ON BEHALF OF YOUTH
BUREAU**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Rehabilitation Today, 2416 Constitution Avenue, Olean, NY 14760 to provide preschool handicapped services to Wyoming County children. The rates are to be set per NYS handicap preschool approved rates. Amounts not to exceed budget. The contract will be for the period September 1, 2004 through June 30, 2005, contingent upon the availability of funds.

Carried: Ayes: 1491 Noes: Absent: 127 (Gozelski) Abstain: #7

**RESOLUTION NO. 04-181
(June 08, 2004)**

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

**AUTHORIZE CHAIRMAN TO SIGN TRANSPORTATION
CONTRACTS ON BEHALF OF 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 renewal contracts with:

- McDonalds Bus Company, 248 Sargent Street, Cowlesville, NY 14037, for the continued preschool transportation services, effective July 1, 2004 through June 30, 2005; amount per the language of the contract.
- Laidlaw Transit, Inc., 413 East Main Street, Batavia, NY 14020, for continued preschool transportation services, effective July 1, 2004 through June 30, 2005; amount per the language of the contract.

Per the language of the original contract, "the county shall have two (2) options to extend any contract awarded in connection with the bids submitted, for additional periods of one (1) year each. Each option shall be exercised in writing, and such option period shall commence upon the expiration of the immediately preceding contract period. In the event that the County exercises one or more options to extend the contract period, all of the terms and conditions of the contract shall apply, except that the sums to be paid to the transportation provider shall be increased by an amount equal to two and one-half (2 ½%) percent." Both contracts are contingent upon the availability of funds.

June 08, 2004

This is the last renewal.

Carried: Ayes: 1491 Noes: Absent: 127 (Gozelski) Abstain: #8

**RESOLUTION NO. 04-182
(June 08, 2004)**

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

**AUTHORIZE CHAIRMAN/COMMISSIONER TO SIGN
RENEWAL AGREEMENT WITH RENEE WILMOTH
ON BEHALF OF SOCIAL SERVICES**

BE IT RESOLVED, That the Chairman of this Board and/or the Commissioner of Social Services with the approval of the County Attorney are hereby authorized and directed to sign a renewal agreement with Renee Wilmoth of 21 Church Street, Leroy, NY 14482. This contract is for the provision of Family Resolutions and Domestic Violence Family Advocate Services for the period July 01, 2004 through June 30, 2005 in the amount of \$37,280.00 (Thirty seven thousand two hundred eighty dollars); contingent upon the availability of funds.

Carried: Ayes: 1491 Noes: Absent: 127 (Gozelski) Abstain: #9

**RESOLUTION NO. 04-183
(June 08, 2004)**

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

**AUTHORIZE CHAIRMAN/COMMISSIONER TO SIGN
RENEWAL AGREEMENT WITH INSTRUCTIONAL
ACCESS, INC. ON BEHALF OF SOCIAL SERVICES**

BE IT RESOLVED, That the Chairman of this Board and/or the Commissioner of Social Services with the approval of the County Attorney are hereby authorized and directed to sign a renewal agreement with Instructional Access, Inc. of 3201 Franklin Avenue, Riverside, CA 92507. This contract is

for the provision of Computer Camp for 4 (four) Merit Incentive children during the period May 01, 2004 through August 31, 2004 in the amount of \$8,280.00 (Eight thousand two hundred eighty dollars); contingent upon the availability of funds.

Carried: Ayes: 1491 Noes: Absent: 127 (Gozelski) Abstain: #10

**RESOLUTION NO. 04-184
(June 08, 2004)**

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

**CENTENARIAN DAY IN WYOMING COUNTY
PROCLAIMED IN RECOGNITION OF MILDRED
CORLISS' 100TH BIRTHDAY**

WHEREAS, Women born in 1900 who are still alive today have seen the world go from the horse and buggy to spaceships in their lifetimes. But in that same space of time many women have also gone from being virtual chattel to having a voice and are making decisions about their lives.

WHEREAS, In countries around the world, women have overturned several millennia's worth of second-class citizenship to participate at nearly all levels of society. They have won the right to vote, own property, and make their own decision about marriage, motherhood, and custody of their children. Should they choose to marry they can keep their own name and legal identity. They can pursue higher education, have their own credit, earn and control their own money. They have access to most jobs, are rapidly establishing their own businesses, and are being elected to political office in ever increasing numbers.

WHEREAS, The Wyoming County Board of Supervisors and the citizens of the County of Wyoming honored *Ms. Mildred Corliss* on June 7, 2004 with a celebration dinner at the Bennington Nutrition Site and presented her with an "Award of Distinction" as she approaches her 100th birthday on June 17, 2004;

NOW THEREFORE BE IT RESOLVED, That the Wyoming County Board of Supervisors does hereby proclaim *June 17, 2004* as:

CENTENARIAN DAY IN WYOMING COUNTY

June 08, 2004

and the Board encourages all citizens, government agencies, public and private institutions, businesses and schools to commit our county to recognize all centenarians for their great distinction to live to celebrate 100 years or more.

Carried: Ayes: 1491 Noes: Absent: 127 (Gozelski) Abstain:

Supervisor Knab, Chairman of the Public Health Committee advised the Supervisors that Resolution #11 presented by the Public Health Committee should be withdrawn and referred back to the Public Health Committee, June 29, 2004, for further discussion.

Withdrawn #11

**RESOLUTION NO. 04-
(June 08, 2004)**

By Mr. Knab, Chairman of the Public Health Committee:

**RESOLUTION ESTABLISHING MORATORIUM ON
EXPANSION OF RESIDENTIAL AND DAY TREATMENT
FACILITIES**

BE IT RESOLVED, 2003 State Budget legislation enacted by the Governor and State legislators imposed cuts in State aid for certain Office of Mental Health (OMH) services and Office of Mental Retardation and Developmental Disabilities (OMRDD) services administered by the Wyoming County Community Services Director under the authority of the local governmental unit (LGU); and

WHEREAS, the cuts, as implemented by the Governor and State legislators, created, in effect, a “cap” on the so-called “Medicaid Overburden Aid” that is utilized to provide important mental health services to citizens in the Wyoming County community; and

WHEREAS, said State-imposed “cap” is an additional unfunded State mandate that shifts State program costs to the County; and

WHEREAS, this onerous mandate has already shifted a substantial amount of additional State expenses to the County; and

WHEREAS, this mandate forces County taxpayers to fully shoulder all costs related to new expansion of residential and day treatment facilities within the County; now, therefore be it

RESOLVED, That in accordance with its authority as the local governmental unit (LCU) under NYS Mental Hygiene Law, the Board of Supervisors hereby declares a moratorium on the expansion of residential and/or day treatment services; effective immediately, and retroactively to January 1, 2004 for any pending applications; and, be it further

RESOLVED, That in accordance with this policy, the Director of Community Services is hereby directed not to accept any applications for new services from providers until said moratorium is lifted by resolution of this Board of Supervisors; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded Governor George Pataki, Senate Majority Leader Joseph Bruno, Senator Dale Volker, Assembly Speaker Sheldon Silver, Assemblyman Daniel Burling, NYS Association of Counties, and Inter-County Legislative Committee of WNY.

Carried:

Ayes:

Noes:

Absent: Abstain:

There was a motion by Supervisor Knab, T/Sheldon, to combine resolutions #12 through #14. A voice vote was taken and all voted aye.

#12

**RESOLUTION NO. 04-185
(June 08, 2004)**

By Mr. Knab, Chairman of the Public Health Committee:

**RESOLUTION OPPOSING THE COST
SHIFTING OF MENTAL HYGIENE STATE AID
DOLLARS TO FUNDING BY MEDICAID**

WHEREAS, New York State Mental Hygiene Agencies have shifted funding for mental hygiene programs from regular state aid to Medicaid; and

WHEREAS, the shifting of these costs can ultimately result in the reduction of funding for established mental hygiene programs, thereby compromising services to people experiencing severe and persistent mental illnesses, mental retardation, developmental disabilities and chemical dependency; and

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WHEREAS, the reduction in state aid and the shifting of funding to federal programs from local mental health departments results in an increased burden on county taxpayers; now, therefore be it

RESOLVED, That the Wyoming County Board of Supervisors hereby opposes the cost shifting of mental hygiene costs from regular State aid to other funding streams, such as Medicaid, because of the unfair local share costs that result; and, be it further

RESOLVED, That the Board of Supervisors hereby demands that any change in such Mental Hygiene funding formulas be prohibited or at least subject to the consent of the affected counties; and be it further

RESOLVED, That certified copies of this Resolution be forwarded Governor George Pataki, Senate Majority Leader Joseph Bruno, Senator Dale Volker, Assembly Speaker Sheldon Silver, Assemblyman Daniel Burling, NYS Association of Counties, and Inter-County Legislative Committee of WNY.

Carried: Ayes: 1491 Noes: Absent: 127 (Gozelski) Abstain: #13

**RESOLUTION NO. 04-186
(June 08, 2004)**

By Mr. Knab, Chairman of the Public Health Committee:

**AUTHORIZE CHAIRMAN TO SIGN
PARTICIPATING ANCILLARY SERVICES PROVIDER
AGREEMENT ON BEHALF OF PUBLIC HEALTH**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a Participating Ancillary Services Provider Agreement with Excellas Health Plan, Inc. and their subsidiaries and affiliates, located at 205 Park Club Lane, North Building, Buffalo, NY 14221-5239 to establish a third party billing relationship between Wyoming County Health Department Certified Home Health Agency and Excellas Health Plan, Inc. and each of its subsidiaries and affiliates (insurance provider – reimbursement for services provided by CHHA)

Carried: Ayes: 1491 Noes: Absent: 127 (Gozelski) Abstain:

**RESOLUTION NO. 04-187
(June 08, 2004)**

By Mr. Knab, Chairman of the Public Health Committee:

**REAPPOINT JULES F. LEVEY, MD TO
THE WYOMING COUNTY BOARD OF HEALTH**

BE IT RESOLVED, That *Jules F. Levey, MD* of 37 East Court Street, Warsaw NY 14569 is hereby reappointed to the *Wyoming County Board of Health* for a 6 (six) year term effective *June 11, 2004 through June 10, 2010*.

Carried: Ayes: 1491 Noes: Absent: 127 (Gozelski) Abstain:

There was a motion by Supervisor Davis, T/Covington, to combine resolutions #15 and #16. A voice vote was taken and all voted aye.

#15

**RESOLUTION NO. 04-188
(June 08, 2004)**

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, *effective July 8, 2004 through July 7, 2005*:

<u>DEPARTMENT</u>	<u>MEMBER</u>	<u>ADDRESS</u>
Arcade	Charles Witkop	6070 Michigan Road, Arcade, NY 14009
Attica	Jay Myers	297 Main St., Attica, NY 14011
Bennington	Joseph Heller, Jr	1290 Maxon Rd., Attica, NY 14011
Bliss	Richard Maher	3429 Rt. 39, Bliss, NY
Castile	Edwin Morse	20 Park Rd., W., Castile, NY 14427
Cowlesville	Paul Kiecher	1740 Clinton St., Attica, NY 14011
Gainesville	Albert Keller	PO Box 23, Gainesville, NY 14066
Genesee Falls	James Kemp	6235 Denton Corners Rd., Castile, NY 14427
Harris Corners	Mark Keem	2563 Rt. 77, Strykersville, NY 14145
North Java	Randy Almeter	3878 Humbert Rd., North Java, NY 14113
Perry	Richard Halstead	3 Lake Ave., Perry, NY 14530
Perry Center	James Brick	7618 Rt. 20A, Perry, NY 14530
Pike	Doug Flint	67 Main St., Pike, NY 14130
Sheldon	Terry Griffen	1629 Rt. 20A, Lot 25, Varysburg, NY 14167
Silver Springs	Deanna Wilcox	30 Orchard St., Silver Springs, NY 14550
Strykersville	Donald Simons	425 Factory Rd., Strykersville, NY 14145
Varysburg	Carl Parmerter	2151 Rt. 98, Attica, NY 14011
Warsaw	Jim Vanepps	273 S. Main St., Warsaw, NY 14569
Wyoming	Mike Knitter	1192 Silver Lake Rd., Pavilion, NY 14525

Members At-Large for towns without Departments:

Orangeville	Town Supervisor	Town of Orangeville
Covington	Town Supervisor	Town of Covington

Carried: Ayes: 1491 Noes: Absent: 127 (Gozelski) Abstain: #16

**RESOLUTION NO. 04-189
(June 08, 2004)**

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

AUTHORIZE CHAIRMAN TO SIGN

Regular Session

Proceedings of the Board of Supervisors
**PINS PLAN RENEWAL ON BEHALF OF PROBATION
DEPARTMENT**

157

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign the PINS Plan renewal on behalf of Wyoming County's Probation Department. Said contract is with The Division of Probation and Correctional Alternatives, 80 Wolf Rd. Albany, NY this is to allow the county to handle PINS cases informally, reducing court hearings, adjudication and time, effective from January 01, 2005 through December 31, 2005.

Carried: Ayes: 1491 Noes: Absent: 127 (Gozelski) Abstain:
#17

**RESOLUTION NO. 04-190
(June 08, 2004)**

By Mr. Miller, Chairman of the Planning Committee:

**AUTHORIZE CHAIRMAN TO SIGN A CONTRACT WITH
CENTRAL BUSINESS SYSTEMS, INC. ON BEHALF OF
PLANNING AND DEVELOPMENT**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Central Business Systems, Inc. of 285 Kenmore Avenue, Buffalo, NY 14223 for the lease of a Minolta Di470 office copier. The contract is on behalf of Wyoming County's Planning and Development; effective August 1, 2004 through July 31, 2008; annual lease payment not to exceed \$3,886.00 (Three thousand eight hundred eight-six dollars); contingent upon the availability of funds.

Carried: Ayes: 1491 Noes: Absent: 127 (Gozelski) Abstain:
#18

**RESOLUTION NO. 04-191
(June 08, 2004)**

By Mr. Miller, Chairman of the Planning Committee:

June 08, 2004

Proceedings of the Board of Supervisors
2005 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 2005 Matching Funds Program for tourist promotional activities; and be it

FURTHER RESOLVED, That the Wyoming County Board of Supervisors hereby designates the Wyoming County Tourist Promotion Agency, Inc. as the official tourist promotion agency for the County of Wyoming and as the agency to apply for and receive matching funds on behalf of the County, under the Matching Funds Program.

Carried: Ayes: 1491 Noes: Absent: 127 (Gozelski) Abstain: #19

RESOLUTION NO. 04-192
(June 08, 2004)

By Mr. Miller, Chairman of the Planning Committee:

FUNDS APPROVE FOR MATCHING FUNDS PROGRAM
FOR TOURIST PROMOTION

BE IT RESOLVED, That the Wyoming County Board of Supervisors hereby approves taking part in the 2005 Matching Funds Program for tourists promotional activities and hereby commits the County of Wyoming to \$30,000.00 (Thirty thousand dollars) in matching funds, which is in addition to the operational budget amount to be included in the year 2005 County Budget; contingent upon the availability of funds from New York State.

Carried: Ayes: 1491 Noes: Absent: 127 (Gozelski) Abstain: #20

RESOLUTION NO. 04-193
(June 08, 2004)

By Mr. Miller, Chairman of the Planning Committee:
Regular Session

**PROCLAMATION IN RECOGNITION OF RICHARD
CLAPP AND 22 YEARS OF SERVICE TO THE
INDUSTRIAL DEVELOPMENT AGENCY**

WHEREAS, Twenty-two years ago when Mr. Clapp was first appointed to the Industrial Development Agency the organization was only in the meager beginnings of existence. Mr. Clapp was instrumental in turning the Revolving Loan Fund into a \$1.5 million dollar fund from a mere \$40,000.00, and

WHEREAS, Mr. Clapp has shown his support and commitment to Wyoming County by establishing his own business eleven plus years ago in Arcade, known as Image Makers, in which Mr. Clapp is the Owner of the building that is home to several other businesses, now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors is privileged to present:

Mr. Richard Clapp

with an *Award of Distinction* in recognition of twenty-two years of service to the Wyoming County Industrial Development Agency from **1982 to 2004**.

Carried: Ayes: 1491 Noes: Absent: 127 (Gozelski) Abstain:

Chairman Berwanger presented Mr. Clapp with an Award of Distinction for his twenty-two years of service to the IDA. Mr. Clapp expressed his appreciation and thanked the Board for all of their support through the years and encouraged the new people to continue with the standards of excellence.

#22

**RESOLUTION NO. 04-194
(June 08, 2004)**

By Mrs. Humphrey, Chairman of the Finance Committee:

SEMI-ANNUAL REVENUE SHARING FOR THE TOWNS

June 08, 2004

Proceedings of the Board of Supervisors

BE IT RESOLVED, That the Chairman of the Finance Committee, presented the Semi-Annual Revenue Sharing Report for the period of October 1, 2003 through March 31, 2004 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

You are hereby authorized and directed to distribute the Semi-Annual Revenue Sharing amounts totaling \$37,286.20 (Thirty seven thousand two hundred eighty-six dollars and twenty cents) to the sixteen towns of Wyoming County, in accordance with the report filed with the Clerk of the Board of Supervisors, as follows:

TOWNS	REVENUE SHARING DISTRIBUTED
Arcade	4,108.46
Attica	3,125.49
Bennington	4,678.77
Castile	3,892.27
Covington	1,185.65
Eagle	1,254.31
Gainesville	1,235.96
Genesee Falls	351.23
Java	2,981.92
Middlebury	1,095.33
Orangeville	1,256.88
Perry	3,648.71
Pike	839.20
Sheldon	2,484.47
Warsaw	4,318.42
Wethersfield	829.13
Total	\$ 37,286.20

Let this be your Warrant for Such Payment: **\$37,286.20** (Thirty seven thousand two hundred eighty-six dollars and twenty cents) IN WITNESS WHEREOF, I have hereunto set my hand and seal of the Board of Supervisors this 8th day of June, 2004.

s/ Paula A. Parker, Clerk
Board of Supervisors

Carried: Ayes: 1491 Noes: Absent: 127 (Gozelski) Abstain:

Regular Session

**RESOLUTION NO. 04-195
(June 08, 2004)**

By Mrs. Humphrey, Chairman of the Finance Committee:

**CORRECTION OF ERRORS IN THE TOWN OF ATTICA
APPROVED**

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 benefited thereby:

PARCEL ONE: Town of Attica
Swis Code: 562289
Tax Map # 8.-1-13.23

ASSESSED TO: Joseph J. Frey
11114 Keller Road
Clarence, NY 14031

ERROR: Cancellation of unpaid Tax Lien

AUTHORITY: RPTL §558.1

REFERENCE: RPTL §550.2(f) *“a duplicate entry on a tax roll of the description or assessed valuation, or both, of an entire single parcel”*

ACTION: Approve

Carried: Ayes: 1491 Noes: Absent: 127 (Gozelski) Abstain:

June 08, 2004

RESOLUTION NO. 04-196**(June 08, 2004)**

By Mrs. Humphrey, Chairman of the Finance Committee:

**CREATE 1 (ONE) RPN POSITION IN THE
CERTIFIED HOME HEALTH AGENCY**

BE IT RESOLVED, That effective immediately, 1 (one) FTE position of Registered Practical Nurse be created in the Certified Home Health Agency (Public Health), said position to be placed on Salary Schedule A Grade 10A of the CSEA Agreement.

Carried: Ayes: 1491 Noes: Absent: 127 (Gozelski) Abstain:
#25

RESOLUTION NO. 04-197**(June 08, 2004)**

By Mrs. Humphrey, Chairman of the Finance Committee:

**CREATE 1 (ONE) RPN PER-DIEM POSITION IN THE
CERTIFIED HOME HEALTH AGENCY**

BE IT RESOLVED, That effective immediately, 1 (one) Per Diem (this position is only entitled to Statutory Benefits) position of Registered Practical Nurse be created in the Certified Home Health Agency (Public Health), said position to be placed on Salary Schedule A Grade 10A of the CSEA Agreement.

Carried: Ayes: 1491 Noes: Absent: 127 (Gozelski) Abstain:

At 2:35 Chairman Berwanger declared that it is now time to hear public comments on the Public Hearing.

Regular Session

Public Comments:

The following memorandum was presented to the Human Resource Committee 05-25-04, regarding, "*Feedback on the Proposed Reorganization*," by Harold Hopkins, Wyoming County Personnel Officer, and read by Chairman Berwanger:

"After having spent a little less than one month digesting the proposed plan to reorganize my department, I have the following comments to submit for our consideration.

Essentially, I agree with the goal of establishing an empowered Human Resources Director's position with HR oversight responsibility for all county departments, including WCCH. As you know, I have sought out your support in adopting the proposed policy on Employee Discipline. The proposed policy would in fact facilitate implementation of the second component of your reorganization. However, in order to provide "better personnel services" (human resource management as well as employee relations); the new HR Director must be provided with the authority to take the lead in all employee discipline and other issues involved in labor relations.

Concerning the establishment of a local Civil Service Commission; such change in policy is the undisputed right of the Board of Supervisors to implement in compliance with the corresponding sections of the Civil Service Law (CSL) cited in your plan. Should the full Board of Supervisors elect to adopt said plan, I expect to work with you to facilitate a successful transition. As cited with the plan, the CSL requires a minimum transitional period of one year from the date of election. My term as Personnel Officer expires in February of 2005. The one-year waiting period runs through June of 2005. Obviously, future decisions need to be made and I look forward to working with you throughout the process."

There were no other comments from the public in regards to the reorganization of Civil Service/Personnel and the public hearing was closed.

In other business, County Attorney Dadd spoke in regards to Mr. Clapp's twenty-two years of service to the IDA by stating, "I can't ever remember making a comment like this in my many years as County Attorney, but I do feel I should mention something about Dick Clapp. I've worked with him, like probably, for twenty of the twenty-two years that he's served. He's an example, much like some of our department heads, I think, of someone who just quietly, competently, thoroughly and impartially did his job and for most of the time with not very many resources at his disposal. As I look over the faces on the board here I think that nobody on the current board has been around as long as Dick Clapp. I know when I think of the department heads maybe John

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Edwards and myself are the only people. I always think in the county there is always like the below the surface group of people, hopefully many sometimes few depending on what year, who actually do their job and do a good job, in this case for no compensation. His years of service are very much appreciated by me and I suspect history will tell. In the history of our IDA his tenure was very important. It brought the IDA from when I can individually remember it as somewhat of a student's lab organization to something that is much more proactive and really poised. I think now (the IDA is ready) to take advantage of a lot of programs and a lot of the things that we need to do in this county to at least break even in competition for economic development with even our neighboring counties. Thank you, I just thought I should mention that.”

There being no further business to come before the board Mrs. Humphrey gavelled the meeting adjourned at 2:40 PM.

REGULAR SESSION
(July 13, 2004)

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 located at 143 North Main Street, Warsaw, New York with all members present. Also present were County Attorney Eric T. Dadd, County Treasurer John Edwards, Clerk to the Board of Supervisors, Paula Parker and Deputy Clerk to the Board of Supervisors, Cheryl Ketchum.

At 2:05 PM Chairman Berwanger, T/Arcade, called the meeting to order.

The Chairman then introduced **Francis B. Copeland** as the World War II Veteran leading the Board in the Pledge of Allegiance for the month of July 2004. Mr. Copeland is a 1943 graduate of Otto High School, in Dake Center, Pennsylvania. He entered the U.S. Army on April 26, 1943. After extensive training, Mr. Copeland was shipped to the European Theater of operation on January 26, 1945, where he participated in the battles for Central Europe. For his participation in World War II, Mr. Copeland received the World War II Victory Medal, the American Campaign Medal, the European African Middle Eastern Campaign Medal with One (1) Bronze Service Star and the Good Conduct Medal. He returned to the United States on August 20, 1945 and was discharged from active duty on January 31, 1946.

After his discharge from duty, Mr. Copeland worked for Penn Railroad, Penn/NY Central, Penn Central and retired from Conrail after thirty-seven (37) years of employment with the railroad. He has been a resident of Arcade for over twenty (20) years.

Supervisor Copeland, T/Wethersfield was asked by the Chairman to present Mr. Copeland, his father, with a framed certificate of appreciation thanking him and to commemorate this day with the Wyoming County Board of Supervisors.

Chairman Berwanger continued with, "I would like to take this opportunity to recognize the Department of Social Services Employee of the Month. In addition to recognizing outstanding employees, Commissioner Wallace invites them to attend a Human Service Committee meeting and Board meeting to better understand the relationship between individual Departments and the Board of Supervisors.

July 13, 2004

Jeannie started in April of 2002 as a Clerk in Social Services and she was promoted to Community Service Worker on August 25, 2003. This employee was nominated because she takes the initiative to learn new tasks and help out wherever needed and always has a positive attitude. She is a pleasure to work with and an asset to the Department. Please join me in recognizing **Jeannie Broughton**".

#1

RESOLUTION NO. 04-198 (July 13, 2004)

By Mrs. Humphrey, Chairman of Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2004 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2004 accounts as follows:

<u>Sheriff's Department</u>			
To: 01.37.3110.1.10102 FT – Sheriff CSEA	\$149,766.71		
01.37.3110.1.10201 PT & Temp	8,683.43		
01.37.3110.1.10301 Over Time	10,594.69		
01.37.3110.8.81001 Retirement	25,356.72		
01.37.3110.8.83001 FICA	10,480.78		
01.37.3110.8.85001 Medicare	2,451.15		
From: Any Funds available		\$207,333.48	
Reason: increases in salary and related expenses per union settlement.			
<u>Dept. Totals:</u>			\$207,333.48
<u>Jail</u>			
To: 01.37.3150.1.10102 FT – Sheriff CSEA	\$94,469.37		
01.37.3150.1.10201 PT & Temp	12,319.67		
01.37.3150.1.10301 Over Time	9,563.42		
01.37.3150.8.81001 Retirement	13,962.30		
01.37.3150.8.83001 FICA	7,213.85		
01.37.3150.8.85001 Medicare	1,687.11		
With offsetting revenue 01.04.3150.1525		\$101,030.86	
with the balance of \$38,184.86 to come from any funds available.		38,184.86	
Reason: increases in salary and related expenses per union settlement.			
<u>Dept. Totals:</u>			\$139,215.72
<u>Highway and Bridges</u>			
To: 04.53.5112.4.42602 Walnut St. Bridge	\$67,009.07		
With offsetting revenues 04.13.5112.5031 Interfund transfer		\$67,009.07	
Reason: Funds not used in 2003 are to be carried over for 2004 expenses, which are being incurred.			
<u>Highway and Bridges Total</u>			\$67,009.07
<u>Capital Fund</u>			
To: 12.61.9950.9.99004 Interfund Transfer	\$300,000.00		
With revenue 12.13.1620.5031 in the same amount		\$300,000.00	
Reason: complete transfer of funds for the multi-modal funds used for Saltvale Road.			
<u>Capital Fund Total</u>			\$300,000.00

<u>Weights & Measures</u>			
To: 01.43.6610.4.40508 Private Auto Repairs with revenues 01.08.6610.2680 Insurance Recovery with the remaining \$200.00 from any funds available. Reason: To cover insurance deductible for repairs to vehicle resulting from deer damage.	\$974.29	\$774.29 200.00	
<u>Weights & Measures Total:</u>			\$974.29
<u>Emergency Services:</u>			
To: 01.37.3991.4.40510 Parts & Supplies With offsetting revenue 01.12.3991.438901 Reason: Usage of Homeland Security funds to pay for Truck cap.	\$2,000.00	\$2,000.00	
<u>Emergency Services Total:</u>			\$2,000.00
<u>Department of Social Services</u>			
To: 01.39.6010.4.40508 (Private Auto Repair) With revenue 01.08.6010.2680 Reason: To appropriate insurance recovery and repair the vehicle.	\$1,543.87	\$1,543.87	
<u>Department of Social Services Total</u>			\$1,543.87
<u>Office for the Aging</u>			
To: 01.44.6772.4.41410 software purchases 01.44.6772.4.42414 respite care with revenue 01.12.6772.477219 – IIIIE Reason: Increase allocation for 2004 and carryover funds from 2003.	\$10,230.00 7,000.00	\$17,230.00	
<u>Office for the Aging Total</u>			\$17,230.00
<u>Planning & Development:</u>			
To: 01.48.8020.4.40307 Strategic Planning with revenue 01.11.8020.3089 01.03.8020.1289 Reason: Allow for grant funds to be expended for activities.	\$45,000.00	\$30,000.00 15,000.00	
<u>Planning & Development Total:</u>			\$45,000.00

Carried: Ayes: 1618 Noes: Absent: Abstain:
#2

**RESOLUTION NO. 04-199
(July 13, 2004)**

By Mrs. Humphrey, Chairman of Finance Committee:

FUNDS TRANSFERRED TO VARIOUS 2004 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2004 accounts as follows:

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Highway and Bridges			<u>Dept. Totals:</u>
Transfer:			
From: 04.53.5110.1.10101 Full Time CSEA	\$50,000.00		
04.53.5110.1.10301 OT	1,500.00		
04.53.5110.1.10401 Longevity	27.70		
04.53.5110.4.41909 Other	10,000.00		
04.53.5110.8.83001 FICA	5,500.00		
04.53.5110.8.85001 Medicare	1,500.00		
To: 04.53.5142.1.10101 Full Time CSEA		\$40,000.00	
04.53.5142.1.10301 OT		1,500.00	
04.53.5142.1.10401 Longevity		27.70	
04.53.5142.8.83001 FICA		4,000.00	
04.53.5142.8.85001 Medicare		1,000.00	
04.53.5190.1.10101 Full Time CSEA		10,000.00	
04.53.5190.4.41907 Culvert Pipe		10,000.00	
04.53.5190.8.83001 FICA		1,500.00	
04.53.5190.8.85001 Medicare		500.00	
Reason: Transfer necessary to cover costs for the balance of 2004			
<u>Highway and Bridges Total</u>			\$68,527.70
<u>Information / Technology</u>			
From: 01.34.1681.4.40301 Prof. Services	\$9,055.00		
To: 01.34.1681.2.20201 computers		\$8,055.00	
01.34.1681.4.41410 software		1,000.00	
Reason: transfer to cover Windows 2003 network upgrade			
<u>Information / Technology Total:</u>			\$9,055.00
<u>Treasurer</u>			
From: 01.33.1320.4.40949 GASB 34 Project	\$7,500.00		
To: 01.33.1325.4.40402 Conferences		\$750.00	
01.33.1325.4.40406 Mileage		350.00	
01.33.1325.4.41010 Misc. Office Supply		500.00	
01.33.1325.4.40906 Cost Allocation		5,900.00	
Reason: transfer to cover 2004 expenses.			
<u>Treasurer Total:</u>			\$7,500.00
<u>Social Services Department</u>			
From: 01.40.6119.4.42253 Child Care	\$30,000.00		
To: 01.40.6140.4.42267 Safety Net		\$30,000.00	
<u>Social Services Total:</u>			\$30,000.00

Carried: Ayes: 1618 Noes: Absent: Abstain:

Mrs. Totslie, T/Genesee Falls, Chairman of the Audit Committee, presented bills totaling \$1,734,645.29.

Carried: Ayes: 1618 Noes: Absent: Abstain:
#3

RESOLUTION NO. 04-200
(July 13, 2004)

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

**AUTHORIZING THE IMPLEMENTATION, AND
FUNDING IN THE FIRST INSTANCE 100% OF FEDERAL**

Regular Session

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– AID PROJECT, AND APPROPRIATING FUNDS
THEREFOR

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WHEREAS, A Project for the **Replacement of the Starr Road Bridge over a tributary to Oatka Creek (BIN 3366400), NYSDOT PIN 475320**, (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 **the construction phase**.

NOW, THEREFORE, The **Board of Supervisors**, duly convened does hereby

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

RESOLVED, That the Board of Supervisors hereby authorizes the Chairman to pay in the first instance 100% of the Federal and non-Federal share of the cost of design, right-of-way, construction, and construction inspection and administration work for the Project or portions thereof; and it is further

RESOLVED, That the sum of **\$336,000 (\$90,000 for design, \$10,000 for right-of-way, and \$236,000 for construction and construction inspection and administration)** 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 it is further

RESOLVED, That in the event the full Federal and non-Federal share costs of the project exceeds the amount appropriated above, the **Board of Supervisors** shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the **New York State Department of Transportation** thereof, and it is further

RESOLVED, That the **Chairman** of the **Board of Supervisors** be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the **Board of Supervisors** with the **New York State Department of Transportation** in connection with the 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

July 13, 2004

Proceedings of the Board of Supervisors

Federal-aid and State-aid eligible Project costs and all Project costs with appropriations therefore that are not so eligible, and it is further

RESOLVED, That a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and it is further

RESOLVED, This Resolution shall take effect immediately.

Carried: Ayes: 1618 Noes: Absent: Abstain:

There was a motion by Supervisor Rogers, T/Pike, to combine resolutions #4 through #9. A voice vote was taken and all voted aye.

#4

**RESOLUTION NO. 04-201
(July 13, 2004)**

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

**AUTHORIZE CHAIRMAN/COMMISSIONER TO SIGN
RENEWAL AGREEMENT WITH ROWENA MEAD
ON BEHALF OF SOCIAL SERVICES**

BE IT RESOLVED, That the Chairman of this Board and/or the Commissioner of Social Services, with the approval of the County Attorney, is/are hereby authorized and directed to sign a renewal agreement with Rowena Mead of 39 Maple Street, Wyoming NY 14591. This contract is for the provision of Independent Living Skills and Domestic Violence Advocate Services for the period March 22, 2004 through February 28, 2005 in the amount of \$30,000.00 (Thirty thousand dollars); contingent upon the availability of funds.

Carried: Ayes: 1618 Noes: Absent: Abstain:

**RESOLUTION NO. 04-202
(July 13, 2004)**

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

**AUTHORIZE CHAIRMAN/COMMISSIONER TO EXTEND
MEMORANDUM OF UNDERSTANDING WITH THE
OFFICE OF CHILD AND FAMILY SERVICES ON
BEHALF OF SOCIAL SERVICES**

BE IT RESOLVED, That the Chairman of this Board and/or the Commissioner of Social Services, with the approval of the County Attorney, is/are hereby authorized and directed to sign a Memorandum of Understanding Extension. This extension is with New York State's Office of Children and Family Services located at 52 Washington Street, Rensselaer, NY 12144. The original Memorandum of Understanding is for the provision of FDC and SACC Child Care Registration and inspection services by WCDSS for Wyoming County Residents. The renewal extends the dates of the contract from August 1, 2003 through July 31, 2004 to August 1, 2003 through December 31, 2004 and pro-rating the MOU; contingent upon the availability of funds.

Carried: Ayes: 1618 Noes: Absent: Abstain:
#6

**RESOLUTION NO. 04-203
(July 13, 2004)**

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

**AUTHORIZE CHAIRMAN/COMMISSIONER TO EXTEND
CONTRACT WITH GENESEE COUNTY YWCA ON
BEHALF OF SOCIAL SERVICES**

BE IT RESOLVED, That the Chairman of this Board and/or the Commissioner of Social Services, with the approval of the County Attorney, is/are hereby authorized and directed to sign a contract extension is with Genesee County YWCA located at 301 North Street, Batavia, NY 14020. The original contract is for the provision of Family and School-age child care

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registration services: including a minimum of 12 random inspections per month; attending quarterly meetings with BRO; attending trainings offered through OCFS; meeting with DSS and CCRR to coordinate services. The amendment extends the dates of the contract from August 1, 2003 through July 31, 2004 to August 1, 2003 through December 31, 2004. This contract is paid for out of money received from the MOU for the Registration and Inspection of Child Care Providers, which is being extended and pro-rated in the amount of \$16,249.50 (Sixteen thousand two hundred forty-nine dollars fifty cents); contingent upon the availability of funds.

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

RESOLUTION NO. 04-204
(July 13, 2004)

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

STEVE HULME APPOINTED TO THE
OFFICE FOR THE AGING ADVISORY COUNCIL

BE IT RESOLVED, That **Steve Hulme** of 4023 Dutton Rd., Silver Springs, NY 14550 is hereby appointed to the Office for The Aging's Advisory Council as an "At Large" member, effective July 13, 2004 through December 31, 2004.

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

RESOLUTION NO. 04-205
(July 13, 2004)

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

AUTHORIZE CHAIRMAN TO SIGN TITLE V
CONTRACT/GRANT ON BEHALF OF OFFICE FOR THE
AGING

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign the following Grant/Contract:

- a. NYSOFA Title V Grant (senior community service employment program). Occurs annually. Funding is based on utilization of funds and will probably be less than 2003 due to a decrease in use. Amount not to exceed \$27,521.00 (the amount of last year's award).
- b. Community Action – Title V - WCCA is contracted with Wyoming County OFA to manage this NYSOFA program. Renewal will be based on available funding. Last year's dollar amount was \$27,521.00; amount not to exceed the amount of the NYSOFA Title V grant.

Both Contract and Grant are effective 07-01-04 through 12-31-05.

Carried:	Ayes: 1618	Noes:	Absent:	Abstain:
				#9

RESOLUTION NO. 04-206
(July 13, 2004)

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

JAMES PRUSAK, JR. AND BENJAMIN CARTER
APPOINTED TO THE YOUTH BOARD

BE IT RESOLVED, That **James Prusak, Jr.** of 46 Genesee St. Attica NY 14011 and **Benjamin Carter** of 28 Jefferson Street, Attica NY 14011 are hereby appointed to the Youth Board to fill 2 (two) vacant unexpired terms effective July 13, 2004 through December 31, 2004.

Carried:	Ayes: 1618	Noes:	Absent:	Abstain:
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There was a motion by Supervisor Knab, T/Sheldon, to combine resolutions #10 through #12. A voice vote was taken and all voted aye.

July 13, 2004

RESOLUTION NO. 04-207
(July 13, 2004)

By Mr. Knab, Chairman of the Public Health Committee:

**AUTHORIZE CHAIRMAN TO SIGN AMENDED
CONTRACT WITH MENTAL HEALTH ASSOCIATION OF
ROCHESTER/MONROE COUNTY**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney and on behalf of the Mental Health Department, is hereby authorized and directed to sign an amended contract with Mental Health Association Rochester/Monroe County located at 339 East Ave., Suite 201, Rochester, NY 14604-2615 on behalf of Wyoming County Mental Health. The purpose of this amendment is to increase the contract \$5,919.00 (Five thousand nine hundred nineteen dollars) which will bring the amount of the original contract to \$204,994.00 (Two hundred four thousand nine hundred ninety-four dollars) for FY2004 as per Wyoming County Board of Supervisors' resolution number 03-344; \$1,535.00 (One thousand five hundred thirty- five dollars) to cover expenses for a staff person to attend Train the Trainer activities for Person Centered Planning; \$4,384.00 (Four thousand three hundred eighty-four dollars) for the PeerWheels transportation program. 100% State funds (WNY Care Coordination dollars) – No county levy. This amendment supersedes any and all previous agreements and/or amendments insofar as the subject matter of this amendment is concerned. All other provisions remain unchanged.

Carried:	Ayes: 1618	Noes:	Absent:	Abstain:
				#11

RESOLUTION NO. 04-208
(July 13, 2004)

By Mr. Knab, Chairman of the Public Health Committee:

**AUTHORIZE CHAIRMAN TO SIGN CONTRACT
WITH COLLEEN ECCLESTON ON BEHALF OF
MENTAL HEALTH**

Regular Session

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney and on behalf of the Mental Health Department, is hereby authorized and directed to sign a contract with Colleen Eccleston of Route 19, Warsaw, NY 14569 for \$4,028.00 (Four thousand twenty-eight dollars) to cover expenses to attend Train the Trainer activities for Person Centered Planning. 100% State funds (WNY Care Coordination dollars) – No county levy. Effective through December 31, 2004, contingent upon the availability of funds.

Carried: **Ayes: 1618** **Noes:** **Absent:** **Abstain:**
#12

RESOLUTION NO. 04-209
(July 13, 2004)

By Mr. Knab, Chairman of the Public Health Committee:

**AUTHORIZE CHAIRMAN TO SIGN A CONTRACT
WITH LINDA FLYNN ON BEHALF OF MENTAL HEALTH**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, is hereby authorized and directed to sign a contract with Linda Flynn of 3021 Wing Street, Bliss NY 14024 for \$4,021.00 (Four thousand twenty-one dollars) to cover expenses to attend Train the Trainer activities for Person Centered Planning. 100% State funds (WNY Care Coordination dollars) – No county levy. Effective through December 31, 2004, contingent upon the availability of funds.

Carried: **Ayes: 1618** **Noes:** **Absent:** **Abstain:**

There was a motion by Supervisor Meeder, T/Middlebury, to combine resolutions #13 and #14. A voice vote was taken and all voted aye.

#13

RESOLUTION NO. 04-210
(July 13, 2004)

By Ms. Meeder, Chairman of the Human Resource Committee:

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At 2:20 PM the Chairman called a short recess to confer with the County Attorney, Eric Dadd; Mrs. Humphrey, Supervisor, Town of Perry and Mr. Davis, Supervisor, Town of Covington.

At 2:23 business resumed.

There was a motion by Supervisor Davis, T/Covington, to combine resolutions #15 through #17. A voice vote was taken and all voted aye.

#15

**RESOLUTION NO. 04-212
(July 13, 2004)**

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

**AUTHORIZE CHAIRMAN TO ACCEPT / SIGN EMPIRE
STATE DEVELOPMENT CORPORATION GRANT
CONTRACT / AWARD 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 County of Wyoming, and the Wyoming County Sheriff's Department, is hereby authorized and directed to accept and sign the contract award agreement with Empire State Development Corporation (ESDC), 633 Third Avenue, New York, NY, 10017-8167 in the amount of \$20,000.00 (twenty thousand dollars). Said grant contract is effective May 25, 2004 though December 31, 2004 and will be used to upgrade mobile radios and purchase computer equipment for the Sheriff's Department.

Carried: Ayes: 1618 Noes: Absent: Abstain:
#16

**RESOLUTION NO. 04-213
(July 13, 2004)**

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

**AUTHORIZE CHAIRMAN TO AWARD BID / SIGN
CONTRACT WITH FRED A. NUDD CORPORATION ON**

July 13, 2004

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney and on behalf of the County of Wyoming and the Emergency Services Department, is hereby authorized and directed to award and sign a contract with Fred A. Nudd Corporation, 1743 Route 104, Box 577, Ontario, NY 14519 in the amount of \$294,654.00 (Two hundred ninety-four thousand six hundred fifty-four dollars). Said contract is for the purpose of erecting the planned communications tower and building (per bid specifications) at the Wyoming County Training Center Facility located in Wethersfield. Contract will become effective as of the date of signing and will terminate at the successful completion of the project. Contract is contingent upon the availability of funding.

Carried: Ayes: 1618 Noes: Absent: Abstain:
#17

RESOLUTION NO. 04-214
(July 13, 2004)

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

**AUTHORIZE CHAIRMAN TO SIGN CONTRACT
EXTENSION WITH MONROE AMBULANCE FOR
PARAMEDIC SERVICE ON BEHALF OF THE
EMERGENCY SERVICES DEPARTMENT**

BE IT RESOLVED, That subject to the terms specified in Resolution 02-159 adopted by the Board of Supervisors on May 14, 2002, the Chairman of the Board, with the approval of the County Attorney and on behalf of the County of Wyoming, is hereby authorized and directed to extend the current contract with Monroe Ambulance for paramedic services as per the language of the original contract for a period of two years. Said extension will be effective from June 1, 2004 through May 31, 2006. This contract extension shall not require the expenditure of any County funds and all conditions set forth in the original contract and resolution shall remain in effect.

Carried: Ayes: 1618 Noes: Absent: Abstain:

**RESOLUTION NO. 04-215
(July 13, 2004)**

By Mr. Gozelski, Chairman of the Agriculture Committee:

**DESIGNATION OF ANNUAL ENROLLMENT PERIOD
FOR AGRICULTURAL DISTRICTS**

WHEREAS, The Agriculture and Markets Law was recently amended to require County Legislative bodies to designate an annual thirty (30) day period during which a landowner can request that predominantly viable agriculture land be added to an existing agricultural district; now therefore

BE IT RESOLVED, That the time period of December 1st through December 30th of each year is hereby designated as when a landowner can request to add parcel(s) of predominately viable agricultural land to a certified New York State Agricultural District, and

BE IT FURTHER RESOLVED, That all requests are subject to review by the Agricultural and Farmland Protection Board, a public hearing, action by the Wyoming County Board of Supervisors, and certification by the New York State Department of Agriculture and Markets.

Carried: Ayes: 1618 Noes: Absent: Abstain:

There was a motion by Supervisor Humphrey, T/Perry, to combine resolutions #19 and #24. A voice vote was taken and all voted aye.

#19

**RESOLUTION NO. 04-216
(July 13, 2004)**

By Mrs. Humphrey, Chairman of the Finance Committee:

**LOCATION OF AUGUST 2004 REGULAR SESSION
CHANGED**

July 13, 2004

Proceedings of the Board of Supervisors

WHEREAS, the Rules of Procedure of the Board of Supervisors has been suspended by unanimous consent for the purpose recited in this resolution; now therefore

BE IT RESOLVED, That the Regular Session of the Wyoming County Board of Supervisors will be held on Tuesday, August 17th, 2004 at 2:00 PM at the Wyoming County Fairgrounds in Pike, New York.

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

RESOLUTION NO. 04-217
(July 13, 2004)

By Mrs. Humphrey, Chairman of the Finance Committee:

**CHAIRMAN AUTHORIZED TO SIGN A CONTRACT FOR
2002 COLLECTION 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 LLP, 1400 First Federal Plaza, Rochester, New York 14614, for the purpose of collection of FY 2002 delinquent Town and County real property taxes pursuant to the New York State Real Property Tax Law Article 11; and be it

FURTHER RESOLVED, That its legal fee for such services shall be \$150.00 (One Hundred Fifty dollars) per redeemed parcel or such other sum as may be allowed by New York State Real Property Tax Law.

Carried: **Ayes: 1618** **Noes:** **Absent:** **Abstain:**
#21

RESOLUTION NO. 04-218
(July 13, 2004)

By Mrs. Humphrey, Chairman of the Finance Committee:

**WYOMING COUNTY SALARY SCHEDULE “D”
AMENDED**

Regular Session

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BE IT RESOLVED, That the Wyoming County Salary Plan Schedule “D”, which became effective October 14, 2003, as amended, is hereby amended to increase the salary of the Superintendent of Buildings and Grounds by \$10,000.00 (Ten Thousand Dollars) to set the total salary for said position at \$49,660.00 (Forty nine thousand six hundred sixty dollars) annually, effective immediately, and

BE IT FURTHER RESOLVED, That one (1) position of Director of Fire and Building Codes is hereby abolished effective immediately. Said amendment to reflect the duties of the Fire and Building Code Director now being assigned to the Superintendent of Buildings and Grounds.

Carried: **Ayes: 1618** **Noes:** **Absent:** **Abstain:**
#22

RESOLUTION 04-219
(July 13, 2004)

By Mrs. Humphrey, Chairman of the Finance Committee:

WYOMING COUNTY SALARY SCHEDULE “S”
AMENDED

BE IT RESOLVED, That the Wyoming County Salary Plan Schedule “S”, which became effective October 14, 2003, as amended, is hereby amended to reassign the Position of Medical Social Worker from the Public Health Department to the Department of Social Services, with all other terms and conditions remaining unchanged, effective immediately.

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

RESOLUTION 04-220
(July 13, 2004)

By Mrs. Humphrey, Chairman of the Finance Committee:

POSITION IN YOUTH BUREAU RECLASSIFIED

BE IT RESOLVED, That the position title of Youth Program Coordinator in the Wyoming County Youth Bureau be reclassified by the

July 13, 2004

Proceedings of the Board of Supervisors

Wyoming County Personnel Officer to the position title of Early Intervention Preschool Coordinator per the Civil Service adopted job specification. Said position will be placed on Grade 13, step 1 of the CSEA salary schedule as per the CSEA agreement effective January 1, 2003. Said reclassification will become effective September 1, 2004.

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

RESOLUTION 04-221
(July 13, 2004)

By Mrs. Humphrey, Chairman of the Finance Committee:

**ONE TEMPORARY POSITION OF LEGAL RESEARCH
INTERN CREATED IN THE WYOMING COUNTY
DISTRICT ATTORNEY’S OFFICE**

BE IT RESOLVED, That one (1) Temporary position of Legal Research Intern, is hereby created in the Wyoming County District Attorney’s Office, not to exceed ten (10) weeks effective June 25, 2004 through December 31, 2004, at a rate not to exceed Three Hundred Dollars (\$300.00) per week, with no other benefits except those mandated by law.

Carried: **Ayes: 1618** **Noes:** **Absent:** **Abstain:**

There being no further business to come before this board Mrs. Humphrey gaveled the meeting adjourned at 2:25 PM.

**REGULAR SESSION
(August 17, 2004)**

Tuesday

2:00 PM

The regular Session of the Wyoming County Board of Supervisors was held at the Wyoming County Fairgrounds, Pike New York with all members present. Also present were County Attorney Eric T. Dadd, County Treasurer John Edwards, Clerk to the Board of Supervisors, Paula Parker and Deputy Clerk to the Board of Supervisors, Cheryl Ketchum. Special guests in attendance were Congressman Thomas M. Reynolds, Kathleen Balus (Pioneer Credit Recovery, Inc.), Assemblyman Daniel Burling and Peter Ahern from the Buffalo FBI.

At 2:00 PM Chairman Berwanger, T/Arcade, called the meeting to order.

The Chairman then introduced August's Veteran leading us in the Pledge of as:

STEPHAN P. KASZYNSKI

Steve is a 1999 graduate of Letchworth Central School. He attended SUNY Potsdam until his enlistment into the U.S. Army on April 25, 2002. Upon completion of his training at Ft. Sill, Oklahoma as a 13 Delta (Artillery Fire Direction Control), he was deployed to Iraq on May 2, 2003. Steve was assigned to the 1st Squadron Howitzer Battery, 2nd Armored Cavalry Regiment, which was stationed in Baghdad - South Central, until April 10, 2004. He was then sent to Al Kut, Iraq, from April 11, 2004 until July 11, 2004. Upon completion of his tour in Iraq, Steve will receive the National Defense Service Medal with Cluster, the Army Commendation Medal, the Global War on Terrorism Service Medal, the Global War on Terrorism Expeditionary Medal and the Army Service Medal.

Specialist Stephan Kaszynski is presently assigned to the 2nd Armored Cavalry Regiment at Ft. Polk, Louisiana and will soon be re-assigned to Ft. Lewis, Washington.

His parents are Cheryl and David Mayer of Pike, N.Y.

August 17, 2004

RESOLUTION NO. 04-222
(August 17, 2004)

By Mr. Gozelski, Chairman of the Agriculture Committee:

WYOMING COUNTY FAIR WEEK PROCLAIMED

WHEREAS, The Wyoming County Fair will be held from August 14th through the 21st in the Town of Pike, New York; and

WHEREAS, The Wyoming County Fair is a tremendous opportunity for residents of Wyoming County to learn and experience exhibits and demonstrations; and

WHEREAS, The 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 14th through August 21st in the year 2004 as:

“WYOMING COUNTY FAIR WEEK”

and be it

FURTHER RESOLVED, That the Board does hereby applaud the annual efforts produced by the Wyoming County Fair Association.

Carried: Ayes: 1618 Noes: Absent: Abstain:

Chairman Berwanger introduced Amanda Huff as the 1st Runner up at the Wyoming County Fair Queen contest to accept the Fair Week proclamation. Ms. Huff thanked the Supervisors for the proclamation.

Chairman Berwanger next introduced *U. S. Congressman Thomas M. Reynolds*, by saying, “It gives me great pleasure to introduce today, a gentleman who has served at many levels of government. He was elected as a member of the Concord Town Board serving from 1974 to 1982. He then was elected to the Erie County Legislature serving from 1982 to 1988. Following his election to
Regular Session

the New York State Assembly in 1988 he rose to the post of the Assembly Republican Leader in 1985 becoming the first Republican from the eight Western New York Counties to lead assembly party conference in more than sixty years. In 1998, he was elected to Congress representing New York's 26th District which includes parts of Erie, Monroe, Cayuga, Niagara, Orleans and all of Genesee, Livingston and of course Wyoming County. He was re-elected to Congress November 7, 2001 and won a seat on the Tax Writing Ways and Means Committee and also serves as a member of the all-powerful House Rules Committee. He has delivered millions of dollars in Federal aid to important community projects.

Ladies and Gentleman please welcome Congressman Tom Reynolds.

The Congressman thanked the Board of Supervisors for holding their Annual August meeting at the Fair. It is an opportunity to bring the government to the people. The congressman listed multiple issues affecting Wyoming County Residents that Congress has been working on. He also mentioned the Federal grant monies that have been applied for and are currently helping Wyoming County Residents.

Chairman Berwanger continued by asking Congressman Reynolds and Assemblyman Burling to assist him in recognizing three outstanding individuals from Wyoming County for their recognition by the Wyoming – Erie Regional Emergency Medical Services Council. Certificates of Excellence were presented to the following:

Ann Lapp – Advanced Life Support Award for 2004
Richard Maher – Basic Life Support Award for 2004
Monroe Ambulance – Agency of the Year for 2004

The Wyoming County Volunteer Firemen's Association handed out the following awards at the 90th Wyoming County Volunteer Fireman's Association Convention in Attica on June 24, 2004

C.)

D.) Certificates of Appreciation were presented to:

- ***Deanna Wilcox: 0-5 years Fire Service***
Silver Springs Fire Department
- ***Jeffery Kinney: 5-20 years Fire Service***
Strykersville Fire Department
- ***Dennis Smith: EMS Award***

- ***Hogan's Food Mart: Community Service Award*** Strykersville Fire Department
- ***Walt Howell: Over 20 years Fire Service***
Arcade Fire Department
Attica Fire Department
- A special award was given to retired – New York State Fire Instructor ***Primo Biscaro: 11 Years of Service*** (This award was presented by the Wyoming County Fire Advisory Board) Warsaw Fire Department

Congressional Certificates of Appreciation were presented to each of the nine individuals mentioned above.

Assemblyman Burling was the next speaker introduced. Assemblyman Burling is currently a resident of Wyoming County and owns and operates Burling Dairy in Corfu. A registered Pharmacist, Dan has agreed to assist the Wyoming County Biohazard Team in the event of an incident.

Prior to becoming elected to the Assembly, Dan served on the Genesee Court from 1993 – 1998. While in the County Legislature he served as Director of the Genesee County IDA, Director of the Soil and Water Conservation Board, he served on the Human Services Committee and was the Governor's appointment to the Finger Lakes' Regional Economic Development Council.

Since becoming a Member of the Assembly on January 1, 1999, Dan has been appointed to serve as the Ranking Minority Member of the Alcoholism and Drug Abuse Committee. He is currently a member of the Agriculture, Environmental Conservation, and Housing Committees; he also serves as the Vice Chairman of the Assembly Minority Conferences.

Dan is always responsive to the needs of the residents of Wyoming County and is a tremendous resource for the Wyoming County Board of Supervisors. Please join me in welcoming Assemblyman Dan Burling.

Kathleen Balus founder of Pioneer Credit Recovery was the next speaker to the podium. Ms. Balus founded Pioneer Collections, a private collection agency, in 1980 while a senior in Business Administration at the State University of New York at Buffalo. From a 3x5 file box in a back office to a Fortune 500 Company with over 800 employees in Wyoming County, Ms. Balus is a picture of success. Today she is Chairman and President of the publicly purchased Pioneer Credit Recovery, Inc. for the SLM Corporation (Sallie Mae), who purchased Pioneer Credit in January of 2002.

In her years as a successful business woman, Ms. Balus has won many prestigious awards such as New York State's "**2000 Small Business Person of the Year**" for the State of New York, "**Year 2000 Entrepreneur of the Year**" for Upstate New York and the "**2003 Athena Award**" for business excellence. Ms. Balus has also just been named to **Business First's**, "Women Who Mean Business" program as one of Buffalo Niagara's proven performers. This list establishes her as one of the top 25 most dynamic, community committed business women in the region.

Ms. Balus is here today to bring the Wyoming County Board of Supervisors and the County's Emergency Medical Services Department some good news.

Ms. Balus announced that the Charity Committee from Pioneer Credit Recovery, Inc. has selected Wyoming County Emergency Services as this month's "Charity of the Month." On August 23, 2004, Mr. Reger, Director of Wyoming County's Emergency Services will go to Pioneer Credit Recovery and educate the employees on what it is Wyoming County Emergency Services does for Wyoming County Residents. The next day the employees will "dress down" and raise the funds, which have averaged between \$10,000.00 to \$13,000.00.

Our next guest was Special Agent in Charge of the Buffalo Office of the Western Region of the FBI, **Peter Ahern**. Mr. Ahern spoke to the residents on the events of 9/11 and wanted to reassure the residents of Wyoming County and the 17 Counties that make up Western New York that the FBI is on the job. Also, the citizens of the United States need to take an active part on the war against Terrorism here at home.

I'd like to take this opportunity to recognize the Department of Social Services Employee of the Month. In addition to recognizing outstanding employees, Commissioner Wallace invites them to attend a Human Service Committee meeting and Board meeting to better understand the relationship between individual Departments and the Board of Supervisors.

This month's recipient has been with the Department since 1981. She has been employed in various different positions within the department and currently is a Senior Social Services Program Specialist doing fraud investigations. Please join me in recognizing Judy Gardner.

There was a motion by Supervisor Humphrey, T/Perry, to combine resolutions #2 through #3. A voice vote was taken and all voted aye.

RESOLUTION NO. 04-223 (August 17, 2004)

By Mrs. Humphrey, Chairman of Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2004 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2004 accounts as follows:

Coroner			<u>Dept. Totals:</u>
To: 01.32.1185.4.40908 Autopsy Transport w/offsetting revenue to account #01.03.1185.1289 Departmental Income Reason: To cover the cost of transports through the end of the year.	\$3,000.00	\$3,000.00	
Coroner Total			\$3,000.00
Public Health			
Bio-terrorism: To: 01.38.4013.1.10101 Full Time CSEA contract 01.38.4013.1.10502 On Call Pay 01.38.4013.2.20201 Computer Equipment 01.38.4013.2.20406 Misc. Office Equipment 01.38.4013.8.81001 Retirement 01.38.4013.8.83001 FICA 01.38.4013.8.85001 Medicare – FICA w/Offsetting Rev to acct #01.12.4013.448916 Reason: To appropriate for Estimated Expenses in the current year.	\$8,800.00 1,400.00 8,640.00 720.00 1,132.00 578.00 135.00	\$21,405.00	
Family Planning: To: 01.38.4035.4.40304 Temp. Employment Svc 01.38.4035.4.40704 Lab Fees 01.38.4035.4.41204 Advertising 01.38.4035.4.41214 Supplies Purchased 01.38.4035.4.41701 Physicals – County Employee 01.38.4035.4.41705 Drug/Alcohol Testing w/Offsetting Rev. to acct #01.12.4035.4489 Reason: To appropriate to cover expenses for the remainder of the year.	\$15,000.00 3,000.00 200.00 1,600.00 100.00 100.00	\$20,000.00	
Public Health Total			\$41,405.00
County Clerk			
To: 01.34.1460.2.20201 CPU's 01.34.1460.4.40301 Professional Services w/Off setting Rev. to acct. #01.11.1460.3060 Reason: To appropriate Records Management Grant awards to digitized Building/Fire Codes records.	\$22,839.00 4,647.00	\$27,486.00	
County Clerk Total			\$27,486.00
Sheriff			
To: 01.37.3110.1.10301 Overtime w/acct #01.11.3110.308901 State Aid increased by same Reason: offset from revenue acct for BUNY & State Aid	\$4,049.66	\$4,049.66	
To: 01.37.3110.1.10301 Overtime w/acct #01.03.3110.1289 Other Dept. Income increased by same. Reason: offset from revenue acct for Route 63 patrols for the Town of Covington.	\$947.86	\$947.86	
To: 01.37.3110.4.40301 Professional Svc Contracts w/acct #01.12.3110.4389 Fed. Block Grant-JBI increased by same. Reason: offset from revenue for 2004 for claim amount for SCAAP	\$101.86	\$101.86	

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Program. This amount needed to pay fee agreed upon.			
To: 01.37.3110.2.20201 Computer Equipment 01.37.3110.2.20501 Misc. Equipment 01.37.3110.2.20601 Photo Equipment 01.37.3110.4.40509 Change Over w/acct #01.11.3110.308901 State Aid increased by Reason: offset from revenue for ESDC for radio upgrade and other equipment purchases per resolution 04-212.	\$1,200.00 13,600.00 3,800.00 1,400.00	\$20,000.00	
Sheriff Total			\$25,099.38
Highway			
To: 04.53.5142.4.41804 Town/Village Snow/Ice Removal w/acct #04.13.5142.5031 Interfund Transfer increased by same Reason: Appropriate funds to cover the cost for the 2003-04 snow season per Committee of the Whole 07/13/04.	\$220,558.00	\$220,558.00	
Highway Total			
Inter – Fund Transfer			\$220,558.00
To: 01.52.9901.9.99002 Transfers-County Snow From any Funds available. Reason: Appropriate funds to cover the cost for the 2003-04 snow season per Committee of the Whole 07/13/04.	\$220,558.00	\$220,558.00	
Inter – Fund Transfer			\$220,558.00

Carried: Ayes: 1618 Noes: Absent: Abstain:

#3

RESOLUTION NO. 04-224 **(August 17, 2004)**

By Mrs. Humphrey, Chairman of Finance Committee:

FUNDS TRANSFERRED TO VARIOUS 2004 ACCOUNTS

BE IT RESOLVED, That funds are hereby transferred to the various 2004 accounts as follows:

Treasurer			Dept. Totals:
From: 01.33.1325.4.40906 Cost Allocations To: 01.33.1320.4.40949 GASB 34 Project Reason: to cover expenses of GASB 34.	\$2,500.00	2,500.00	
Treasurer Total			\$2,500.00
Department of Social Services			
From: 01.39.6010.4.44001 Transitions Adm To: 01.39.6010.1.10001 Salaries Sch S/D/I 01.39.6010.8.81001 Retirement 01.39.6010.8.82001 (Disability) 01.39.6010.8.83001 (FICA) 01.39.6010.8.85001 (Medicare) Reason: Transfer necessary to cover costs for MSW position for the balance of 2004.	\$21,820.00	\$18,923.52 1,350.67 98.16 1,173.26 274.39	
Department of Social Services Total			\$21,820.00

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Public Health			
Bio-terrorism: From: 01.38.4013.4.41010 Misc Ofc Equip To: 01.38.4013.2.20201 Computer Equip Reason: To Cover the cost of Computer Equipment for the remainder of the year.	\$2,860.00	\$2,860.00	
E.) <u>Public Health Total</u>			\$2,860.00

Carried: Ayes: 1618 Noes: Absent: Abstain:

Mrs. Totslie, T/Genesee Falls, Chairman of the Audit Committee, presented bills totaling \$984,403.53.

Carried: Ayes: 1618 Noes: Absent: Abstain:

There was a motion by Supervisor Rogers, T/Pike, to combine resolutions #4 through #6. A voice vote was taken and all voted aye.

#4

**RESOLUTION NO. 04-225
(August 17, 2004)**

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

**AUTHORIZE CHAIRMAN TO SIGN GRANT
APPLICATIONS WITH NYS DIVISION OF VETERAN
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 Wyoming County Veterans' Services. This grant is for the provision of funding for equipment (printer and palm pilot) and mid-winter training; effective April 01, 2003 through March 31, 2005. Said grant is in the amount of \$1,860.00 (Eighteen hundred sixty dollars).

Carried: Ayes: 1618 Noes: Absent: Abstain:

#5

**RESOLUTION NO. 04-226
(August 17, 2004)**

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

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**AUTHORIZE CHAIRMAN/COMMISSIONER TO SIGN
MOU WITH NANCY ROSE STORMER ESQ. ON BEHALF
OF SOCIAL SERVICES**

BE IT RESOLVED, That the Chairman of this Board along with the Commissioner of Social Services with the approval of the County Attorney are hereby authorized and directed to sign a Memorandum of Understanding with Nancy Rose Stormer, Esq. of 1314 Rutger St., Utica, NY 13501. This MOU is for the provision of obtaining reimbursement for Medicaid cases not properly identified by the Office of Mental Health/Office Mental Retardation and Developmental Disabilities as State charge only cases. Cost is based on a contingency fee of only 25% (twenty-five percent) of recoveries received by Social Services; effective August 25, 2004 through July 31, 2005, contingent upon the availability of funding.

Carried: Ayes: 1618 Noes: Absent: Abstain:

#6

**RESOLUTION NO. 04-227
(August 17, 2004)**

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

**AUTHORIZE CHAIRMAN/COMMISSIONER TO SIGN
MOU WITH CORNELL COOPERATIVE EXTENSION OF
WYOMING COUNTY ON BEHALF OF SOCIAL
SERVICES**

BE IT RESOLVED, That the Chairman of this Board along with the Commissioner of Social Services upon the approval of the County Attorney are hereby authorized and directed to sign a Memorandum of Understanding with Cornell Cooperative Extension of Wyoming County of 401 North Main Street, Warsaw, NY 14569. This MOU is for the provision of the New York State Food Stamp Nutrition Education Plan at no cost to the County; effective October 1, 2004 through September 30, 2005; contingent upon the availability of funding.

Carried: Ayes: 1618 Noes: Absent: Abstain:

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There was a motion by Supervisor Knab, T/Sheldon, to combine resolutions #7 through #10. A voice vote was taken and all voted aye.

#7

**RESOLUTION NO. 04-228
(August 17, 2004)**

By Mr. Knab, Chairman of the Public Health Committee:

AMEND RESOLUTION NUMBER 04-127

WHEREAS, Resolution number 04-127 which amends resolution number 04-15 and states that the Wyoming County Board of Supervisors' Resolution number 04-15 authorizing the Chairman of this Board to sign contracts on behalf of the Public Health Department is hereby amended. Such amendment is to increase the contract amount with the New York State Department of Health, now therefore

BE IT RESOLVED, That resolution number 04-127 be amended to increase the amount of the Men's & Women's Health Services grant award by \$105,504.00 (One hundred five thousand five hundred four dollars). The total revised award is in the amount of \$376,191.00 (Three hundred seventy six thousand one hundred ninety-one dollars) covering the period April 1, 2003 through December 31, 2004.

Carried: Ayes: 1618 Noes: Absent: Abstain:

#8

**RESOLUTION NO. 04-229
(August 17, 2004)**

By Mr. Knab, Chairman of the Public Health Committee:

AMENDS RESOLUTION NUMBER 03-12

WHEREAS, Resolution number 03-12 authorizes the Chairman to sign various contracts on behalf of the Public Health Department, now therefore

BE IT RESOLVED, That resolution number 03-12 be amended to extend the existing Letter of Agreement for rabies services between Wyoming

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County Department of Health and New York State Department of Health from April 1, 2004 to March 31, 2005 and increase the allocation by \$1,000.00 (One thousand dollars) to \$9,000.00 (Nine thousand dollars); contingent upon the availability of funding.

Carried: Ayes: 1618 Noes: Absent: Abstain:

#9

**RESOLUTION NO. 04-230
(August 17, 2004)**

By Mr. Knab, Chairman of the Public Health Committee:

**AUTHORIZE CHAIRMAN TO SIGN AGREEMENT WITH
AMERICAN OUTCOMES MANAGEMENT ON BEHALF
OF PUBLIC HEALTH / CHHA**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a Nursing Services Agreement between American Outcomes Management and Wyoming County Health Department's Certified Home Health Agency. This agreement is for the provision of Home Infusion Therapy Services to Clients of American Outcomes Management by Wyoming County Health Department's Certified Home Health Agency's Nursing Personnel. The agreement will be effective for one year from the date of signing and will automatically renew each year unless either party gives notice. Essentially, the Certified Home Health Agency will provide services and bill for fees.

Carried: Ayes: 1618 Noes: Absent: Abstain:

#10

**RESOLUTION NO. 04-231
(August 17, 2004)**

By Mr. Knab, Chairman of the Public Health Committee:

**AUTHORIZE CHAIRMAN TO SIGN AGREEMENT WITH
TRICARE ON BEHALF OF PUBLIC HEALTH / CHHA**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign the
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Home Health Agency Participation Agreement with TRICARE / Health Net Federal Services, Inc. of P.O. Box 870156, Surfside Beach, SC 29587-9756 to establish a participation Agreement and billing for services relationship between Wyoming County Health Department Certified Home Health Agency and TRICARE.

Carried: Ayes: 1618 Noes: Absent: Abstain:

There was a motion by Supervisor Meeder, T/Middlebury, to combine resolutions #11 through #13. A voice vote was taken and all voted aye.

#11

**RESOLUTION NO. 04-232
(August 17, 2004)**

By Mrs. Meeder, Chairman of the Human Resources Committee:

**A RESOLUTION REQUESTING THE NEW YORK STATE
LEGISLATURE TO ADOPT APPROPRIATE
LEGISLATION TO ENABLE THE COUNTY OF
WYOMING TO IMPOSE AND COLLECT TAXES ON
MORTGAGES IN WYOMING COUNTY**

WHEREAS, It is deemed desirable and necessary that the County of Wyoming be authorized and empowered to adopt and amend local laws imposing in such county a tax in addition to any tax authorized and imposed pursuant to Article 11 of the Tax Law on mortgages on real property in Wyoming County, and

WHEREAS, it is proposed that the rate of such tax shall be twenty-five cents (\$.25) per one hundred dollars (\$100.00) and each remaining major fraction thereof of principal debt or obligation which is, or under any contingency may be, secured at the date of execution thereof or at any time thereafter by such mortgage, which tax shall be dedicated to funding any general capital projects and / or the debt service for any capital projects for Wyoming County, and

WHEREAS, It is necessary that the New York State Legislature pass and adopt appropriate legislation to enable the County of Wyoming to enact such local law for the imposition of such tax, and

WHEREAS, It is the understanding of this Board of Supervisors that prior to the enactment of the Home Rule Request preparatory to the enactment of such state legislation, it is necessary that such proposed legislation be reviewed and assigned the appropriate Senate and Assembly Introductory bill numbers, and that thereafter an appropriate Home Rule Request or Home Rule Message, be adopted and transmitted by this Board of Supervisors to the New York State Legislature, now therefore

BE IT RESOLVED, That this Board of Supervisors of Wyoming County do hereby respectfully requests the New York State Legislature to consider enactment of appropriate legislation to enable the County of Wyoming to impose and collect taxes on mortgages on real property in Wyoming County in addition to any tax authorized and imposed pursuant to Article 11 of the Tax Law, such legislation to authorize that the rate of such tax shall be twenty-five cents (\$.25) per one hundred dollars (\$100.00) and each remaining major fraction thereof of principal debt or obligation which is, or under any contingency may be, secured at the date of execution thereof or at any time thereafter by such mortgage, which tax shall be dedicated to funding any general capital projects and / or the debt service for any capital projects for Wyoming County, and be it

FURTHER RESOLVED, That following review and introduction of said legislation in the Senate and Assembly of the State of New York, this County Board of Supervisors respectfully requests that the necessary information and forms be forwarded to this Board of Supervisors in order that an appropriate Home Rule Request can be acted upon by this body, and be it

FURTHER RESOLVED, that certified copies of the Resolution be forwarded by the Clerk of this Board of Supervisors to Senator Dale Volker, Assemblyman Daniel Burling, Assembly Speaker Sheldon Silver, the Clerk of the Assembly and the Clerk of the Senate, with a request that those representatives in the State legislature take the appropriate and necessary steps to process the legislation as requested herein, and

NOW THEREFORE BE IT RESOLVED, That this Resolution shall take effect immediately.

Carried: **Ayes:** 1618 **Noes:** **Absent: Abstain:**

#12

**RESOLUTION NO. 04-233
(August 17, 2004)**

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By Mrs. Meeder, Chairman of the Human Resources Committee:

**AUTHORIZE CHAIRMAN TO SIGN A CONTRACT
ON BEHALF OF RECORDS MANAGEMENT**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a grant acceptance with the State Education Department, Albany NY in the amount of \$27,486.00 (Twenty seven thousand four hundred eighty-six dollars). The contract is for the provision of preserving vital permanent records, increased accessibility of information available in records, reduction in the amount of offsite copy duplication services that are required and reduced crowding in the building department's limited storage space; effective August 17, 2004 through June 30, 2005; contingent upon the availability of funding.

Carried: Ayes: 1618 Noes: Absent: Abstain:

#13

**RESOLUTION NO. 04-234
(August 17, 2004)**

By Mrs. Meeder, Chairman of the Human Services Committee:

**AUTHORIZE CHAIRMAN TO SIGN A CONTRACT
WITH NYS DEPARTMENT OF AGRICULTURE AND
MARKETS ON BEHALF OF WEIGHTS & MEASURES**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign the Petroleum Product Quality Program Contract with the NYS Department of Agriculture and Markets, 10B Airline Drive, Albany, NY 12235-0001. This contract is for the provision of conducting inspections, screening tests and sampling fuel stored at retail fuel outlets. The amount of the contract is \$17,620.00 (Seventeen thousand six hundred twenty dollars) or \$3,524.00 (Three thousand five hundred twenty-four) yearly for five years; effective April 01, 2004 through March 31, 2009; contingent upon the availability of funding.

Carried: Ayes: 1618 Noes: Absent: Abstain:

There was a motion by Supervisor Rogers, T/Pike, to combine resolutions #14 through #16. A voice vote was taken and all voted aye.

**RESOLUTION NO. 04-235
(August 17, 2004)**

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

**REQUESTING UNITED STATES DEPARTMENT OF
TRANSPORTATION TO LABEL DEPLETED URANIUM
SHIPMENTS AS “RADIOACTIVE” TO PROTECT
EMERGENCY RESPONDERS IN CASE OF AN ACCIDENT
DURING TRANSPORT**

WHEREAS, Unmarked radioactive ammunition shipments are currently allowed by a special United States Department of Transportation (USDOT) exemption, allowing explosives and radioactive material to be shipped with only an “Explosive” placard, and

WHEREAS, The USDOT exemption, DOT-E9649, was first applied for in 1986 by the Military Traffic Management Command (MTMC), and

WHEREAS, DOT-E9649 has been renewed every few years by the USDOT and the MTMC, and could be renewed again on June 30, 2004, and

WHEREAS, Depleted Uranium (DU) munitions are uniquely hazardous material, consisting of a radioactive penetrator which breaks down into small particles when burned, and

WHEREAS, In a highway or railway fire, DU munitions could possibly spread radioactive material downwind for a great distance, and

WHEREAS, First responders (local police and firefighters) would have no idea that the shipment contains potentially harmful radioactive materials, now, therefore, be it

RESOLVED:

1. That the USDOT is asked not to provide an exemption on appropriate labeling.

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2. That the Director of Emergency Services makes all the appropriate contacts to State and Federal Agencies to further understand the issue and express concern on the issue.
3. That the Clerk of this Board is directed to send this resolution to all counties in New York State for similar action.

Carried: Ayes: 1618 Noes: Absent: Abstain:

#15

**RESOLUTION NO. 04-236
(August 17, 2004)**

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

AUTHORIZE CHAIRMAN TO SIGN 2004 STOP DWI PLAN

BE IT RESOLVED, That this Board of Supervisors does hereby accept and approve the renewal of the STOP – DWI Program for 2004 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 2004 Plan and submit the STOP-DWI Program to the State of New York for approval and immediate implementation.

Carried: Ayes: 1618 Noes: Absent: Abstain:

#16

**RESOLUTION NO. 04-237
(August 17, 2004)**

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

**AUTHORIZE CHAIRMAN TO SIGN CONTRACT
WITH NEW YORK STATE DIVISION OF CRIMINAL
JUSTICE ON BEHALF OF PROBATION**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with New York State Division of Criminal Justice, 4 Tower Place,

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Albany NY 12203 on behalf of Wyoming County Probation. This contract is for the provision of the Juvenile Accountability Block Grant to help fund the Juvenile Officer at the Sheriff's Department; effective October 1, 2004 through September 30, 2005 in the amount of \$11,683.00 (Eleven thousand six hundred eighty-three).

Carried: Ayes: 1618 Noes: Absent: Abstain:

#17

**RESOLUTION NO. 04-238
(August 17, 2004)**

By Mr. Miller, Chairman of the Planning Committee:

**AMANDA PARKER REAPPOINTED TO
THE INDUSTRIAL DEVELOPMENT AGENCY'S
BOARD OF DIRECTORS**

BE IT RESOLVED, That **Amanda Parker**, 3815 St. Helena Street, Perry NY 14530 is hereby reappointed to the Industrial Development Agency's Board of Directors for a term of 2 (Two) years effective August 9, 2004 to August 8, 2006.

Carried: Ayes: 1618 Noes: Absent: Abstain:

There was a motion by Supervisor Humphrey, T/Perry, to combine resolutions #18 through #21. A voice vote was taken and Supervisor Patti, T/Attica requested that Resolution #19 be voted on separately. A voice vote was taken all voted aye.

#18

**RESOLUTION NO. 04-239
(August 17, 2004)**

By Mrs. Humphrey, Chairman of the Finance Committee:

**AUTHORIZE CHAIRMAN TO SIGN LETTER OF
UNDERSTANDING WITH HIGHMARK LIFE INSURANCE
CO. OF New York ON BEHALF OF WYOMING COUNTY
INSURANCE**

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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 Letter of Understanding with Highmark Life Insurance Co. of New York, 500 Helendale Rd., Suite 260, Rochester, NY 14609-3125. This Letter of Understanding is for the provision of New York State Statutory Disability Insurance Benefits for the CSEA Bargaining Unit employees at a rate of \$15.40 (Fifteen dollars forty cents) per employee per month; effective August 1, 2004 through July 31, 2006.

Carried: Ayes: 1618 Noes: Absent: Abstain:

#19

**RESOLUTION NO. 04-240
(August 17, 2004)**

By Mrs. Humphrey, Chairman of the Finance Committee:

**ALTERNATIVE METHOD OF COUNTY EQUALIZATION
AND TAX LEVY APPORTIONMENT**

WHEREAS, Pursuant to the Real Property Tax Law §840(1), (aka Article 8 – Title 2), a county legislative body may adopt, by resolution, the provisions of this title providing for the determination by the state board of county equalization rates for each city and town for the purpose of apportioning the next ensuing county tax levy; provided, however, that all towns in the county file an assessor's annual report pursuant to RPTL §575 with the state board prior to the last date for the determination of county equalization rates, and,

WHEREAS, the county legislative body desires to pass a resolution pursuant to RPTL §840(1), and

WHEREAS, Such resolution shall remain in effect until rescinded by a resolution adopted on or before the first day of November in any subsequent year, now, therefore,

BE IT RESOLVED, that the County of Wyoming, does hereby adopt the provisions of Section 840(1) of the Real Property Tax Law, and,

BE IT FURTHER RESOLVED, that this county legislative body hereby directs, in accordance with Real Property Tax Law §844(1), that, county taxes shall be apportioned among the towns within the county on the basis of the proportion of the total full valuation of taxable real property within the county

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which is located within each city and town. This total valuation shall be determined by dividing the "taxable assessed value" of "taxable real property" by the appropriate town equalization rate as certified by the state board pursuant to RPTL §840(1). "Taxable Real Property" excludes real property which, by statute, is wholly exempt from county taxation, (b) "taxable assessed value" is limited to the assessed value actually subject to county taxation except that it also includes the amount of assessed value partially exempt from county taxation pursuant to (i) sections four hundred fifty-eight *{fixed veterans}*, four hundred sixty *{clergy}* and four hundred sixty-four *{volunteer fire companies}* of this chapter.

Mr. Davis, T/Covington asked all of the Supervisors to put their county hats on today and make the equalization rate fair to all property owners across the county. Wyoming and Monroe counties are the only 2 counties left following Title 1 apportionment rules. Each property owner of Wyoming County receives the exact same services from the county and should all pay the same rates according to the application of a Title 2 type county.

Carried: Ayes: 1059 Noes: 169 (Berwanger) Absent: Abstain:
172 (Patti)
130 (Grant)
107 (Knab)

#20

RESOLUTION NO. 04-241
(August 17, 2004)

By Mrs. Humphrey, Chairman of the Finance Committee:

**EXTEND THE POSITION OF BIO-TERRORISM
COORDINATOR IN THE PUBLIC HEALTH
DEPARTMENT**

BE IT RESOLVED, That the position of Bio-Terrorism Coordinator in the Public Health Department, Schedule "G" of the Wyoming County Salary Plan be extended to August 30, 2005. Position to run concurrently with the grant funding and is contingent upon the availability of funding.

Carried: Ayes: 1618 Noes: Absent: Abstain:

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**RESOLUTION NO. 04-242
(August 17, 2004)**

By Mrs. Humphrey, Chairman of the Finance Committee:

AMEND SALARY SCHEDULE “S”

BE IT RESOLVED, That the Wyoming County Salary Plan Schedule “S”, which became effective October 14, 2003, as amended, is hereby amended to set the salary of the Director of Nursing in the Public Health Department to \$54,500.00 (Fifty four thousand five hundred dollars) annually, effective August 1, 2004, and

BE IT FURTHER RESOLVED, That one (1) position of Assistant Director of Nursing in the Public Health Department is hereby abolished effective August 1, 2004.

Carried: Ayes: 1618 Noes: Absent: Abstain:

*There being no further business to come before the board the meeting was adjourned by Mrs. Humphrey.

**REGULAR SESSION
(September 14, 2004)**

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 located at 143 North Main Street, Warsaw, New York with Town of Orangeville Supervisor, Kyle Glosser and Town of Wethersfield Supervisor John Copeland absent. All other Supervisors were present. Also present were County Attorney Eric T. Dadd, County Treasurer John Edwards, Clerk to the Board of Supervisors, Paula Parker and Deputy Clerk to the Board of Supervisors, Cheryl Ketchum.

At **2:10 PM** Chairman Berwanger, T/Arcade, called the meeting to order.

The Veteran leading the Pledge of Allegiance for the month of September is:

PAUL E. GARDNER

Mr. Gardner is a 1949 graduate of Warsaw Central School and a life-long resident of Warsaw. He worked at the Market Basket food store on Main Street in Warsaw until his enlistment into the U.S. Air Force on April 8, 1952. He was stationed at Lowery Air Force Base, Colorado, for his training in the maintenance of the K-Systems Bomb Sight that was used in the B-47 bomber. He was then transferred to Hunter Air Force Base, Georgia, where he installed and maintained these bomb sights until his discharge on April 7, 1956. Mr. Gardner was awarded the National Defense Service Medal and the Good Conduct Medal.

After his discharge, Mr. Gardner started work at Zeches Appliance and Furniture Store, where he worked for thirty-seven and one-half (37 1/2) years until his retirement on December 31, 1993.

Paul has been very active in Veteran organizations. He has been a member of Walter Klein Post #532 of the American Legion in Warsaw for 49 years, having served as Post Commander from 1961 to 1967, County Commander in 1977 and has been Post Treasurer for 37 years. He has been the Post's Boy's State Chairman for the same period of time. Paul was selected as a Department Sergeant-at-Arms for the American Legion in 1978. He is also
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active in the 40& 8, an Honorary Society of the American Legion for the same period of time and was the Chef de Gare in 1965. Paul maintains numerous records for the Post and County American Legion and is always available to assist any Veteran or their family. He readily volunteers for numerous community and Veteran projects and insures that flags are available for anyone who may need them.

Chairman Berwanger continued with, “I’d like to take this opportunity to recognize the Department of Social Services Employee of the Month. In addition to recognizing outstanding employees, Commissioner Wallace invites them to attend a Human Service Committee meeting and Board meeting to better understand the relationship between individual Departments and the Board of Supervisors.

This month's recipient has been with the Department since 1988. She was first hired as a clerk and is presently an account clerk in our Accounting Department. Her nomination included praises for her knowledge, professionalism, cheerful disposition and willingness to take on additional assignments when needed. Please join me in recognizing **Jan Foley**”.

Communications:

C1: Inter – County is a joint meeting at NYSAC Convention in Syracuse, Thursday September 23, 2004 7:30 AM breakfast meeting with another agency.

#1

**RESOLUTION NO. 04-243
(September 14, 2004)**

By Mrs. Humphrey, Chairman of Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2004 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2004 accounts as follows:

Indigent Parole Program			<u>Dept. Totals:</u>
To: 01.32.1171.4.40902 Legal Services w/ offsetting rev. 01.11.1171.3089 State Aid Reason: To appropriate estimated Byrne Program funding 2004-2005 program year.	\$75,000.00	\$75,000.00	
<u>Indigent Parole Program Total</u>			\$75,000.00
<u>Treasurer</u>			
To: 06.57.6290.4.42449 JTPA Administration w/06.12.6290.4790 Federal Aid – JTPA Reason: Actual funds were more than original budget amts.	\$200,000.00	\$200,000.00	

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<u>Treasurer Total</u>			\$200,000.00
<u>Emergency Services</u>			
To: 01.37.3640.4.40101 Property Ins. 01.37.3640.4.40510 Parts & Supplies (Truck) 01.37.3640.4.41010 Misc. Office Supplies 01.37.3640.4.41217 Training Facilities w/offsetting revenue 01.03.3640.1289 Reason: To appropriate \$1,260 for the sale of the 1985 Chevy Haz-Mat van. Funds to be used for department's necessary expenses.	\$ 160.00 360.00 380.00 <u>360.00</u> \$1,260.00	 \$1,260.00	
<u>Emergency Services Total</u>			\$1,260.00
<u>Social Services</u>			
To: 01.39.6010.4.41402 Computer Maintenance w/rev. acct. #01.08.6010.2680 increased by same. Reason: Appropriate insurance recovery for lightning damage 5/20/04.	\$3,365.40	\$3,365.40	
<u>Social Services Total</u>			\$3,365.40
<u>Office for the Aging</u>			
To: 01.44.6772.4.41410 Software w/01.12.6772.477202 III-B Revenue increased by same. Reason: Funding was an increase in the III B allocations from NYSOFA for software.	\$2,277.00	\$2,277.00	
<u>Office for the Aging Total</u>			\$2,277.00
<u>Mental Health</u>			
To: 01.38.4325.4.42441 Misc MH Programs 01.38.4325.4.40926 ARA, Inc. w/#01.11.4325.3490 State Aid Revenue increased by the same amount Reason: Annualized state aid allocation for the Care Coordination Project. (Total state aid allocation for project is \$44,000.00; \$11,000.00 previously allocated.)	\$9,583.00 <u>23,417.00</u> \$33,000.00	 \$33,000.00.	
<u>Mental Health Total</u>			\$33,000.00.
<u>Sheriff</u>			
To: 01.37.3110.1.10301 Overtime W/acct #01.03.3110.1289 Other Dept. Income increased by same. Reason: offset from revenue acct for Buffalo Hill Village.	\$3637.50	\$3637.50	
To: 01.37.3110.1.10301 Overtime w/01.03.3110.1289 Other Dept. Income increased by same. Reason: offset from revenue acct for Town of Covington patrols.	\$875.40	\$875.40	
<u>Sheriff Total</u>			\$4,512.90
<u>District Attorney/STOP DWI</u>			
To: 01.37.3315.4.40201 Dues 01.37.3315.4.41303 Stenographer 01.37.3315.4.41401 Maintenance Agreements 01.37.3315.4.42101 Law Enforcement Supplies 01.37.3315.4.41313 DWI Patrols 01.37.3315.4.42306 Other – Public Info. & Ed. w/01.07.3315.261502 rev acct increased by Reason: Appropriate money approved by the state to complete the 2004 budget process for the STOP-DWI Program with equal revenue.	\$298.41 1,000.00 6,460.00 690.92 16,550.67 <u>3,000.00</u> \$28,000.00	 \$28,000.00	
<u>District Attorney Total</u>			\$28,000.00

Carried: Ayes: 1535 Noes: Absent: 48 (Glosser) Abstain: 35 (Copeland)

#2

RESOLUTION NO. 04-244 (September 14, 2004)

By Mrs. Humphrey, Chairman of Finance Committee:

September 14, 2004

BE IT RESOLVED, That funds are hereby transferred to the various 2004 accounts as follows:

Fire Codes			<u>Dept. Totals:</u>
From: 01.34.1620.4.40803 Contracted Repairs To: 01.37.3620.4.40503 Gasoline Transfer from Building & Grounds to Code Enforcement to cover the cost of gasoline for the rest of 2004.	\$1,750.00	\$1,750.00	
Fire Codes Total			\$1,750.00
Clerk to the Board of Supervisors			
From: 01.31.1010.8.89001 Medical Ins. To: 01.31.1010.4.40101 Property Ins. 01.31.1010.4.40102 Prof. Liability Ins. 01.31.1010.4.40107 Liability Ins. Reason: Transfer to cover cost of Insurance for 2004.	\$ 944.10	7.00 762.10 175.00 \$944.10	
Clerk to the Board of Supervisors Total			\$ 944.10
Highway			
From: 03.54.5130.4.40507 Highway Dept. repair To: 03.54.5130.2.23001 Motor Vehicles Reason: Transfer necessary to cover costs for the balance of 2004 accounts.	\$5,000.00	\$5,000.00	
F.) Highway Total			\$5,000.00
G.) Emergency Services			
From: 01.37.3020.4.40012 Emergency 911 To: 01.37.3020.2.20201 Computer Equip. \$4,753.50 Reason: for purchase of an Expansion Cabinet for the Phone system due to changes made in the installation of the CAD System and to accommodate the EOC. Funds were placed in wrong account number.	\$4,753.50	\$4,753.50	
H.) Emergency Services Total			\$ 4,753.50
I.) District Attorney			
From: 01.32.1168.1.10604 Bonus Award (Salary) To: 01.32.1168.4.41303 Stenographers J.) Reason: Transfer Unused Bonus Award Monies to cover Stenographer Expenses.	\$1,000.00	\$1,000.00	
K.) District Attorney Total			\$1,000.00
L.) Planning Committee			
From: 01.42.6421.8.84001 Unemployment Ins. To: 01.42.6421.4.40301 Professional Servc Reason: Transfer to accommodate the increase in the contract amount with GFL RPC for GIS mapping for the remainder of 2004.	\$7,500.00	\$7,500.00	
M.) Planning Committee Total			\$7,500.00

Carried: Ayes: 1535 Noes: Absent: 48 (Glosser) Abstain: 35 (Copeland)

#3

RESOLUTION NO. 04-245
(September 14, 2004)

Regular Session

FUNDS TRANSFERRED TO VARIOUS 2004 ACCOUNTS

Civil Service / Personnel			<u>Dept. Totals:</u>
From: 01.34.1430.1.10001 Salaries To: 01.34.1430.4.40301 Professional Services Reason: Transfer to cover the cost of the contract with Stuart Hempel.	\$6,000.00	\$6,000.00	
Civil Service / Personnel Total			\$6,000.00

[illegible]

#4

RESOLUTION NO. 04-246
(September 14, 2004)

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

**AUTHORIZING THE IMPLEMENTATION, AND
FUNDING IN THE FIRST INSTANCE OF THE STATE
MULTI-MODEL 3 PROGRAM-AID [AND, AS
APPLICABLE, STATE ADMINISTERED FEDERAL
PROGRAM-AID] ELIGIBLE COSTS, OF A CAPITAL
PROJECT, AND APPROPRIATING FUNDS THEREFOR**

WHEREAS, a Project for the CR7, Saltvale Road, Highway Reconstruction (the project) is eligible for funding [under Title 23 U.S. Code, as amended, and] New York State’s Multi-Model 3 Program administered by the NYS Department of Transportation (“NYSDOT”); and

September 14, 2004

NOW, THEREFORE, the Board of Supervisors of the County of

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

RESOLVED, That the sum of \$901,761.35 (Nine hundred one thousand seven hundred sixty-one dollars and thirty five cents) is hereby appropriated from the General Fund and made available to cover the cost of construction in the above phase of the Project; and it is further

RESOLVED, That the Chairman of this Board with the approval of the Attorney is hereby authorized to execute all necessary Agreements, applications or reimbursement requests for Federal Aid and/or Multi-Model 3 Funding on behalf of the County of Wyoming with NYSDOT in connection with the advancement or approval of the Project and providing for administration of the Project and the municipality's first instance funding of costs and permanent funding of the local share of federal-aid and all costs that are not so eligible, and it is further

RESOLVED, That this Resolution shall take effect immediately.

Regular Session

209

There was a motion by Supervisor Rogers, T/Pike, to combine resolutions #5 through #8. A voice vote was taken and all voted aye.

#5

RESOLUTION NO. 04-247
(September 14, 2004)

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

2004 NATIONAL POW/MIA RECOGNITION DAY PROCLAIMED

WHEREAS, The Federal Government has designated the second Tuesday in September as National POW/MIA Recognition Day; and

WHEREAS, Numerous members of our Armed Forces are still listed as POW/MIAs and we demand an accurate accounting of those still listed as POW/MIAs; and

WHEREAS, The members of the Wyoming County Board of Supervisors and the citizens of Wyoming County strongly support our Veterans who sacrificed so much to insure our freedom; now therefore

BE IT RESOLVED, That the Wyoming County Board of Supervisors does hereby designate *September 14, 2004* as:

NATIONAL POW/MIA RECOGNITION DAY

In Wyoming County; and be it

FURTHER RESOLVED, That the Clerk of this Board is hereby directed to forward certified copies of this resolution to President George W. Bush, U. S. Senators Charles Schumer, Hillary Clinton, N. Y. State Senator Dale Volker, Congressman Thomas M. Reynolds and all others deemed appropriate and necessary.

[illegible]

September 14, 2004

RESOLUTION NO. 04-248
(September 14, 2004)

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

ABOLISH POSITION IN THE DEPARTMENT OF SOCIAL SERVICES

BE IT RESOLVED, That one (1) position of Staff Development Coordinator, 1.00 FTE, in the Department of Social Services is hereby abolished effective immediately.

Carried: Ayes: 1535 Noes: Absent: 48 (Glosser) Abstain: 35 (Copeland)

#7

RESOLUTION NO. 04-249
(September 14, 2004)

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

**AUTHORIZE CHAIRMAN/COMMISSIONER TO
SIGN AGREEMENT WITH ROCHESTER – GENESEE
REGIONAL TRANSPORTATION AUTHORITY
ON BEHALF OF SOCIAL SERVICES**

BE IT RESOLVED, That the Chairman of this Board along with the Commissioner of Social Services with the approval of the County Attorney are hereby authorized and directed to sign an agreement with the Rochester – Genesee Regional Transportation Authority located at 1372 East Main Street, Rochester New York 14609 on behalf of Social Services. This agreement is for TANF recipients with bus passes in the amount of \$9,600.00 (Nine thousand six hundred dollars); contingent upon the availability of funds. Effective October 1, 2004 through September 30, 2005

Carried:

Ayes: 1535 Noes: Absent: 48 (Glosser) Abstain:
35 (Copeland)

Proceedings of the Board of Supervisors

Carried: Ayes: 1535 Noes: Absent: 48 (Glosser) Abstain: 35 (Copeland)

RESOLUTION NO. 04-252
(September 14, 2004)

**AMEND RESOLUTION NO. 03-344 ON BEHALF OF
MENTAL HEALTH WITH CCSI**

[illegible]

RESOLUTION NO. 04-253
(September 14, 2004)

Regular Session

BE IT RESOLVED, That Gregory J. Collins, DO, 4820 Darby Rd., Avon NY 14414 is hereby appointed as Commissioner of Public Health for Wyoming County for a term of 1 (one) year. Said appointment is effective, August 1, 2004 through July 31, 2005.

[illegible]

#12

RESOLUTION NO. 04-254
(September 14, 2004)

By Mr. Knab, Chairman of the Public Health Committee:

AMEND RESOLUTION #03-267

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign an amended contract with Cheryl Miller (Director of Nursing) by \$1,650.00 (One thousand six hundred fifty dollars) to a total of \$6,650.00 (Six thousand six hundred fifty dollars) with all other conditions remaining the same. This contract is contingent upon the availability of funds.

[illegible]

#13

RESOLUTION NO. 04-255
(September 14, 2004)

By Mr. Knab, Chairman of the Public Health Committee:

**AUTHORIZE CHAIRMAN TO SIGN AGREEMENT WITH
HEALTH RESEARCH, INC. ON BEHALF OF WYOMING
COUNTY HEALTH DEPARTMENT**

September 14, 2004

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign an agreement with Health Research, Inc., One University Place, Rensselaer, NY 1214-3455, on behalf of Wyoming County Health Department. This agreement is for the provision of reimbursement of patient service fees associated with the Breast Health Partnership in the amount of \$5,791.00 (Five thousand seven hundred ninety-one dollars); contingent upon the availability of funds. Effective June 30, 2004 through June 29, 2005.

Carried: Ayes: 1535 Noes: Absent: 48 (Glosser) Abstain: 35 (Copeland)

#14

RESOLUTION NO. 04-256
(September 14, 2004)

By Mr. Knab, Chairman of the Public Health Committee:

**AUTHORIZE CHAIRMAN TO SIGN AGREEMENT WITH
THE STATE OF NEW YORK ON BEHALF OF WYOMING
COUNTY 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 an agreement with the State of New York – Governor’s Traffic Safety Committee DMV located at 6 Empire State Plaza, Albany, New York, 12228 on behalf of the Wyoming County Health Department. This agreement is to promote child passenger safety through a car seat distribution program and child safety seat check events in the amount of \$5,700.00 (Five thousand seven hundred dollars) contingent upon the availability of funds; effective October 1, 2004 through September 30, 2005.

Carried: Ayes: 1535 Noes: Absent: 48 (Glosser) Abstain:
35 (Copeland)

#15

RESOLUTION NO. 04-257
(September 14, 2004)

**AUTHORIZE CHAIRMAN TO SIGN GRANT
APPLICATION/AGREEMENT WITH NEW YORK STATE
DEPARTMENT OF HEALTH ON BEHALF OF WYOMING
COUNTY HEALTH DEPARTMENT**

Carried: Ayes: 1535 Noes: Absent: 48 (Glosser) Abstain:
35 (Copeland)

There was a motion by Supervisor Knab, T/Sheldon, to combine resolutions #16 through #19. A voice vote was taken and all voted aye.

#16

RESOLUTION NO. 04-258
(September 14, 2004)

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

CHERYL J. KETCHUM APPOINTED AS DEPUTY PERSONNEL OFFICER

Carried: Ayes: 1535 Noes: Absent: 48 (Glosser) Abstain:
35 (Copeland)

September 14, 2004

RESOLUTION NO. 04-259
(September 14, 2004)

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

APPROVAL OF COUNTY CLERK COVER PAGE FEE

WHEREAS, The County Clerks in New York State have instituted a Recording/Cover Page that is attached to every recorded document in order to provide the space necessary to enter all of the information required by statute in a systematic and standardized format; and

WHEREAS, The various County Clerks have established a fee for this page varying from three dollars to ten dollars which causes confusion to the title companies, legal community, and financial institutions in determining the correct fees necessary to place documents on record; and

WHEREAS, The cost of such services has increased with the volume, variety and complexity of recorded documents. The purpose of the fee is to adequately compensate the County Clerk for the operational cost of the recording process that involves: clerical time, computerization, microfilming, indexing, cross-referencing, general processing, document return and archival retention. Fees will also offset expenses without placing a burden on the taxpayer and the County budget; now therefore

BE IT RESOLVED, By the Wyoming County Board of Supervisors that the Wyoming County Clerk is hereby authorized to establish a fee of \$10.00 (ten dollars) for the Recording/Cover Page attached to all recorded instruments effective September 1, 2004.

[illegible]

#18

RESOLUTION NO. 04-260
(September 14, 2004)

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

Regular Session

**AUTHORIZE CHAIRMAN TO SIGN A CONSULTANT
AGREEMENT WITH STUART HEMPLE ON BEHALF OF
CIVIL SERVICE / PERSONNEL**

Carried: Ayes: 1535 Noes: Absent: 48 (Glosser) Abstain: 35 (Copeland)

#21

**AUTHORIZE CHAIRMAN TO ENTER IN TO AN
AGREEMENT WITH NEW YORK STATE STATEWIDE
WIRELESS NETWORK**

Regular Session

#22

September 14, 2004

221

[illegible]

#25

By Mrs. Humphrey, Chairman of the Finance Committee:

BE IT RESOLVED, That effective August 19, 2004, 1 (one) position of Deputy Personnel Officer be created in the Civil Service / Personnel Department with the salary set at \$30,000.00 (Thirty thousand dollars) per year and be placed on Salary Schedule S.

Carried: Ayes: 1535 Noes: Absent: 48 (Glosser) Abstain:
35 (Copeland)

There being no further business to come before this board Mrs. Humphrey gaveled the meeting adjourned at 2:35 PM.

Respectfully submitted,

Cheryl J. Ketchum

Cheryl J. Ketchum, Deputy Board Clerk

September 14, 2004

**REGULAR SESSION
(October 12, 2004)****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 located at 143 North Main Street, Warsaw, New York with all Supervisors present. Also present were Assemblyman Dan Burling, Assistant County Attorney Jamie Welch, County Treasurer John Edwards, Clerk to the Board of Supervisors, Paula Parker and Deputy Personnel Officer, Cheryl Ketchum.

At **2:25 PM** Chairman Berwanger, T/Arcade, called the meeting to order.

The Veteran leading the Pledge of Allegiance for the month of October is:

The local Veteran leading us in the Pledge of Allegiance for the month of October 2004 is

JUSTIN M. SCHOFF

Justin graduated from Warsaw Central School in June of 2000. He enlisted into the U.S. Army in July and reported to Ft. Benning, Georgia, for Basic Training and his Advanced Infantry Training. His permanent assignment was at Ft. Riley, Kansas. On August 31, 2003, Sgt. Schoff was deployed to Iraq with A Company, 1st Battalion 16th Infantry as a Team Leader for an Infantry Squad. He was later assigned as a gunner on a Bradley Fighting Vehicle. His unit participated in Search & Destroy Missions, Observation Posts and numerous Patrols. On August 29, 2004, just two days before he was to return home, Justin was wounded by sniper fire. He was evacuated to Germany and finally Walter Reed Hospital in Washington, D.C. For his service to his Country, Justin has been awarded the National Defense Service Medal, the Combat Infantry Badge, The Expert Infantry Badge, the Purple Heart, Army Commendation Medal, Army Commendation Medal with "V" Device, the Army Achievement Medal, the Global War on Terrorism Service Medal, the Global War on Terrorism Expeditionary Medal, the Professional Leadership and Development Ribbon and the Good Conduct Medal.

Upon completion of his thirty days of convalescent leave, Justin will be returning to active duty at Ft. Riley, Kansas, on October 14, 2004. He should be

a civilian within ninety days. Upon his return to civilian life, he plans on returning to Warsaw and enroll in college.

The Chairman then introduced Assemblyman Burling to present Sgt. Schoff with the Certificate of Appreciation. The Assemblyman expressed his thanks and gratitude to Justin as a fellow serviceman.

Supervisor Fleischman presented to Assemblyman Burling an issue that is plaguing Wyoming County Reservists. The issue has to do with active duty servicemen and women losing their properties due to non-payment of the outstanding tax bills. Supervisor Fleischman wanted to at least suspend the rise in assessed value until such time that these reservists are back home and no longer on active duty. The county would like to attempt to show their appreciation for these individuals who put their lives in jeopardy for this country's freedom and safety. The Assemblyman responded by stating that the county would have to present a Home Rule message to his office and Senator Volker's office. Assemblyman Burling also stated that he felt there would be no problem in presenting this issue for appropriate legislation.

Chairman Berwanger continued with, "I'd like to take this opportunity to recognize the Department of Social Services Employee of the Month. I'd like to take this opportunity to recognize the Department of Social Services Employee of the Month. In addition to recognizing outstanding employees, Commissioner Wallace invites them to attend a Human Service Committee meeting and Board meeting to better understand the relationship between individual Departments and the Board of Supervisors.

This month's recipient has been with the Department since 1993. She has been employed in various positions within the department and most recently as a Social Services Program Specialist. Please join me in recognizing Becky Shull-Huffer.

Communications:

C1: Inter-County: This is a reminder of InterCounty Association of Western New York's annual conversation with the elected officials that represent our 19 member counties at the state level. You are invited to meet with us on Friday, October 15, 2004. We will be meeting at the Fire Hall in Pavilion, Genesee County.

The Conversation will focus around Medicaid, especially the Family Health Plus take-back, and, to a lesser extent, other County concerns such as HAVA and the Brennan Report.

Proceedings of the Board of Supervisors

The conversation will begin at 11 AM. Registration is \$15 and includes lunch. Please let us know by the end of today.

C2: Immediately following Board meeting the Workers' Compensation Board of Trustees Meeting will be held.

C3: Audit Committee as well.

#1

**RESOLUTION NO. 04-268
(October 12, 2004)**

By Mrs. Humphrey, Chairman of Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2004 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2004 accounts as follows:

Treasurer			<u>Dept. Totals:</u>
To: 01.49.8710.4.41802 Taxes / Special Assess w/from any funds available Reason: to cover Taxes on Reforestation property.	\$61.46	\$61.46	
Treasurer Total			\$61.46
Board of Supervisors			
To: 01.31.1010.4.41202 Printing w/from any funds available Reason: To print 7 years of back Journals of Proceedings	\$5000.00	\$5000.00	
Board of Supervisors Total			\$5000.00
Public Health			
To: 01.38.4035.4.40704 Lab Expense w/01.04.4035.168904 rev. acct. increased by same Reason: Lab expense for the remainder of the year.	\$8,500.00	\$8,500.00	
Public Health Total			\$8,500.00
Sheriff			
To: 01.37.3110.1.10301 Overtime w// 01.03.3110.1289 Other Dept. Income increased by same. Reason: offset from revenue acct for Town of Covington patrols.	\$1677.66	\$1677.66	
Sheriff Total			\$1,677.66
Emergency Services			
To: 01.37.3640.4.42306 – Other w/01.03.3640.1289 Other Dept. Income 01.12.3640.4785 Federal Rev. 01.11.3640.3785 State Rev. Reason: August of 2003 Black out Funds.	\$1005.32	33.33 833.13 138.86	
To: 01.37.3640.4.42102 Safety Supplies w/01.03.3640.1289 rev. acct increased by same Reason: Purchase a defibrillator Training Center and Replace Foam from Castile Fire.	\$9,032.04	\$9,032.04	
Emergency Services Total			\$10,037.36

Carried: Ayes: 1618 Noes: Absent: Abstain:

Regular Session

**RESOLUTION NO. 04-269
(October 12, 2004)**

By Mrs. Humphrey, Chairman of Finance Committee:

FUNDS TRANSFERRED TO VARIOUS 2004 ACCOUNTS**BE IT RESOLVED**, That funds are hereby transferred to the various 2004 accounts as follows:

Emergency Services			Dept. Totals:
From: 01.34.1620.4.40802 Contracted Bldg Repair 01.34.1430.1.10001 S/D/I Salary To: 01.37.3150.2.20701 Institutional Equipment Reason: To transfer funds to cover the cost of replacing the jail oven.	\$1,794.00 3,587.00	\$5,381.00	
Emergency Services Total			\$5,381.00
Youth Bureau			
From: 01.38.4059.4.41503 EIT 01.38.4059.4.41504 EI transportation 01.38.4059.4.41503 EIT To: 01.36.2960.4.41501 PST 01.36.2960.4.41502 PS transportation 01.36.2960.4.41507 PHC School Admin Reim. Reason: from EI Tuition to PS Tuition	\$100,000.00 20,000.00 <u>10,336.54</u> \$130,336.54	\$100,000.00 20,000.00 <u>10,336.54</u> \$130,336.54	
Youth Bureau Total			\$130,336.54
County Attorney			
From: 01.34.1420.1.10602 Insurance Repudiation \$750.00 To: 01.34.1420.4.42301 Books, Pubs. & Sub. 750.00 Reason: to pay bills and balance accounts.	\$750.00	\$750.00	
N.) County Attorney Total			\$750.00

Carried: Ayes: 1618 Noes: Absent: Abstain:Mrs. Totslie, T/Genesee Falls, Chairman of the Audit Committee, presented bills totaling **\$1,005,664.90**.**Carried: Ayes: 1618 Noes: Absent: Abstain:**

There was a motion by Supervisor Kushner, T/Eagle, to combine resolutions #3 and #4. A voice vote was taken and all voted aye.

Before the roll was called, Supervisor Berwanger, T/Arcade asked Supervisor Kushner if he knew the dates of the detours. Supervisor Kushner did not have that information readily available. Supervisor Rogers T/Pike assumed that it would be during fair weather.

October 12, 2004

**RESOLUTION NO. 04-270
(October 12, 2004)**

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

**APPROVAL OF NEW YORK STATE DEPARTMENT OF
TRANSPORTATION DETOUR FOR THE TOWN OF
SHELDON**

WHEREAS, the New York State Department of Transportation proposes to reconstruct highway culvert C470032, S.H. 8092, Wales Center-Varysburg, Part 2, Town of Sheldon, Wyoming County, P.I.N. 4803.28.

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

County Road 9 (Perry Road) between State Route 98 and State Route 77; now therefore,

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

BE IT FURTHER RESOLVED, That the County of Wyoming will continue to provide routine maintenance and snow and ice control for the above mentioned roads and streets.

BE IT FURTHER RESOLVED, That the Clerk of this county is hereby directed to transmit four certified copies of this resolution to the New York State Department of Transportation.

Carried: **Ayes:** 1618 **Noes:** **Absent: Abstain:**

**RESOLUTION NO. 04-271
(October 12, 2004)**

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

**APPROVAL OF NEW YORK STATE DEPARTMENT OF
TRANSPORTATION DETOUR FOR THE TOWN OF PIKE**

WHEREAS, the New York State Department of Transportation proposes to reconstruct highway culvert C470048 and C47xxx2, S.H. 8292, Bliss-Pike, Town of Pike, Wyoming County, P.I.N. 4803.07.

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

County Road 50 and Water Street between State Route 19 and State Route 39; now therefore,

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

BE IT FURTHER RESOLVED, That the County of Wyoming will continue to provide routine maintenance and snow and ice control for the above mentioned roads and streets.

BE IT FURTHER RESOLVED, That the Clerk of this county is hereby directed to transmit four certified copies of this resolution to the New York State Department of Transportation

Carried: Ayes: 1618 Noes: Absent: Abstain:

There was a motion by Supervisor Rogers, T/Pike, to combine resolutions #5 through #12. A voice vote was taken and all voted aye.

October 12, 2004

**RESOLUTION NO. 04-272
(October 12, 2004)**

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

**AUTHORIZE CHAIRMAN TO SIGN WEATHERIZATION
RENEWAL PROGRAM CONTRACT WITH DANIEL J.
PERKINS ON BEHALF OF THE OFFICE FOR THE AGING**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is authorized and directed to sign a renewal contract with Daniel J. Perkins, 101 W. Court St., Warsaw, NY 14569, for the Weatherization Renewal Program (WRAP) for seniors 60 + years of age. Total not to exceed \$17,400.00 (Seventeen thousand four hundred dollars), \$1,450.00 (One thousand four hundred fifty dollars) per month; effective October 01, 2004 through September 30, 2005; contingent upon the availability of funds.

Carried: Ayes: 1618 Noes: Absent: Abstain:

#6

**RESOLUTION NO. 04-273
(October 12, 2004)**

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

**APPOINT JOHN BARRETT TO THE WYOMING COUNTY
OFFICE FOR THE AGING ADVISORY COUNCIL**

BE IT RESOLVED, That John Barrett of 357 Wyoming Street, Warsaw, NY 14569 is hereby appointed to the Wyoming County Office for the Aging Advisory Council as a Town Representative Member. Mr. Barrett will fill the unexpired 3-year term created with the resignation of Janice Johnson – Town of Gainesville, from the Advisory Council. Term to expire December 31, 2006.

Carried: Ayes: 1618 Noes: Absent: Abstain:

**RESOLUTION NO. 04-274
(October 12, 2004)**

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

**AUTHORIZE CHAIRMAN TO SIGN A CONTRACT WITH
CH MACK FOR THE PURCHASE OF SOFTWARE ON
BEHALF OF WYOMING COUNTY OFFICE FOR THE
AGING**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with CH Mack located at 10101 Alliance Road, Suite 10, Cincinnati OH 45242, for the purchase of "Q Continuum" Software. This software will be used to fulfill the reporting requirements for OFA activities to New York State. CH Mack is the sole source developer for this software.

Approximate cost - \$15,000.00 (Fifteen thousand dollars). Paid for by - Title III-E carryover funds Title III-B supplement for software; contingent upon the availability of funds.

Carried: Ayes: 1618 Noes: Absent: Abstain:

#8

**RESOLUTION NO. 04-275
(October 12, 2004)**

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

**AUTHORIZE CHAIRMAN TO SIGN A LEASE
AGREEMENT WITH COMPLETE OFFICE SOLUTIONS /
TOMPKINS LEASING SERVICES ON BEHALF OF
WYOMING COUNTY OFFICE FOR THE AGING**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Complete Office Solutions having an office located at 636 W. Main St. Arcade, NY 14009 and/or Tompkins Leasing Services, Inc. located at P. O. Box 460, Ithaca NY 14851. The lease of a copier is for Wyoming

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County's Office for the Aging and the Certified Home Health Agency. The lease is for a period of three years at a yearly cost of \$5,357.33 per year to include all maintenance and supplies excluding paper; contingent upon the availability of funds.

Carried: **Ayes:** 1618 **Noes:** **Absent:** **Abstain:**

#9

RESOLUTION NO. 04-276
(October 12, 2004)

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

**AUTHORIZE CHAIRMAN TO SIGN A CONTRACT WITH
LITURGICAL PUBLICATIONS ON BEHALF OF
WYOMING COUNTY OFFICE FOR THE AGING**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Liturgical Publications, Inc. having an office at 10221 Sweet Valley Drive, Cleveland, Ohio 44125. This contract will be at no cost to the County. Liturgical Publications will produce a bi-monthly publication of the Senior Courier that currently is a quarterly publication and solicit local businesses for advertisement support.

Carried: **Ayes:** 1618 **Noes:** **Absent:** **Abstain:**

#10

RESOLUTION NO. 04-277
(October 12, 2004)

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

**AUTHORIZE CHAIRMAN TO SIGN A CONTRACT WITH
PRESCHOOL LEARNING CENTER ON BEHALF OF
WYOMING COUNTY YOUTH BUREAU**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a renewal contract with Preschool Learning Center of 393 North Street, Springville, NY 14141. The purpose of this contract is for related services for

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Preschoolers with disabilities, in the amount not to exceed the 2004 budget at rates set by New York State Department of Education; effective September 01, 2004 through June 30, 2005; contingent upon availability of funds.

Carried: Ayes: 1618 Noes: Absent: Abstain:

#11

**RESOLUTION NO. 04-278
(October 12, 2004)**

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

**AUTHORIZE CHAIRMAN TO SIGN EARLY
INTERVENTION GRANT FOR 2004-05 ON BEHALF OF
WYOMING COUNTY YOUTH BUREAU**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County is hereby authorized and directed to sign the Early Intervention and Children with Special Health Care Needs Grant Acceptance / Award for 2004-05. The funding from this grant will provide for Early Intervention Administration (EIA) and the Children with Special Health Care Needs Program. This contract is contingent upon approval from New York State Department of Health on the proposed budget and Children with Special Health Care Needs (CSHCN) work plan. Grant is for EI - \$34,262 and CSHCN - \$17,433; same amount as 2003-04.

Carried: Ayes: 1618 Noes: Absent: Abstain:

#12

**RESOLUTION NO. 04-279
(October 12, 2004)**

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

MEMBERS APPOINTED TO YOUTH BOARD

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BE IT RESOLVED, That the following individuals are appointed to the Youth Board to fill vacant unexpired terms of 01/01/03-12/31/05:

- **Korrina Taylor** of 482 Pavilion Warsaw Road, Wyoming, New York 14591 as the Covington Representative.
- **Anne DiMatteo** of 2393 Blackhouse Road Warsaw, New York 14569 as the Warsaw Representative.

Carried: Ayes: 1618 Noes: Absent: Abstain:

#13

**RESOLUTION NO. 04-280
(October 12, 2004)**

By Mr. Knab, Chairman of the Public Health Committee:

**AMEND CONTRACTS WITH ARA, INC. ON BEHALF OF
MENTAL HEALTH**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign an amended contract with ARA, Inc. located at 4333 Bolivar Road, Wellsville, NY 14895. The purpose of this amendment is to increase the 2004 Alcohol, Substance Abuse and Men's Group Contract (Res. #03-344 as amended by Res. #04-251) by \$1,200.00 (One thousand two hundred dollars) bringing the contract amount to \$318,071.00; contingent upon the availability of funds.

Carried: Ayes: 1618 Noes: Absent: Abstain:

There was a motion by Supervisor Davis, T/Covington, to combine resolutions #14 through #16. A voice vote was taken and all voted aye.

#14

**RESOLUTION NO. 04-281
(October 12, 2004)**

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

**EXTEND CONTRACT WITH ANNESE & ASSOCIATES
ON BEHALF OF THE SHERIFF'S DEPARTMENT**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign an extended contract with Annese & Associates Inc, located at P. O. Box 127, Herkimer, NY 13350 in the amount of \$2088.00 (Two thousand eighty – eight dollars) per year. Said extension will be for a period of three years beginning on June 14, 2004 and ending on June 13, 2007 for the purpose of existing service on the NYSPIN workstation; contingent upon the availability of funds.

Carried: Ayes: 1618 Noes: Absent: Abstain:

#15

**RESOLUTION NO. 04-282
(October 12, 2004)**

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

AUTHORIZE CHAIRMAN TO SIGN 2005 STOP DWI PLAN

BE IT RESOLVED, That this Board of Supervisors does hereby accept and approve the STOP – DWI Program Plan for 2005 in Wyoming County; and be it

FURTHER RESOLVED, That the Chairman of this Board and the STOP – DWI Coordinator with the approval of the County Attorney are hereby authorized and directed to sign the 2005 Plan and submit the STOP – DWI Program to the State of New York for approval and implementation

Carried: Ayes: 1618 Noes: Absent: Abstain:

#16

**RESOLUTION NO. 04-283
(October 12, 2004)**

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

**AUTHORIZE CHAIRMAN TO SIGN A CONTRACT WITH
DIVISION OF PROBATION AND CORRECTIONAL**

October 12, 2004

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ALTERNATIVES ON BEHALF OF WYOMING
COUNTY PROBATION

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Division of Probation and Correctional Alternatives located at 80 Wolf Road, Albany NY 12205-2604. The purpose of this agreement is to follow guidelines to receive State Aid for Probation Services; January 01, 2004 through December 31, 2004 in the amount of \$63,100.00 (Sixty three thousand one hundred dollars).

Carried: **Ayes: 1618** **Noes:** **Absent: Abstain:**

#17

RESOLUTION NO. 04-284
(October 12, 2004)

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, 2004 through April 1, 2005, under Article 7, Section 122 of the New York State Agriculture and Markets Law; and be it

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

Arcade Herald, Arcade NY
Perry Herald, Perry NY
Country Courier, 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: Absent: Abstain:

There was a motion by Supervisor Humphrey, T/Perry, to combine resolutions #18 through #22 and withdraw resolution number 19 pending further legal review. A voice vote was taken and all voted aye.

#18

**RESOLUTION NO. 04-285
October 12, 2004**

By Mrs. Humphrey, Chairman of the Finance Committee:

APPROVES PROPERTY AUCTION SALES

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 property and recommends the acceptance thereof, namely:

Serial # 251 - Trinity Episcopal Church, 62 West Buffalo Street, Warsaw, New York 14569 has offered \$322.60 for property located in the Village of Warsaw, known as tax map #85.7-5-11.131.

Now, therefore, be it

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

Carried: Ayes: 1618 Noes: Absent: Abstain:

#19 Held over /pending legal opinion

**RESOLUTION NO. 04-
October 12, 2004**

October 12, 2004

By Mrs. Humphrey, Chairman of the Finance Committee:

**TREASURER'S OFFICE AUTHORIZED TO ADMINISTER
COMMISSARY ACCOUNT AT WYOMING COUNTY JAIL**

BE IT RESOLVED, That this Board of Supervisors does hereby
authorize the Wyoming County Treasurer's Office to administer the
Commissary Account at the Wyoming County Jail; effective January 1, 2005.

Carried: Ayes: Noes: Absent: Abstain:

#20

**RESOLUTION NO. 04-286
October 12, 2004**

By Mrs. Humphrey, Chairman of the Finance Committee:

SALARY SCHEDULES "S" "D" "F" 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:

Schedules "S" "D" "F" and "T" annexed hereto shall be substituted for
the existing Schedule "S" "D" "F" and "T" as adopted on October 14, 2003,
October 14, 2003, November 12, 2003 and April 11, 2002 respectively and as
amended. Commencing January 1, 2004, employees in the job titles covered
thereby shall be paid the basic salary in accordance with this 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: 1491 Noes: Absent: Abstain: 127 (Grant)

**RESOLUTION NO. 04-287
October 12, 2004**

By Mrs. Humphrey, Chairman of the Finance Committee:

**INTRODUCTORY LOCAL LAW A, YEAR 2004
PRESENTED**

WHEREAS, There has been duly presented and introduced at a meeting of this Board, held on the 12th day of October 2004, a proposed local law entitled Local Law No. A, Year 2004, County of Wyoming, establishing and relating to the annual compensation of certain County Officers, to become effective for the year 2004, 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 9th day of November 2004, 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 to this Board by publishing such notice at least once in the official newspapers of the county designated for such publications.

Carried: Ayes: 1618 Noes: Absent: Abstain:

**INTRODUCTION OF PROPOSED LOCAL LAW NO. A - YEAR 2004,
County of Wyoming, Providing Salaries for Certain County Officers for the
year 2004**

**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 each of the fifteen positions of the Board of Supervisors Town Representatives shall be increased by \$200.00.

Section 2. Effective as hereafter provided, the annual salary of the position of Chairman of the Board of Supervisors shall be increased by \$800.00.

Section 3. Effective as hereafter provided, the annual salary of the County Treasurer shall be increased by \$1,200.00.

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Section 4. Effective as hereafter provided, the annual salary of the County Clerk shall be increased by \$920.00.

Section 5. Effective as hereafter provided, the annual salary of each of the two positions of Commissioner of Elections shall be increased by \$244.00.

Section 6. Effective as hereafter provided, the annual salary of the Superintendent of Buildings and Grounds shall be increased by \$993.00.

Section 7. Effective as hereafter provided, the annual salary of the Bureau of Fire Coordinator – PT shall be increased by \$134.00.

Section 8. Effective as hereafter provided, the annual salary of the Director of Fire and Emergency Management shall be increased by \$737.00.

Section 9. Effective as hereafter provided, the annual salary of the Director of Weights and Measures shall be increased by \$735.00.

Section 10. Effective as hereafter provided, the annual salary of the County Attorney shall be increased by \$1,030.00.

Section 11. Effective as hereafter provided, the annual salary of the County Historian shall be increased by \$354.00.

Section 12. Effective as hereafter provided, the annual salary of the Animal Control Officer shall be increased by \$619.00.

Section 13. Effective as hereafter provided, the annual salary of the Highway Superintendent shall be increased by \$1,200.00.

Section 14. Effective as hereafter provided, the annual salary of the Deputy Highway Superintendent shall be increased by \$884.00.

Section 15. Effective as hereafter provided, the annual salary of Information Technology Director shall be increased by \$1,047.00.

Section 16. Effective as hereafter provided, the annual salary of the Director of the Office for the Aging shall be increased by \$529.00.

Section 17. Effective as hereafter provided, the annual salary of the Planning and Development Director shall be increased by \$1,105.00.

Section 18. Effective as hereafter provided, the annual salary of the Public Defender shall be increased by \$880.00.

Section 19. Effective as hereafter provided, the annual salary of the Real Property Tax Director shall be increased by \$1,008.00.

Section 20. Effective as hereafter provided, the annual salary of the Commissioner of the Department of Social Services shall be increased by \$1,332.00.

Section 21. Effective as hereafter provided, the annual salary of the Veteran's Services Director shall be increased by \$352.00.

Section 22. Effective as hereafter provided, the annual salary of the Youth Bureau Director shall be increased by \$520.00.

Section 23. All salaries set forth herein shall be effective as of January 1, 2004.

Section 24. This Local Law shall take effect on the date of filing in the Office of the Secretary of the State of New York.

Section 25. This Local Law is subject to permissive referendum.

DATED at Warsaw, New York
October 12, 2004 (Introduced)

#22

**RESOLUTION NO. 04-288
October 12, 2004**

By Mrs. Humphrey, Chairman of the Finance Committee:

**HOSPITAL BOARD OF MANAGERS TO HAVE SOLE
RESPONSIBILITY FOR SETTING SALARIES AT
WYOMING COUNTY COMMUNITY HOSPITAL**

BE IT RESOLVED, That the Board of Supervisors of Wyoming County does hereby give the Hospital Board of Managers sole responsibility for setting salaries for Hospital Management Staff at Wyoming County Community Hospital, effective immediately and until such time as this resolution is revoked.

October 12, 2004

Carried:**Ayes: 1618****Noes:****Absent: Abstain:**

Chairman Berwanger asked, "Is there any Supervisor who objects to the presentation of Unanimous Consent Resolution #23 brought before the Full Board of Supervisors by Committee of the Whole?"

Supervisor Kushner, T/Eagle, Chairman of the Public Works Committee made a statement on behalf of the Public Works committee and gave an explanation to the reasons why the snow contracts are being recalled.

#UC 23

RESOLUTION NO. 04-289**October 12, 2004**

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

**RESCIND RESOLUTION 03-240 AND RECALL THE
ORIGINAL SNOW CONTRACTS FOR THE 2004-05
SEASON; AUTHORIZE SUPERINTENDENT OF
HIGHWAY TO EXTEND AMENDED CONTRACT FOR
THE 2004-05 SNOW SEASON.**

WHEREAS, Resolution number 03-240 authorizes the Superintendent of Highways to extend the snow and ice removal agreement with Towns and Villages using the lump sum indexing cost basis method of payment adopted on September 9, 2003; and

BE IT RESOLVED, That the Board of Supervisors of Wyoming County does hereby rescind Resolution number 03-240 for the 2004-05 snow season and recalls the originally approved and signed contracts; now therefore be it

FURTHER RESOLVED, That the County Superintendent of Highways is authorized to extend new contracts for the 2004-05 snow season reducing the index overage by twenty-five percent (25%) with an additional addendum that authorizes additional snow and ice payments should the Towns fail to recover the costs of snow and ice removal on county roads.

Carried:Ayes: 1456 Noes: Absent: Abstain: 162 (Berwanger)

Assemblyman Burling was asked if he had anymore information that he would like to share with the Board of Supervisors. Having none the meeting was adjourned at 2:55 PM by Mrs. Humphrey.

**REGULAR SESSION
(November 09, 2004)**

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 located at 143 North Main Street, Warsaw, New York with all Supervisors present. Also present were Assistant County Attorney Eric T. Dadd, County Treasurer John Edwards, Clerk to the Board of Supervisors, Paula Parker and Deputy Personnel Officer, Cheryl Ketchum.

At **2:10 PM** Chairman Berwanger, T/Arcade, called the meeting to order.

The Public Hearing was opened.

In commemoration of Veterans' Day 2004 on November 11, 2004, Frank Hollister, Director of Veterans' Services presented the Chairman with the following poem entitled ***Veterans Day*** by Tony Raiona:

I watched the Flag pass by one day,
It fluttered in the breeze.
A young Marine saluted it,
And then he stood at ease.

I looked at him in uniform
So young, so tall, so proud,
With hair cut square and eyes alert
He'd stand out in any crowd.

I thought how many men like him
Had fallen through the years.
How many died on foreign soil
How many mothers' tears?

How many pilots' planes shot down?
How many died at sea?
How many foxholes were soldiers' graves?
No, freedom isn't free.

I heard the sound of TAPS one night,
When everything was still,
November 09, 2004

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I listened to the bugler play
And felt a sudden chill.

I wondered just how many times
That TAPS had meant "Amen".
When a flag had draped a coffin
Of a brother or a friend.

I thought of all the children,
Of the mothers and the wives,
Of fathers, sons and husbands
With interrupted lives.

I thought about a graveyard
At the bottom of the sea.
Of unmarked graves in Arlington.
No, freedom isn't free.

The local Veteran leading us in the Pledge of Allegiance for the month of November 2004 is

HOLLIS LEE CARPENTER, JR.

Mr. Carpenter attended Warsaw Central School until his entry into the U.S. Navy on December 27, 1943. After completing basic training at Great Lakes Naval Training Center, he was assigned to the Naval Ammunition Depot, Fall Brook, California, until discharged from active duty on February 28, 1946. For his service to his country, Mr. Carpenter was awarded the World War II Victory Medal and the American Campaign Medal.

After returning home, Mr. Carpenter worked in Rochester, N.Y. as an Auto Upholstery repairman until he opened his own business, Lee's Auto Upholstery Shop, in Warsaw, N.Y. on April 1, 1952. This Board presented Mr. Carpenter a proclamation recognizing his 50 years of Continuous Service as a local business in 2002. To honor Lee for his longevity, he was also recognized by the community, at which time he was awarded his High School diploma under Operation Recognition, "whereby any Veteran of the Armed Forces who served in World War II and who was unable, for any reason, to complete a secondary education, may be awarded a High School Diploma based on knowledge and experience gained while in service."

In 1978, in honor of his departed son, Kenneth "Omar" Carpenter, Lee was instrumental in organizing a committee to raise funds to purchase and erect the

lights on the softball diamond at the Warsaw Village Park. His enthusiasm and dedication to this project enabled the community to unite for this common goal and the lights were dedicated to "Omar" and the residents of Warsaw in 1979. These lights are still in use today, symbolizing a father's dedication to memorialize his son and his love of softball.

The Commissioner of Social Services routinely recognizes outstanding employees and educates 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 to see how Departmental requests are processed by the Board.

This month's participant is Maureen Fisher. Maureen has been employed by Social Services since July, 1996 as a Clerk working in the Accounting Department. Her professional manner in dealing with both the public and her co-workers as well as being thorough in completing tasks and positively contributing to high unit morale has resulted in this nomination. Please join me in recognizing Maureen Fisher.

Communications:

C1: Inter-County this month will be held on November 19th at the Wings Of Eagles Museum in Horseheads, NY hosted by Chemung County please have your RSVPs in by Monday the 15th.

C2: Wyoming County Community Action is please to inform you that they are sponsoring another Emergency Food Distribution and Winter Coat Give Away. This event will be held at the Cornerstone Building at 204 N. Main Street, Perry, NY from 10:00 am to 6:00 pm on Thursday, November 18th, 2004.

C3: Reminder to all Supervisors that there is an Ag Roundtable Presentation this Friday with Letchworth Central School and Pioneer Central School Ag Departments sponsored by Wyoming County Board of Supervisors Agriculture Committee and the Business Education Council. Please return reservations to Supervisor Gozelski, Chairman of the Ag Committee.

#1

**RESOLUTION NO. 04-290
(November 09, 2004)**

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By Mrs. Humphrey, Chairman of Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2004 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2004 accounts as follows:

Mental Health			<u>Dept. Totals:</u>
To: 01.38.4220.4.40926 ARA, Inc. 01.38.4220.4.40601 Rent 01.38.4220.4.41201 Postage 01.38.4220.4.41204 Advertising 01.38.4220.4.42306 Misc. Other 01.38.4220.4.42476 CCSI (MH) w/01.12.4220.4491 Federal Revenue (offsetting revenues). Reason: for Year 2 Drug-Free Communities Grant funds for October – December 2004 expenses and revenues.	\$ 500.00 2,400.00 500.00 2,000.00 250.00 2,550.00	\$8,200.00	
Mental Health Total			\$8,200.00
Weights and Measures			
To: 01.43.6610.4.40503 Gasoline From any funds available.	\$547.00	\$547.00	
Weights and Measures Total			\$547.00
Sheriff			
To: 01.37.3110.1.10301 Over Time 01.37.3110.8.81001 Retirement 01.37.3110.8.83001 FICA 01.37.3110.8.85001 Medicare w/01.03.3110.1289 Other Dept Income increased by same Reason: offset from revenue acct for Apple Umpkin patrols.	\$2,894.00 800.00 248.00 58.00	\$4,000.00	
To: 01.37.3110.1.10301 Over Time 01.37.3110.8.81001 Retirement 01.37.3110.8.83001 FICA 01.37.3110.8.85001 Medicare w/01.03.3110.1289 Other Dept. Income increased by same Reason: offset from revenue acct for STOP-DWI patrols.	\$ 2,709.16 748.89 232.15 54.29	\$3,744.49	
To: 01.37.3110.1.10301 Overtime 01.37.3110.8.81001 Retirement 01.37.3110.8.83001 FICA 01.37.3110.8.85001 Medicare w/01.03.3110.1289 Other Dept Income increased by same Reason: offset from revenue for Town of Covington patrols.	\$303.92 59.94 18.58 4.34	\$386.78	
To: 01.37.3110.1.10301 Over Time 01.37.3110.8.81001 Retirement 01.37.3110.8.83001 FICA 01.37.3110.8.85001 Medicare w/01.11.3110.308901 State Aid increased by same Reason: offset from revenue for BUNY and STEP grants.	\$ 2,456.11 678.95 210.47 49.22	\$3,394.75	
Sheriff Total			\$11,526.02
Building Code Enforcement			
To: 01.37.3620.4.40508 Private auto repair w/01.08.3620.2680 Ins. Recoveries Reason: Insurance needed to cover the cost of the vehicle repair.	\$ 4,073.98	\$4073.98.	
Building Code Enforcement Total			\$4,073.98
District Attorney			
To: 01.32.1165.4.41303 Stenographer w/01.11.1165.308905 Section 606 revenue Reason: To cover anticipated expenditures for the remainder of FY2004 (reimbursable through Section 606 for prison inmate cases).	\$2,500.00	\$2,500.00	
District Attorney Total			\$2,500.00

Carried:

Ayes: 1618

Noes:

Absent: Abstain:

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**RESOLUTION NO. 04-291
(November 09, 2004)**

By Mrs. Humphrey, Chairman of Finance Committee:

FUNDS TRANSFERRED TO VARIOUS 2004 ACCOUNTS

BE IT RESOLVED, That funds are hereby transferred to the various 2004 accounts as follows:

Information Technology Capitol			<u>Dept. Totals:</u>
From: 01.34.1681.4.40301 Prof. Services	\$ 5,200.00		
To: 01.34.1681.2.20201 Computers		\$5,200.00	
Reason: To purchase new computers for OFA.			
Information Technology Capitol Total			\$5,200.00
Public Health			
From: 01.38.4011.4.40301 Prof Svcs	\$7,000.00		
01.38.4011.4.40801 Contr Bldg Repair	4,700.00		
01.38.4011.4.41214 Supplies Purchased	603.80		
To: 01.38.4011.1.10202 Temporary		\$2,514.00	
01.38.4011.1.10502 On Call Pay		6,400.00	
01.38.4011.8.81001 Retirement		886.54	
01.38.4011.8.83001 FICA		550.00	
01.38.4011.8.85001 Medicare – FICA		125.00	
01.38.4011.8.89001 Medical/Hosp		1,828.26	
Reason: Transfer to reflect expenses for program needs.			
Public Health Total			\$12,303.80
Sheriff			
From: 01.37.3110.8.89001 Medical/Hospitlzn	\$13,000.00		
To: 01.37.3110.4.40503 Gasoline		\$13,000.00	
Reason: to cover expected expenditures for balance of year.			
Sheriff Total			\$13,000.00

Carried: Ayes: 1618 Noes: Absent: Abstain:

Mrs. Totslie, T/Genesee Falls, Chairman of the Audit Committee, presented bills totaling **\$1,163,995.77**.

Carried: Ayes: 1618 Noes: Absent: Abstain:

There was a motion by Supervisor Rogers, T/Pike, to combine resolutions #3 through #9. A voice vote was taken and all voted aye.

November 09, 2004

**RESOLUTION NO. 04-292
(November 09, 2004)**

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

**AUTHORIZE CHAIRMAN TO SIGN CONTRACTS
ON BEHALF OF OFFICE FOR THE AGING**

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

- Family Services of Rochester (legal). Effective January 01, 2005 through December 31, 2005 not to exceed \$7,500.00 (Seven thousand five hundred dollars). Provide legal services for the 60 and older population.
- WCJW. Effective January 01, 2005 through December 31, 2005 not to exceed \$5,280.00 (Five thousand two hundred eighty dollars). Provide local promotional ads for the OFA's programs for the 50+ population.
- Cloisters. Effective January 01, 2005 through December 31, 2005 not to exceed \$7,000.00 (Seven thousand dollars). Provide adult respite services to caregivers.

New:

- Tompkins Leasing, Inc. (copier), for a total of \$12,228.48 (Twelve thousand two hundred twenty eight dollars forty eight cents) with a buy out amount of \$1,170.00 (One thousand one hundred seventy dollars) at the end of the 36 month lease; monthly payment of \$339.68 (Three hundred thirty – nine dollars and sixty – eight cents) \$4,076.16 per year (Four thousand seventy – six dollars and sixteen cents); effective date of lease is November 01, 2004 through October 31, 2007.

* All contracts are contingent upon the availability of funding.

Carried: Ayes: 1618 Noes: Absent: Abstain:

Regular Session

**RESOLUTION NO. 04-293
(November 09, 2004)**

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

**AUTHORIZE CHAIRMAN TO SIGN
ANNUAL IMPLEMENTATION PLAN (AIP)
ON BEHALF OF WYOMING COUNTY OFFICE FOR THE
AGING**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney and on behalf of the Office for the Aging, is hereby authorized and directed to sign the Annual Implementation Plan Application for the State Budget, with the NYS Office for the Aging. Effective April 01, 2005 through March 31, 2006; estimated allocation is in the amount of \$427,323.00 (Four hundred twenty-seven thousand three hundred twenty-three dollars).

Carried: Ayes: 1618 Noes: Absent: Abstain:

#5

**RESOLUTION NO. 04-294
(November 09, 2004)**

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

**AUTHORIZE CHAIRMAN TO SIGN
CONTRACT WITH STEVE TARBELL
ON BEHALF OF WYOMING COUNTY YOUTH BUREAU**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Steve Tarbell of 68 South Main Street, Silver Springs, NY 14550 to provide services as the Youth Court Coordinator. This contract is in the amount of \$4,800.00 (Four thousand eight hundred dollars) payable in twelve monthly installments of \$400.00 (Four hundred dollars); effective January 01, 2005 through December 31, 2005; contingent upon the availability of funds.

Carried: Ayes: 1618 Noes: Absent: Abstain:

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**RESOLUTION NO. 04-295
(November 09, 2004)**

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

**AUTHORIZE CHAIRMAN TO SIGN
CONTRACT WITH ROCHESTER SCHOOL FOR THE
DEAF ON BEHALF OF WYOMING COUNTY YOUTH
BUREAU**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with the Rochester School for the Deaf located at 1545 St. Paul St., Rochester, NY 14621-1842. This contract is to provide related services for Preschoolers with disabilities; effective November 01, 2004 through June 30, 2005 in an amount not to exceed budgeted amounts at rates set by the New York State Department of Health. Contingent upon the availability of funds.

Carried: Ayes: 1618 Noes: Absent: Abstain:

#7

**RESOLUTION NO. 04-296
(November 09, 2004)**

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

**AUTHORIZE CHAIRMAN TO SIGN
CONTRACT WITH CATT-ALLEGANY BOCES
ON BEHALF OF WYOMING COUNTY YOUTH BUREAU**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with Catt-Allegany BOCES located at 300 Prospect Ave., Salamanca, NY 14779 to provide related services for Preschoolers with disabilities: OT, PT & speech therapy. This contract is effective November 01, 2004 through June 30, 2005 in an amount not to exceed budgeted amounts at rates set by New York State Department of Health. Contingent upon the availability of funds.

Carried: Ayes: 1618 Noes: Absent: Abstain:

#8

**RESOLUTION NO. 04-297
(November 09, 2004)**

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

**AUTHORIZE CHAIRMAN/COMMISSIONER TO SIGN
MEMORANDUM OF AGREEMENT WITH WYOMING
COUNTY OFFICE FOR THE AGING ON BEHALF OF THE
DEPARTMENT OF SOCIAL SERVICES**

BE IT RESOLVED, That the Chairman of this Board and the Commissioner of Social Services with the approval of the County Attorney are hereby authorized and directed to sign a Memorandum of Agreement with Wyoming County Office for the Aging to provide for Weatherization Referral and Packaging Program (WRAP) funding in an amount not to exceed \$15,000.00 (Fifteen thousand dollars); effective December 01, 2004 through September 30, 2005. Contingent upon the availability of funds.

Carried: Ayes: 1618 Noes: Absent: Abstain:

#9

**RESOLUTION NO. 04-298
(November 09, 2004)**

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

**AUTHORIZE CHAIRMAN/COMMISSIONER TO SIGN
CONTRACT WITH WYOMING COUNTY OFFICE FOR
THE AGING ON BEHALF OF THE DEPARTMENT OF
SOCIAL SERVICES**

BE IT RESOLVED, That the Chairman of this Board and the Commissioner of Social Services with the approval of the County Attorney are hereby authorized and directed to sign a Contract with Wyoming County Office for the Aging to provide 2004 – 2005 Low Income Home Energy Assistance Act Agreement (HEAP) in an amount not to exceed \$5,000.00 (Five thousand

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dollars); effective October 01, 2004 through September 30, 2005.
Contingent upon the availability of funds.

Carried: Ayes: 1618 Noes: Absent: Abstain:

#10

**RESOLUTION NO. 04-299
(November 09, 2004)**

By Mr. Knab, Chairman of the Public Health Committee:

**APPOINT KAY E. KILBURN, LMSW TO
THE COMMUNITY SERVICES BOARD AND
ALCOHOL AND SUBSTANCE ABUSE SUBCOMMITTEE**

BE IT RESOLVED, That *Kay E. Kilburn* of 1379 Bray Rd., Arcade, NY 14009 is hereby appointed to the Community Services Board and the Alcohol and Substance Abuse Subcommittee, to complete Howard Payne's term which ends *December 31, 2006*, effective *November 1, 2004*.

Carried: Ayes: 1618 Noes: Absent: Abstain:

There was a motion by Supervisor Davis, T/Covington, to combine resolutions #11 through #13. A voice vote was taken and all voted aye.

#11

**RESOLUTION NO. 04-300
(November 09, 2004)**

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

**AUTHORIZE CHAIRMAN TO SIGN AN AMENDED
CONTRACT FOR 2004 – 2005 VIOLENCE AGAINST
WOMEN**

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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renewal contract on behalf of the District Attorney's office with New York State Division of Criminal Justice Services, Bureau of Justice Funding, 4 Tower Place, Albany, NY 12203 to provide funding for 2005 Violence Against Women Program. This contract will extend the current 2004 contract through December 31, 2005 and provide for 2005 grant funds in the amount of \$31,200.00 (Thirty one thousand two hundred dollars).

Carried: Ayes: 1618 Noes: Absent: Abstain:

#12

**RESOLUTION NO. 04-301
(November 09, 2004)**

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

**AUTHORIZE CHAIRMAN TO SIGN A CONTRACT
WITH THE DIVISION OF PROBATION &
CORRECTIONAL ALTERNATIVES**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with The Division of Probation and Correctional Alternatives located at 80 Wolf Rd., Albany NY 12205-2604 to provide funding for supervision of Drug Court Clients in the amount of \$13,400.00 (Thirteen thousand four hundred dollars). Contract effective dates are from January 01, 2004 through December 31, 2004.

Carried: Ayes: 1618 Noes: Absent: Abstain:

#13

**RESOLUTION NO. 04-302
(November 09, 2004)**

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

**AUTHORIZE CHAIRMAN TO SIGN CONTRACT
WITH THE DIVISION OF PROBATION AND
CORRECTIONAL ALTERNATIVES**

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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 Division of Probation & Correctional Alternatives located at 80 Wolf Rd. Albany, NY 12205-2604 on behalf of Wyoming County Probation. This contract will provide funding for extra reimbursement for intensive probation cases in the amount of \$6,700.00 (Six thousand seven hundred dollars).

Carried: Ayes: 1618 Noes: Absent: Abstain:

There was a motion by Supervisor Kushner, T/Eagle, to combine resolutions #14 and #15. A voice vote was taken and all voted aye.

#14

**RESOLUTION NO. 04-303
(November 09, 2004)**

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

**AUTHORIZE CHAIRMAN TO SIGN CONTRACT
WITH WYCO CONSTRUCTION, INC. ON BEHALF OF
WYOMING COUNTY BUILDINGS AND GROUNDS**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with WYCO Construction, Inc. located at 4608 Liberty St. Rd., Warsaw, NY 14569 on behalf of Wyoming County Buildings and Grounds. The contract is for the provision of septic repair at the Dog Shelter. The contract is in the amount of \$3,615.00 (Three thousand six hundred fifteen dollars) and is effective from November 10, 2004 through December 01, 2004, or project completion.

Carried: Ayes: 1618 Noes: Absent: Abstain:

#15

**RESOLUTION NO. 04-304
(November 09, 2004)**

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

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MEMBERS APPOINTED/REAPPOINTED TO THE
TRAFFIC SAFETY BOARD

253

BE IT RESOLVED, That the following members are hereby appointed/reappointed to the Traffic Safety Board for a term of 3 (three) years, effective *November 11, 2004* through *November 10, 2007*:

- *James Daniel (Orangeville Rep.)* 4286 Liberty Street, Warsaw, NY 14569
- *James Wright (Perry Rep.)* 2462 Simmons Rd., Perry, NY 14530
- *David Ricketson (Sheldon Rep.)* 2011 French Rd., Varysburg, NY 14167
- *Shirley Humphrey (Warsaw Rep.)* 3459 Truesdale Rd., Warsaw, NY 14569
- *John Copeland (Wethersfield Rep.)* 5888 Sheppard Rd., Bliss, NY 14024

Carried: Ayes: 1618 Noes: Absent: Abstain:

There was a motion by Supervisor Miller, T/Warsaw, to combine resolutions #16 and #17. A voice vote was taken and all voted aye.

#16

RESOLUTION NO. 04-305
(November 09, 2004)

By Mr. Miller, Chairman of the Planning Committee:

AUTHORIZE CHAIRMAN TO SIGN AN AMENDED
AGREEMENT WITH WYOMING COUNTY CORNELL
COOPERATIVE EXTENSION

WHEREAS, The County of Wyoming has been awarded a \$50,000.00 (Fifty Thousand Dollar) grant (Resolution No. 03-187) from NYS Agriculture and Markets to develop an Agriculture Farmland Protection & Development Plan; and

WHEREAS, There is a need to extend the contract end date with Wyoming County Cornell Cooperative Extension from December 31, 2004 to April 30, 2005 with no additional cost to the county; now therefore

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

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amendment to the existing agreement with Wyoming County Cornell Cooperative Extension, 401 North Main Street, Warsaw, New York 14569, contingent upon the availability of funds.

Carried: Ayes: 1618 Noes: Absent: Abstain:

#17

**RESOLUTION NO. 04-306
(November 09, 2004)**

By Mr. Miller, Chairman of the Planning Committee:

**AUTHORIZE CHAIRMAN TO SIGN AN AMENDED
AGREEMENT WITH AMERICAN FARMLAND TRUST**

WHEREAS, The County of Wyoming has been awarded a \$50,000.00 (Fifty thousand dollars) grant (Resolution No. 03-293) from NYS Agriculture and Markets to develop an Agriculture Farmland Protection & Development Plan; and

WHEREAS, There is a need to extend the contract end date from, “when project is finished,” to April 30, 2005 in an amount not to exceed \$27,000.00 (Twenty seven thousand dollars), an increase of \$5,000.00 (Five thousand dollars) with American Farmland Trust; 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 an amendment to the existing agreement with American Farmland Trust, Northeast Regional Office, Six Franklin Square, Suite E, Saratoga Springs, New York 12866, contingent upon the availability of funds.

Carried: Ayes: 1618 Noes: Absent: Abstain:

#18

**RESOLUTION NO. 04-307
(November 09, 2004)**

By Mr. Gozelski, Chairman of the Agriculture Committee:

REAPPOINT EARL DOMINESY TO THE

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**SENECA TRAIL RESOURCE CONSERVATION &
DEVELOPMENT COUNCIL**

255

BE IT RESOLVED, That *Earl Dominesy* of 3288 Cattaraugus Road, Varysburg, NY 14167 is hereby reappointed to the Seneca Trail RC & D (Resource Conservation and Development) Council to serve a three year term effective **November 09, 2004 through December 31, 2007**.

Carried: Ayes: 1618 Noes: Absent: Abstain:

There was a motion by Supervisor Humphrey, T/Covington, to combine resolutions #19 through #31. A voice vote was taken and all voted aye.

#19

**RESOLUTION NO. 04-308
(November 9, 2004)**

By Mrs. Humphrey, Chairman of the Finance Committee:

2005 EQUALIZATION TABLE PRESENTED

BE IT RESOLVED, That the 2005 Equalization Table is hereby presented, and be it

FURTHER RESOLVED, That its adoption be tabled for at least one day.

Carried: Ayes: 1618 Noes: Absent: Abstain:

#20

**RESOLUTION NO. 04-309
(November 9, 2004)**

By Mrs. Humphrey, Chairman of the Finance Committee:

2004 TOWN BALANCES APPROVED

BE IT RESOLVED, That the statement of the County Treasurer as to TOWN BALANCES is hereby accepted, and be it

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FURTHER RESOLVED, That the Clerk of the Board is hereby directed to credit or charge the amounts stated to the 2005 Tax Rolls of the respective towns:

<u>Towns</u>	<u>Debit</u>	<u>Credit</u>
Arcade	\$ 62.80	\$ -
Attica	\$ 105.36	\$ -
Bennington	\$ 221.24	\$ -
Castile	\$ 288.25	\$ -
Covington	\$ -	\$ -
Eagle	\$ -	\$ -
Gainesville	\$ 29.93	\$ -
Genesee Falls	\$ 104.13	\$ -
Java	\$ -	\$ -
Middlebury	\$ 97.56	\$ -
Orangeville	\$ -	\$ -
Perry	\$ 133.54	\$ -
Pike	\$ -	\$ -
Sheldon	\$ -	\$ -
Warsaw	\$ 2,934.43	\$ -
Wethersfield	\$ 181.39	\$ -
<u>Town & County Totals</u>	\$ 4,158.63	\$ -

Dated: November 1, 2004

JOHN B. EDWARDS

TREASURER

Carried: Ayes: 1618 Noes: Absent: Abstain:

#21

RESOLUTION NO. 04-310
(November 09, 2004)

By Mrs. Humphrey, Chairman of the Finance Committee:

2005 ESTIMATED WORKERS' COMPENSATION COSTS
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 2005, are as follows:

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<i>PARTICIPANTS</i>	<i>ESTIMATED COST</i>
County of Wyoming	\$ 932,509.00
<i><u>Towns</u></i>	
Arcade	\$ 21,442.00
Attica	\$ 18,633.00
Bennington	\$ 18,016.00
Castile	\$ 17,447.00
Covington	\$ 13,044.00
Eagle	\$ 12,626.00
Gainesville	\$ 12,136.00
Genesee Falls	\$ 9,578.00
Java	\$ 13,496.00
Middlebury	\$ 15,551.00
Orangeville	\$ 11,382.00
Perry	\$ 14,863.00
Pike	\$ 10,553.00
Sheldon	\$ 16,586.00
Warsaw	\$ 19,023.00
Wethersfield	\$ 10,154.00
<i><u>Town & County Totals</u></i>	\$ 234,530.00

and be it

FURTHER RESOLVED, That the Clerk of this Board is hereby authorized and directed to apportion the total sum of such estimated costs of Workers' Compensation Insurance to each of the above mentioned participants in these respective amounts and to levy the same against the taxable property of each respective municipality.

Wyoming County Workers' Compensation Insurance, estimated costs for villages:

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<i>PARTICIPANTS</i>	<i>ESTIMATED COST</i>
Arcade	\$ 44,208.00
Attica	\$ 29,243.00
Castile	\$ 3,024.00
Gainesville	\$ 21.00
Perry	\$ 40,972.00
Pike	\$ 294.00
Silver Springs	\$ 6,911.00
Warsaw	\$ 51,317.00
Wyoming	\$ 3,024.00
<i><u>Village Totals</u></i>	\$ 179,014.00

Wyoming County Workers' Compensation Insurance estimated costs for participating School Districts:

<i>PARTICIPANTS</i>	<i>ESTIMATED COST</i>
Attica	\$ 77,722.00
Pioneer	\$ 125,401.00
Warsaw	\$ 29,513.00
Wyoming	\$ 18,289.00
Perry	\$ 62,927.00
<i><u>Total Schools</u></i>	\$ 313,852.00

Carried: **Ayes: 1618** **Noes:** **Absent: Abstain:**

#22

RESOLUTION NO. 04-311
(November 9, 2004)

Mrs. Humphrey, Chairman of the Finance Committee, presented the **SEMI-ANNUAL MORTGAGE TAX REPORT** for the period of April 1, 2004 through September 30, 2004 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 \$251,100.62 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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<u>Tax Districts</u>	<u>Mortgage Tax Distributed</u>	<u>Village</u>	<u>Town</u>
Arcade	\$ 27,803.96	\$ 6,886.13	\$ 20,917.83
Attica	\$ 23,307.34	\$ 4,904.18	\$ 18,403.16
Bennington	\$ 29,584.74	\$ -	\$ 29,584.74
Castile	\$ 22,160.28	\$ 1,672.73	\$ 19,064.50
Perry Village		\$ 1,423.05	\$ -
Covington	\$ 6,268.64	\$ -	\$ 6,268.64
Eagle	\$ 5,780.85	\$ -	\$ 5,780.85
Gainesville	\$ 8,442.76	\$ 249.72	\$ 6,647.51
Silver Springs Village		\$ 1,545.53	\$ -
Genesee Falls	\$ 1,928.26	\$ -	\$ 1,928.26
Java	\$ 20,928.94	\$ -	\$ 20,928.94
Middlebury	\$ 7,119.27	\$ 698.77	\$ 6,420.50
Orangeville	\$ 11,891.64	\$ -	\$ 11,891.64
Perry	\$ 26,322.73	\$ 6,990.72	\$ 19,332.01
Pike	\$ 4,246.87	\$ 399.68	\$ 3,847.19
Sheldon	\$ 15,394.19	\$ -	\$ 15,394.19
Warsaw	\$ 34,022.11	\$ 12,109.01	\$ 21,913.10
Wethersfield	\$ 5,898.04	\$ -	\$ 5,898.04
<u>Total</u>		\$ 36,879.52	\$ 214,221.10
<u>Grand Total</u>	\$ 251,100.62		

Let This Be Your Warrant for Such Payment: \$251,100.62 IN WITNESS
WHEREOF, I have hereunto set my hand and seal of the Board of Supervisors
this 9th day of November 2004.

s/Paula A. Parker, Clerk
Board of Supervisors

Carried: Ayes: 1618 Noes: Absent: Abstain:

#23

**RESOLUTION NO. 04-312
(November 9, 2004)**

By Mrs. Humphrey, Chairman of the Finance Committee:

**DATE OF PUBLIC HEARING FOR 2005 TENTATIVE
COUNTY BUDGET SET**

BE IT RESOLVED, That the Public Hearing upon the Tentative Budget
of the County for the fiscal year and calendar year 2005 will be held in the
Supervisors' Chambers at the County Government Center in the Village of
Warsaw, NY, on Tuesday, November 30, 2004 at 2:00 PM and that copies of
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that tentative County Budget will be available at the Public Hearing and after 3:00 P.M. on November 15, 2004, in accordance with Section 354(2) of the County Law of this State, at the office of the Clerk of the Board of Supervisors, and be it

FURTHER RESOLVED, That the Clerk of this Board is hereby directed to publish a notice of said public hearing in the official newspapers published in the County of Wyoming, in accordance with the provisions of Section 359 of the County Law of this State, and be it

FURTHER RESOLVED, That, with the approval of the Finance Committee, the Rules of Procedure shall be suspended for that day only, to allow resolutions to be accepted until 9:30 A.M. on November 30, 2004.

Carried: Ayes: 1618 Noes: Absent: Abstain:

#24

**RESOLUTION NO. 04-313
(November 9, 2004)**

By Mrs. Humphrey, Chairman of the Finance Committee:

**AUTHORIZE CHAIRMAN TO SIGN A RENEWAL
CONTRACT WITH APPLIED BUSINESS SYSTEMS ON
BEHALF OF REAL PROPERTY TAX SERVICES
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 renewal contract with Applied Business Systems (ABS) of 26 Harvester Ave., Batavia, NY 14020 on behalf of the Real Property Tax Service Department. This contract will provide laser printed tax bills, folded and inserted into envelopes. This contract will be in the amount of \$13,943.40 (Thirteen thousand nine hundred forty – three dollars and forty cents); effect July 15, 2004 through July 15, 2005; contingent upon the availability of funds.

Carried: Ayes: 1618 Noes: Absent: Abstain:

#25

**RESOLUTION NO. 04-314
(November 9, 2004)**

Regular Session

By Mrs. Humphrey, Chairman of the Finance Committee:

REFUND APPLICATION DENIED IN TOWN OF JAVA

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 denied by the Finance Committee, now, therefore, be it

RESOLVED, That the indicated error is hereby ***DENIED*** in accordance with the applicable section of the Real Property Tax Law.

PARCEL ONE: Town of Java
 Tax Map # 563600 127.-1-12

ASSESSED TO: William C. Craft, Jr.
 5099 Curriers Rd.
 Arcade, NY 14009

ERROR: NONE

AUTHORITY: RPTL §550.2

ACTION: DENY Refund Application - Tax Year 2003
 NO STAR application/proof of residency filed.

Carried: **Ayes:** **1618** **Noes:** **Absent: Abstain:**

#26

RESOLUTION NO. 04-315
(November 9, 2004)

By Mrs. Humphrey, Chairman of the Finance Committee:

RESCIND RESOLUTION NO. 04-85

WHEREAS, Resolution No. 04-85 approved the sale of property located in the Town & Village of Warsaw, 283 North Main Street, Warsaw, NY 14569, Tax Map #73.15-1-25; and

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WHEREAS, the Finance Committee of the Board had obtained an offer to purchase said property and recommended the acceptance thereof, namely:

MWT Architecture, PC of 6390 Main Street, Suite 120, Williamsville, NY 14221 has offered \$77,000.00 for property located in the Town & Village of Warsaw, 283 North Main Street, Warsaw, New York, 14569, Tax Map #73.15-1-25. Said property will use the name of 283 North Main Street, LLC; now therefore

BE IT RESOLVED, That this Board of Supervisors hereby rescinds resolution number 04-85.

Carried: Ayes: 1618 Noes: Absent: Abstain:

#27

**RESOLUTION NO. 04-316
(November 9, 2004)**

By Mrs. Humphrey, Chairman of the Finance Committee:

APPROVES PROPERTY AUCTION SALES

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 #4 Donald J Sautler, Jr, 191 Park Street, Arcade, NY 14009 has offered \$110.00 for property located in the Town & Village of Arcade, Park Street, Tax Map #183.17-2-3.

Parcel #6 Mark S. Phelps and Joann Dean, 3194 Hess Rd, Appleton, NY 14008 has offered \$110.00 for property located in the Town of Arcade, Rte 98 Tax Map #193.-2-17.112.

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- Parcel #50 Alberto Dimartino, 12 N Main St, Warsaw, NY 14569 has offered \$11,550.00 for property located in the Town & Village of Castile, 31 Park Rd East, Tax Map #147.7-3-20.
- Parcel #51 Dennis C. Doud, 5859 School Road, Castile, NY 14427 has offered \$7,700.00 for property located in the Town of & Village Castile, 4 W Mill Street, Tax Map #147.6-1-21.
- Parcel #57 Stanford J. VanDorn, 34 Vermont Street, Nunda, NY 14517 has offered \$3,410.00 for property located in the Town of Castile, 6729 Sunset Road, Tax Map #111.20-2-39.
- Parcel #77 Michael E. Hanes, Sr, 68 Churchill Street, Buffalo, NY 14207 has offered \$660.00 for property located in the Town of Eagle, Cooley Road, Tax Map #166.3-1-23.
- Parcel #79 Michael J. Kern, Rt 16 & 39, Chaffee, NY 14030 has offered \$6,710.00 for property located in the Town of Eagle, 3551 NYS Rte 39, Tax Map #166.-1-4.1.
- Parcel #84 Harold Barber, Gary Rd, Bliss, NY 14024 has offered \$4,400.00 for property located in the Town of Eagle, 3389 Main Street, Tax Map #166.1-1-16.
- Parcel #132 Dawn M. Bendelow, 192 Stockbridge Avenue, Buffalo, NY 14215-1522 has offered \$1,210.00 for property located in the Town of Java, Block B, Tax Map #140.8-2-43.
- Parcel #141 Rick Vinci & Marie A. Comfort, PO Box 214, Wyoming, NY 14591 has offered \$3,630.00 for property located in the Town & Village of Middlebury, Sherman Avenue, Tax Map #36.8-1-22.
- Parcel #142 & 151 Shannon Bernard, 20 Tuna St, Perry, NY 14530 has offered \$15,950.00 for property located in the Town & Village of Middlebury, Oatka Creek , Tax Map #37.9-1-1 & Tax Map #36.-2-1.
- Parcel #150 Rick Vinci & Marie A. Comfort, PO Box 214, Wyoming, NY 14591 has offered \$12,870.00 for property located in the Town of Middlebury, Lemley Road, Tax Map #23.-1-42.1.
- Parcel #151 sold with 142

- Parcel #156 Michael Hanes, Sr, 68 Church Street, Buffalo, NY 14207 has offered \$880.00 for property located in the Town of Middlebury, off Lemley Road, Tax Map #23.-1-43.2.
- Parcel #181 Elizabeth Meyer and Michael Swearingen, 5492 Durfee Rd, Wyoming, NY 14591 has offered \$1,540.00 for property located in the Town & Village of Perry, 68 Water Street, Tax Map #100.8-2-48.
- Parcel #189 Sharon Mouratis, 55 Oatka St, Warsaw, NY 14569 has offered \$6,160.00 for property located in the Town & Village of Perry, 87 Dolbeer Street, Tax Map #100.8-3-2.
- Parcel #193 Elizabeth Meyer and Michael Swearingen, 6174 Lamb Rd, Wyoming, NY 14591 has offered \$13,200.00 for property located in the Town & Village of Perry, 13 Benedict Street, Tax Map #88.19-6-8.
- Parcel #210 Mark Mancini, 2470 Silver Lake Rd, Perry, NY 14130 has offered \$14,850.00 for property located in the Town of Perry, 2320 Silver Lake Road, Tax Map #64.-1-49.
- Parcel #249 E-Properties, LLC, 6688 E Main Rd, Stafford, NY 14143 has offered \$82,500.00 for property located in the Town & Village of Warsaw, 283 N Main Street, Tax Map #73.15-1-25.
- Parcel #253 Rick Vinci & Marie A. Comfort, PO Box 214, Wyoming, NY 14591 has offered \$880.00 for property located in the Town of Warsaw, Ryan Road, Tax Map #61.-2-25.4.
- Parcel #270 James J. O'Malley, 360 Center Road, W. Seneca, NY 14224 has offered \$6,600.00 for property located in the Town of Wethersfield, Hatfield Road, Tax Map #107.-2-9.

Now, therefore, be it

RESOLVED, That the above are hereby approved and accepted and the County Treasurer, in the name of the County, is hereby authorized to execute and deliver a referee deed to the purchaser, providing payment of said purchase price is received by him on or before December 10, 2004.

Carried: Ayes: 1618 Noes: Absent: Abstain:

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**RESOLUTION NO. 04-317
(November 9, 2004)**

By Mrs. Humphrey, Chairman of the Finance Committee:

**AUTHORIZE CHAIRMAN TO SIGN A RENEWAL
CONTRACT WITH FRONTIER COMMUNICATIONS OF
ROCHESTER, INC.**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a renewal contract with Frontier Communications of Rochester having offices at 180 S. Clinton Ave. Rochester, NY on behalf of the Board of Supervisors. This contract will provide local and long distance telephone service. Line charges are the same as previous contract. No minimum usage, long distance is on a discount, based on volume. Estimated rate is \$.0429/min. with past usage estimates. Effective November 01, 2004 through November 01, 2007; contingent upon the availability of funds.

Carried: Ayes: 1618 Noes: Absent: Abstain:

#29

**RESOLUTION NO. 04-318
(November 9, 2004)**

By Mrs. Humphrey, Chairman of the Finance Committee:

**AUTHORIZE CHAIRMAN TO SIGN CONTRACT WITH
CELLULAR ONE**

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 Cellular One of 59 E. Main Street, Westfield, NY 14787, for the provision of cellular phone services to the various Departments of the County of Wyoming to be billed monthly per individual phone for the period of one (1) year effective October 28, 2004 through October 31, 2005; contingent upon the availability of funds.

Carried: Ayes: 1618 Noes: Absent: Abstain:

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RESOLUTION NO. 04-319
(November 9, 2004)

By Mrs. Humphrey, Chairman of the Finance Committee:

**AUTHORIZE CHAIRMAN TO SIGN AN *OPTION TO*
PURCHASE WITH WESTERN NEW YORK RURAL AREA
HEALTH EDUCATION CENTER**

WHEREAS, the Board of Supervisors by Resolution 03-247 accepted the purchase offer by Western New York Rural Area Health Education Center (hereinafter "R-AHEC") regarding the sale of certain surplus property on North Main Street in the Village of Warsaw, New York to the west and adjacent to the existing third tier Wyoming County Community Health System parking lot for \$2,500.00 (Two thousand five hundred dollars) and authorized the Chairman of the Board to execute all documents in connection with the sale of said property; and

WHEREAS, the County of Wyoming as part of the consideration of the sale of said real property to R-AHEC obtained an Option to Purchase said real property in the event that said real property should cease to be used for health-related purposes or for purposes consistent with the charitable mission of R-AHEC.

NOW, THEREFORE, BE IT RESOLVED that this Board approve, subject to the Wyoming County Attorney's approval as to form, said Option to Purchase said real property in the event that said real property should cease to be used for health-related purposes or for purposes consistent with the charitable mission of R-AHEC and is further authorized to execute all documents in connection with the Option to Purchase.

Carried: Ayes: 1618 Noes: Absent: Abstain:

#31

RESOLUTION NO. 04-320
(November 9, 2004)

By Mrs. Humphrey, Chairman of the Finance Committee:

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**AUTHORIZE CHAIRMAN TO SIGN A NON-
EXCLUSIVE UTILITY EASEMENT WITH CINDY M.
BRAMER**

WHEREAS, The county of Wyoming is the owner of certain lands conveyed by deed recorded in Liber 551 of Deeds at page 134 and more particularly described on a map prepared by John F. Gillen, Job No. 2004—21A-S attached hereto as Exhibit A; and

WHEREAS, The Village of Warsaw has agreed to supply real property located to the north of property owned by the county which is owned by Cindy Bramer located at 2489 Route 19, Town of Warsaw, County of Wyoming, New York with sanitary sewer services pursuant to an Agreement dated September 10, 2004; and

WHEREAS, To accomplish the objectives set forth in the agreement referred to above, Bramer requires an easement over the lands of the County located to the south of Doody Road for the purpose of extending the Village of Warsaw sanitary sewer services to the Bramer property; now therefore,

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized to enter into a non-exclusive utility easement with Cindy M. Bramer to facilitate development of a fast food restaurant located at 2489 North Main Street, Village of Warsaw, New York; said property being adjacent to or in close proximity with the intersection of the Route 19 which property is presently occupied by the Wyoming County Department of Social Services; and it is further

RESOLVED, That the Chairman of this Board is authorized to execute all documents in connection with the Easement Agreement.

Carried: Ayes: 1618 Noes: Absent: Abstain:

The Public Hearing was addressed at this time. Chairman Berwanger invited comment first from the Town Supervisors then from anyone else. Hearing none he stated that a motion to close the Public Hearing would be entertained at this time. Mrs. Humphrey made a Motion. All present said aye and the Public Hearing was closed.

#32

**RESOLUTION NO. 04-321
(November 9, 2004)**

November 09, 2004

**LOCAL LAW INTRODUCTORY NO. A, YEAR 2004
ADOPTED**

WHEREAS, there was duly presented and introduced at a meeting of this Board, held on the 12th day of October, a proposed local law of the County, designated as Local Law Introductory No. A, for the year 2004, 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. (04-287), there was a public hearing held by this Board of Supervisors on this 9th day of November, 2004 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 2004, County of Wyoming, New York, as presented to this Board on the 9th day of November, 2004, 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 County Treasurer shall be increased by \$1,200.00.

Section 2. Effective as hereafter provided, the annual salary of the County Clerk shall be increased by \$920.00.

Section 3. Effective as hereafter provided, the annual salary of each of the two positions of Commissioner of Elections shall be increased by \$244.00.

Section 4. Effective as hereafter provided, the annual salary of the Superintendent of Buildings and Grounds shall be increased by \$993.00.

Section 5. Effective as hereafter provided, the annual salary of the Bureau of Fire Coordinator – PT shall be increased by \$134.00.

Section 6. Effective as hereafter provided, the annual salary of the Director of Fire and Emergency Management shall be increased by \$737.00.

Section 7. Effective as hereafter provided, the annual salary of the Director of Weights and Measures shall be increased by \$735.00.

Section 8. Effective as hereafter provided, the annual salary of the County Attorney shall be increased by \$1,030.00.

Section 9. Effective as hereafter provided, the annual salary of the County Historian shall be increased by \$354.00.

Section 10. Effective as hereafter provided, the annual salary of the Animal Control Officer shall be increased by \$619.00.

Section 11. Effective as hereafter provided, the annual salary of the Highway Superintendent shall be increased by \$1,200.00.

Section 12. Effective as hereafter provided, the annual salary of the Deputy Highway Superintendent shall be increased by \$884.00.

Section 13. Effective as hereafter provided, the annual salary of Information Technology Director shall be increased by \$1,047.00.

Section 14. Effective as hereafter provided, the annual salary of the Director of the Office for the Aging shall be increased by \$529.00.

Section 15. Effective as hereafter provided, the annual salary of the Planning and Development Director shall be increased by \$1,105.00.

Section 16. Effective as hereafter provided, the annual salary of the Public Defender shall be increased by \$880.00.

Section 17. Effective as hereafter provided, the annual salary of the Real Property Tax Director shall be increased by \$1,008.00.

Section 18. Effective as hereafter provided, the annual salary of the Commissioner of the Department of Social Services shall be increased by \$1,332.00.

Section 19. Effective as hereafter provided, the annual salary of the Veteran's Services Director shall be increased by \$352.00.

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Section 20. Effective as hereafter provided, the annual salary of the Youth Bureau Director shall be increased by \$520.00.

Section 21. All salaries set forth herein shall be effective as of January 1, 2004.

Section 22. This Local Law shall take effect on the date of filing in the Office of the Secretary of the State of New York.

Section 23. This Local Law is subject to permissive referendum.

**Carried: Ayes: 1534 Noes: 49 (Kushner) Absent: Abstain:
35 (Copeland)**

There being no further business to come before this board the meeting was adjourned by Mrs. Humphrey at 2:35 pm.

**SPECIAL SESSION
(November 30, 2004)**

Tuesday

2:00 PM

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

At 2:00 PM Chairman Berwanger, T/Arcade, called the meeting to order. Supervisor Miller (T/Warsaw) led us in the Pledge of Allegiance. Mr. Miller (T/Warsaw) shared a colorful recount of his days in the armed forces.

There were no communications.

Chairman Berwanger (T/Arcade), declared the Public hearing open in regards to the 2005 Wyoming County Budget.

Chairman Berwanger (T/Arcade) then introduced County Treasurer/Budget Director John B. Edwards, who then presented the 2005 Wyoming County Budget as follows:

HONORABLE MEMBERS OF THE BOARD OF SUPERVISORS, COUNTY OFFICIALS AND RESIDENTS OF WYOMING COUNTY:

This proposed 2005 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. As I review the proposed 2005 Wyoming County Budget you will see what I mean.

The County Figures look like this:

	2005	2004	Increase / (Decrease)
Taxable Valuation	\$1,515,159,597	\$1,465,221,311	\$49,938,286
Taxable Full Valuation	\$1,586,491,764	\$1,536,362,704	\$50,129,060
Co. Avg. Tax Rate	\$ 6.31	\$ 6.14	\$ 0.17

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Full Value per 1,000			
Co. Avg. Tax Rate per 1,000	\$ 6.61	\$ 6.45	\$ 0.16

In August 2004 the Wyoming County Board of Supervisors approved a New Equalization Plan (Title 2) based on the proportion of the total full valuation of taxable real property in the county. This means that the county tax rate will be about the same for each town in 2005. This first year will be a catch up year where rates will be up or down from 2004 depending on the Town. In 2006 the rate of increase for each town should be about the same.

This proposed budget has total appropriations of \$ 93,833,786.26, up \$ 3,624,831.99 or a 4 % increase. Revenues total \$ 81,267,155.64, for an increase of \$ 2,745,268.42 or a 3.5 % increase. In order to hold down the tax rate, surplus funds have been applied from the General Fund of \$ 2,504,800.00.

The Proposed 2005 County Tax Levy is \$ 10,011,830.62 for an increase of \$ 567,121.57 (6 %) over the 2004 Tax Levy. This makes a 2.48 % increase in the County Average from \$ 6.45 to \$ 6.61 per thousand of assessed value. This means that a home assessed at \$100,000 that paid \$ 645.00 in 2004 would pay \$ 661.00 in 2005 for an increase of \$16.00

Estimated Sales Tax of \$ 11,600,000 is applied for 2005 up \$500,000. For a second year the 2005 budget contains a subsidy to the Wyoming County Community Health System of \$ 600,000. This is due to three major factors that have affected every county in New York State: Medicaid, Health Insurance Premiums and State Retirement.

A Health Insurance Task Force with Union and Management representation has recommended a Single Health Care provider policy for all county employees. The approval by all Unions has given both the employee and the county savings on Health Insurance premiums. Some of the Savings will be passed on to the employees through a HRA (Health Reimbursement Account). This Individual employee account will be managed by a third party administrator and the employee and stay with the employee. We would like to thank the Unions for their help in the development and approval of this single provider policy.

The larger departments and their percent of Total County Budget Appropriations are as follows:

Hospital	\$41,902,496	44.66 %
Social Services	\$15,856,265	16.90 %

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Highway	\$ 7,121,266	7.59 %
O.) Health	\$ 5,560,107	5.93 %
Law Enforcement	\$ 6,474,588	6.90 %
Education	\$ 2,868,598	3.06 %

This proposed 2005 budget has been balanced by projecting 2% salary increases for all employees not in a union; all increases per approved union contracts and NO Capital expenditures except Computer Capital Equipment in the Information Technology Department. NO appropriation for new sheriff's cars and only mandated travel and allowances in order to keep departments running have been allowed. Most Contract Agencies will remain at their 2004 allocation and only \$ 50,000 is in the Contingency funds for unexpected expenses in 2005.

Medicaid costs have increased 9.21% or \$525,000 over what was budgeted for 2004. Medicaid is 55.33 % (\$ 5,540,000) of the County Levy with General Operations Levy of 44.67 % (\$ 4,471,830). 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 costs for the General Fund have been budgeted at **\$1,289,329 for 2005.**

The total indebtedness of the County of Wyoming as of November 1 is \$ 867,223.57 for the Co Generation Projects (Hospital), \$2,075,000 for the Skilled Nursing Facility Expansion, \$ 1,100,000 for Hospital Equipment, \$ 4,195,000 for Road Reconstruction / Government Center and \$ 855,000 for Court House Construction. Total indebtedness is \$ 9,092,223.57.

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 2005 Tentative County Budget together and we present it to you for your consideration.

Respectfully submitted,

John B Edwards

County Treasurer / Budget Director

The meeting was then opened for public comments.

Ms. JoAnn Flynt (Warsaw) representing 4-H leaders spoke in support of restoring the ten percent (10%) budget reduction to Cornell Cooperative Extension. She has been a 4-H leader for thirteen (13) years and is presently employed by the Wyoming County Department of Social Services and has

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experienced the positive impact the 4-H program has on the children of this county.

Mr. Jonah Broughton (Attica) representing the Agricultural Community and Cornell Cooperative Extension also spoke in favor of restoring the proposed reduction to the Extension agency. He praised the agriculture program and the importance of the 4-H program. He also had praise for the Family Consumer Sciences program. He asked the Board to reconsider the reduction and also expressed his concern that this reduction might diminish the number of local volunteers as well.

Ms. Diane Johnson-Jaeckel (Director of Wyoming County Tourism / Castile) requesting the previous year's \$30,000 cut to the tourism budget be restored. She reminded the Board that 1.6 million dollars in sales tax revenue could be potentially lost if funding to promote tourism in Wyoming County is not restored. For every one-dollar (\$1) in marketing that is done, approximately seventeen dollars (\$17) is received in sales tax revenue to the County. Three quarters of a million people visit Letchworth State Park each year. If the County does not promote tourism, sales tax revenues certainly will be negatively impacted.

Supervisor Rogers (T/Pike) commented regarding the continuing mandates that are placed on the County at the expense of our employees and programs. Mr. Rogers is in full support of restoring the reductions to Cornell Cooperative Extension and the Library system by raising the property tax rate to cover these costs. He also spoke about personal experiences he has had with participants of the 4-H program and the positive effect it had on them. "We need support from the community and the public to get reform in Albany." Mr. Rogers finished by saying, "I will not support this budget if these cuts are not restored."

Supervisor Kushner (T/Eagle) spoke about the history of property tax rates reductions and the use of fund balances in the County over the past few years. Soil and Water was cut last year and nobody came. The Library was cut this year, nobody came. At last year's hearing, the County Planner's position and the Tourism budget were cut. Many people came and showed their support for those programs. Taking away the discretionary spending money from our County property owners via raising taxes will most certainly decrease sales tax revenue...people will have less to spend. Mr. Kushner also said that Soil and Water, Library, Tourism as well as Cornell Cooperative Extension could all be restored by reducing the number of County positions...not by raising taxes.

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There was a motion by Supervisor Humphrey to close the hearing at 2:55 PM. This was seconded by Supervisor Davis and all voted aye.

Respectfully Submitted

Paula A. Parker,
Clerk, Board of Supervisors

(minutes prepared by P. Parker)

November 30, 2004

**REGULAR SESSION
(December 14, 2004)****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 located at 143 North Main Street, Warsaw, New York with all Supervisors present. Also present was County Attorney Eric T. Dadd, County Treasurer John Edwards, Clerk to the Board of Supervisors, Paula Parker and Deputy Personnel Officer, Cheryl Ketchum.

At **2:15 PM** Chairman Berwanger, T/Arcade, called the meeting to order.

The Wyoming County Veteran leading the Pledge of Allegiance for the month of December is:

George J. Straub

Mr. Straub attended Buffalo Technical High School until his enlistment into the U.S. Navy on February 3, 1934, in Buffalo, N.Y. After his "boot camp" at Norfolk, Virginia, he was assigned as an aviation machinist mate on the USS Ranger, the first U.S. ship built specifically as an Aircraft Carrier. He later transferred to the USS Indianapolis, a light cruiser, as an aircraft mechanic for its four (4) seaplanes.

After his enlistment in the Navy, Mr. Straub enlisted into the U.S. Army Air Corp in December of 1937 and was stationed at Wheeler Field in Hawaii as an aircraft mechanic until his discharge on January 4, 1939. Mr. Straub re-enlisted into the U.S. Navy on September 15, 1939 and served as an Aviation Mechanic at Pensacola, Florida, until his discharge on September 24, 1945.

For his service to his country, Mr. Straub was awarded the World War II Victory Medal, the American Campaign Medal, and the Navy Good Conduct Medal.

After his active military service, Mr. Straub worked for New York State until he re-enlisted into the Air Force Reserve at Niagara Falls Air Base. George worked as an Air Reserve Technician until his retirement on November 15, 1975, with over thirty years of service to his Country.

Mr. Straub and his wife, Julia, live in the Town of Wyoming.
Regular Session

Before the pledge was said the Chairman offered the following poem:

'Twas the Night before Christmas,
He lived all alone,
In a one bedroom house made of
Plaster and stone.

I had come down the Chimney
With presents to give,
And to see just who
In this home did live.

I looked all about,
A strange sight I did see,
No tinsel, No presents,
Not even a tree.
No stocking by mantle,
Just boots filled with sand,
On the wall hung pictures,
Of far distant lands.

With Medals and Badges,
Awards of all kinds,
A sober thought
Came through my mind.

For this house was different,
It was Dark and Dreary,
I found the Home of a Soldier,
Once I could see Clearly.
The soldier lay sleeping, Silent,
Alone, Curled up on the Floor
In this one bedroom home.
The face was so gentle,
The room in such disorder,
Not how I pictured
A United States Soldier.

Was this the hero,
Of whom I'd just read?
Curled up on a poncho
The floor for a bed?

I realized the families
That I saw this night,
Owed their lives to these Soldiers
Who were willing to fight.

Soon round the world
The children would play,
And Grownups would celebrate
A bright Christmas Day.

They all Enjoyed Freedom
Each Month of the Year,
Because of the Soldiers
Like the One lying here.

I couldn't help wonder
How many lay alone,
On a cold Christmas Eve,
In a Land far from home.

The very thought
Brought a tear to my eye,
I dropped to my knees
And started to cry.

The soldier awakened
And I heard a rough voice,
"Santa don't cry,
This life is my choice.

I fight for freedom,
I don't ask for more,
My life is, my God,
My Country, My Corps."

The soldier rolled over
And drifted to sleep,
I couldn't control it,
I continued to weep.

I kept watch for hours,
So silent and still
And we both shivered
From the cold night's chill.

I didn't want to leave
On that Cold, Dark, Night,
This Guardian of Honor
So Willing to Fight.

Then the soldier rolled over,
With a voice soft and pure,
Whispered, "Carry on Santa,
It's Christmas Day, All is Secure."
One look at my watch,
And I knew he was right.
"Merry Christmas My friend,
And to all a Good Night."

This poem was written by a Marine.

I'd like to take this opportunity to recognize the Department of Social Services Employee of the Month. In addition to recognizing outstanding employees, Commissioner Wallace invites them to attend a Human Service Committee meeting and Board meeting to better understand the relationship between individual Departments and the Board of Supervisors.

Jennifer has been with DSS since July of 1988 in various positions and is currently a Program Specialist in the Temporary Assistance Unit. She is commended for her compassion and prompt action in assisting a homeless individual. Please join me in recognizing Jennifer McMaster.

Communications:

C1: Ag Committee will be held at 1 PM January 3rd, 2005 just before the Annual Organizational Meeting scheduled for 2 PM, Planning and Finance Committee will be conducted as a joint meeting this month January 4th, 2005 at 9 AM. Also, pictures will be taken after the Organizational Meeting.

C2: Congressman Reynold's office will be hosting training programs for funding under the anticipated \$52 million annual program through the New York State Community Development Block Grant Small Cities Program on December 17, 2004 at 10 – 12 PM in Genesee County and 2 –4 PM in Erie County.

C3: Ground Breaking Ceremony for Western New York Rural Area Health Education Center for Wyoming County's Hospitality House and Student Learning Center, Monday, December 20, 2004 at 10 AM in WCCH's Wyoming Suite.

**RESOLUTION NO. 04-322
(December 14, 2004)**

By Mrs. Humphrey, Chairman of Finance Committee:

FUNDS APPROPRIATED TO VARIOUS 2004 ACCOUNTS

BE IT RESOLVED, That funds are hereby appropriated to the various 2004 accounts as follows:

Treasurer			Dept. Totals:
To: 01.40.6102.4.42250 MMIS / IGT/ DSH Payments w/ 01.09.6102.2772 Revenue Acct. Reason: To cover IGT & DSH payments for 2004.	\$ 2,292,146.50	\$ 2,292,146.50	
Treasurer Total			\$ 2,292,146.50
Coroner			
To: 01.32.1185.1.11001 Personal Services/Fees 01.32.1185.4.40908 Autopsy – Transport w/01.03.1185.1289 Departmental Income Reason: To appropriate to cover the costs for Autopsy Transportation and Coroners Personal services / fees for year end. Note that \$11,500.00 has been billed out this year so far -- \$6,450.00 was revised as budgeted in revenues for 2004.	\$4,000.00 1,000.00	\$5,000.00	
Coroners Total			\$5,000.00
Mental Health			
To: 01.38.4321.4.42422 Suburb. Adult Services, Inc. w/#01.11.4321.3490 state aid increased by the same amount. Reason: Increase in mental retardation/developmentally disabled state aid.	\$365.00	\$365.00	
To: 01.38.4220.4.41101 Paper 01.38.4220.4.41201 Postage 01.38.4220.4.41204 Advertising 01.38.4220.4.42306 Misc. Other w/01.11.4220.3486 State Aid increased by Reason: One-time only increase in state aid for prevention & public education projects.	\$300.00 100.00 2,100.00 5,000.00	\$7,500.00	
Mental Health Total			\$7,865.00
Public Health			
(Family Planning) To: 01.38.4035.41706 Medical Supplies w/01.04.4035.168903 Private Insurance 01.04.4035.168904 Medicaid 01.12.4035.4489 Federal Grants Reason: To appropriate for Medical Supplies with offsetting revenues to be appropriated in account numbers.	\$19,000.00	\$5,000.00 7,500.00 6,500.00	
(Water Enhancement) To: 01.38.4011.40704 Lab Fees w/01.11.4011.340112 Water Enhancement REASON: To appropriate for estimated lab expenses in the current year with offsetting revenues to be appropriated in account number.	\$3,000.00	\$3,000.00	
Public Health Total			\$22,000.00
Sheriff			
To: 01.37.3110.1.10301 Overtime 01.37.3110.8.81001 Retirement 01.37.3110.8.83001 FICA 01.37.3110.8.85001 Medicare w/01.03.3110.1289 Other Dept. Income increased by same. Reason: offset from revenue acct for STOP-DWI patrols for 10/10/04 – 11/06/04.	\$634.67 175.44 54.38 12.71	\$877.20	

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To: 01.37.3110.1.10301 Overtime \$253.38 01.37.3110.1.10501 Shift Differential 3.60 01.37.3110.8.81001 Retirement 55.00 01.37.3110.8.83001 FICA 15.93 01.37.3110.8.85001 Medicare 3.72 w/acct # 01.03.3110.1289 Other Dept. Income increased by same. \$331.63 Reason: offset from revenue acct for Town of Covington patrols for 10/10/04 –11/06/04.		
Sheriff Total		\$1,208.83
District Attorney		
To: 01.37.3315.4.41303 Stenographers \$1,500.00 01.37.3315.4.42301 Books, Publications, Sub. 430.50 01.37.3315.8.81001 Retirement 1,696.59 01.37.3315.8.89001 Medical/Hospitalization Ins. 2,588.62 w/01.07.3315.261502 State DWI Fines increased by \$6,215.71 Reason: To pay bills and cover retirement and medical/hospitalization ins. expenses from 2004 surplus.		
District Attorney Total		\$6,215.71

Carried: Ayes: 1598 Noes: Absent: 20 (Totalsline) Abstain: #2

RESOLUTION NO. 04-323
(December 14, 2004)

By Mrs. Humphrey, Chairman of Finance Committee:

FUNDS TRANSFERRED TO VARIOUS 2004 ACCOUNTS

BE IT RESOLVED, That funds are hereby transferred to the various 2004 accounts as follows:

Social Services			Dept. Totals:
From: 01.39.6010.4.40902 Legal Services To: 01.39.6010.2.20401 Misc. Equip. Reason: To cover costs for the balance of 2004	\$3,200.00	\$3,200.00	
Social Services Total			\$3,200.00
Civil Service / Personnel			
From: 01.34.1430.1.10001 S/D/I Salaries To: 01.34.1430.4.41204 Advertising Reason: To cover cost of advertising for new Human Resources Director. (Approval per Finance Chair 11-12-04)	\$2,500.00	2,500.00	
Civil Service / Personnel Total			\$2,500.00
Jail			
From: 01.37.3150.8.81001 Retirement To: 01.37.3150.4.41711 Inmate Medical Reason: Line item shortage for balance of the year; worked with Paula Parker to find available money.	\$16,500.00	\$16,500.00	
5. Jail Total			\$16,500.00

Carried: Ayes: 1598 Noes: Absent: 20 (Totalsline) Abstain:

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Mr. Miller, T/Warsaw, Vice Chairman of the Audit Committee, presented bills totaling **\$2,241,525.12**.

Carried: Ayes: 1598 Noes: Absent: 20 (Totalsline) Abstain: #3

**RESOLUTION NO. 04-324
(December 14, 2004)**

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

**AUTHORIZE CHAIRMAN TO SIGN RENEWAL
CONTRACTS WITH NYS UNIFIED COURT SYSTEM ON
BEHALF OF BUILDINGS AND GROUNDS**

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 renewal contract with the New York State Unified Court System of 110 Franklin Street, Buffalo, NY 14202 to obtain reimbursement from the State of New York for cleaning and minor repairs and maintenance of our court facility in the amount of \$58,247.00 (Fifty eight thousand two hundred forty – seven dollars) annually; effective April 01, 2004 through March 31, 2005.

Carried: Ayes: 1598 Noes: Absent: 20 (Totalsline) Abstain:

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

#4

**RESOLUTION NO. 04-325
(December 14, 2004)**

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

**AUTHORIZE CHAIRMAN/COMMISSIONER TO SIGN A
CONTRACT WITH GENESEE COUNTY CHILD
ADVOCACY CENTER & GENESEE COUNTY**

December 14, 2004

Proceedings of the Board of Supervisors
DEPARTMENT OF SOCIAL SERVICES ON BEHALF
OF WYOMING COUNTY 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, are hereby authorized and directed to sign a contract with Genesee County Child Advocacy Center & Genesee County DSS located at 5130 East Main Street, Batavia, NY 14020 for medical evaluations and testimony. The contract is for the period beginning August 31, 2004 and left open-ended. Amounts will be \$25, \$35 and \$75 per visit performed by a nurse, nurse practitioner or Medical Doctor respectively; contingent upon the availability of funds.

Carried: **Ayes: 1598** **Noes:** **Absent: 20 (Totalsline)** **Abstain:**
#5

RESOLUTION NO. 04-326
(December 14, 2004)

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

APPOINTMENT/REAPPOINTMENT OF OFA ADVISORY
COUNCIL MEMBERS

BE IT RESOLVED, That the following members have been appointed

/ reappointed to the Office for the Aging Advisory Council:

Town Representatives (3 year term 01/01/05-12/31/07)

- **James McIlroy** (Covington) 7806 Big Tree Rd., Pavilion, NY 14525
- **Rose George** (Eagle) 6660 Railroad Ave., Bliss, NY 14024
- **Rita Simmons** (Genesee Falls) 6610 Pike St., P.O. Box 313, Portageville, NY 14536
- **John Gebel** (Java) 2425 Wethersfield Rd., N. Java, NY 14113
- **Edward Redden** (Sheldon) 734 Big Tree Rd., Strykersville, NY 14145

At - Large Members (1 year term 01/01/05-12/31/05)

- **John Barrett** (Cloisters) 171 N. Maple St., Warsaw, NY 14569
- **Deborah Gage** (Livingston/Wyoming County Foster Grandparent Program) 8 Murray Hill Dr. Mt. Morris, NY 14510

- **Steve Hulme** (Pike) 4023 Dutton Rd., Silver Springs, NY 14550

Carried: **Ayes: 1598** **Noes:** **Absent: 20 (Totalsline)** **Abstain:**
#6

RESOLUTION NO. 04-327
(December 14, 2004)

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

AUTHORIZE CHAIRMAN TO SIGN
RESOURCE ALLOCATION PLAN (RAP) FOR 2005

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney and on behalf of the Wyoming County Youth Bureau is hereby authorized and directed to sign a contract with the New York State Office of Child and Family Services for the 2005 Resource Allocation Plan (RAP). Reimbursements are to be in the amount of \$94,875.00 (Ninety four thousand eight hundred seventy – five dollars).

Carried: **Ayes: 1598** **Noes:** **Absent: 20 (Totalsline)** **Abstain:**
#7

RESOLUTION NO. 04-328
(December 14, 2004)

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

APPOINTMENT/REAPPOINTMENT OF YOUTH BOARD
MEMBERS

BE IT RESOLVED, That the following members have been appointed / reappointed to the Wyoming County Youth Board:

Agency Reps. (Indefinite Terms)

- **Deb Fuest** (Wyoming County Youth Bureau) 3062 Suckerbrook Rd., Perry NY 14530
- **Joe Proietti** (Office of Child & Fam. Services) 405 Ellicott Sq., 295 Main Street, Buffalo, NY 14203

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Agency Reps. (2 year terms – 01/01/05-12/31/06)

- **Megan White** (Cornell Cooperative Extension) 401 North Main Street, Warsaw, NY 14569

Community Reps. (3 year terms – 01/01/05-12/31/07)

- **Fran Tozier** (Orangeville) 3870 Centerline Rd., Warsaw, NY 14569
- **James Prusak, Jr.** (Arcade) 46 Genesee St., Attica, NY 14011
- **Holly Kirsch** (Sheldon) 450 Bloecher Rd., Strykersville, NY 14145
- **Keith Countermine** (Attica) 100 Genesee Street, Attica, NY 14011

Youth Reps. (1 year term – 01/01/05-12/31/05)

- **Benjamin Carter** (Attica) 28 Jefferson St., Attica, NY 14011
- **Stephen Tarbell II** (Silver Springs) 4270 Fairview Road, Castile, NY 14427
- **Kyle Countermine** (Attica) 100 Genesee St., Attica NY 14011
- **Siobhan Hickey** (Bennington) 1308 Folsomdale Rd., Cowlesville, NY 14037.

Carried: Ayes: 1598 Noes: Absent: 20 (Totalsline) Abstain: #8

RESOLUTION NO. 04-329
(December 14, 2004)

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

**REAPPOINT DEBORAH FUEST AS YOUTH BUREAU
DIRECTOR**

BE IT RESOLVED, That *Deborah Fuest* of 3062 Suckerbrook Road, Perry, NY 14530 is hereby reappointed as the Youth Bureau Director for a 2 (two) year term effective November 28th, 2004 through November 27th, 2006.

Carried: Ayes: 1598 Noes: Absent: 20 (Totalsline) Abstain:

There was a motion by Supervisor Knab, T/Sheldon, to combine resolutions #9 through #15. A voice vote was taken and all voted aye.

**RESOLUTION NO. 04-330
(December 14, 2004)**

By Mr. Knab, Chairman of the Public Health Committee:

**ROBERT A. KELLEY APPOINTED TO THE
MENTAL HEALTH COMMUNITY SERVICES BOARD
AND THE ALCOHOL AND SUBSTANCE ABUSE
SUBCOMMITTEE**

BE IT RESOLVED, That *Robert A. Kelley* of 608 Starr Road, Wyoming, NY 14591 is hereby appointed to the Community Services Board and the Alcohol and Substance Abuse Subcommittee to complete the unexpired term of Rev. Pond effective January 01, 2005 through December 31, 2006.

Carried: **Ayes: 1598** **Noes:** **Absent: 20 (Totalsline)** **Abstain:**
#10

**RESOLUTION NO. 04-331
(December 14, 2004)**

December 14, 2004

By Mr. Knab, Chairman of the Public Health Committee:

CHAIRMAN AUTHORIZED TO SIGN 2005 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 2005:

1) Livingston/Wyoming Arc, contract renewal for Sheltered Workshop Program for the mentally ill population for the period January 1, 2005 through December 31, 2005 (\$48,621.00).

2) Suburban Adult Services, Inc. renewal contracts for the period of January 1, 2005 through December 31, 2005: (\$89,710.00)

- A. Sheltered Workshop Program for the Mentally Retarded/Developmentally Disabled population (\$40,680.00).
- B. Supportive Employment (One contract for \$49,030.00)
 - Reinvestment Funds - \$37,515.00; ongoing
 - Integrated Supported Employment Funds - \$11,515.00.

3) ARA, Inc. renewal contracts for the period of January 1, 2005 through December 31, 2005:

One contract for Mental Health Services (\$269,354.00)

- A. Mental Health Clinic and Crisis (\$27,976.00)
- B. CSS Clinical Funding (\$10,150.00)
- C. Adult Case Management/SPOE/SPOA (\$74,833.00)
- D. Child & Youth ICM & Wrap around Funds (3 ICMS) – (\$87,349.00)
- E. RIV-POEMS (\$19,700.00)
- F. RIV-MICA Coordination, Tx. & Case Management (\$23,951.00)
- G. Telemedicine Grant (\$9,350.00)
- H. Care Coordination Project (\$16,045.00)

One Contract for CSS Programs (\$26,924.00)

- A. CCS Programs Continuing Day Tx., CSS Case Management, CSS Transportation (\$26,924.00)

One Contract for Chemical Abuse and MEN's Group (\$317,910.00)

- A. Chemical Abuse Treatment and Prevention Staffing (\$311,194.00)

B. MEN'S Group (\$6,716.00)

4) Wyoming County Community Health System - renewal contracts for the period of January 1, 2005 through December 31, 2005 (\$83,143.00)

- A. Renewal Contract to provide staffing to do the PAO screenings for psychiatric inpatient admissions (\$20,960.00).
- B. Jail based mental health services in the jail - (\$52,833.00)
- C. MICA/Homeless - Case Management (DSH payment)
- D. RIV-Crisis Outreach Program (DSH payment)
- E. Telemedicine Grant (\$9,350.00)

5) Chautauqua County Mental Health Department – renewal contract for the Telemedicine Grant for the period of January 1, 2005 through December 31, 2005 (\$9,350.00)

6) Mental Health Association of Rochester/Monroe County, Inc. – renewal contracts for the period of January 1, 2005 Through December 31, 2005:

- A. Contract with the Mental Health Association of Rochester/Monroe County to establish and operate the following programs: (One contract for \$212,131.00)
 - 1. Consumer Run Thrift Store (\$31,338.00)
 - 2. RIV-Drop-in Center (\$19,994.00)
 - 3. Com. Perf. – Transportation Program (\$37,652.00)
 - 4. MICA & Social Club (\$90,454.00)
 - 6. Peer Advocacy (\$9,410.00)
 - 6. PREP (\$5,212.00)
 - 7. CCP Funds for Medical & Vocational Transportation (\$16,679.00)
 - 8. Advisory Committee Payments (\$1,392.00)

7) Hillside Children's Center renewal contracts for the period of January 1, 2005 through December 31, 2005 to provide: (\$33,539.00)

- A. RIV - Crisis respite for children (\$13,732.00)
- B. RIV - GLOW Family Support (\$6,399.00)
- C. RIV - Home Based Crisis Intervention (\$13,408.00)

8) Living Opportunities of DePaul renewal contracts for the period of January 1, 2005 through December 31, 2005 for: (\$157,864.00)

- A. RIV - Temporary Supportive Housing (\$6,978.00)

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- B. RIV - Four-bed treatment apartments (\$4,406.00)
(There is also \$9,653 which is paid directly to LODP through Medicaid for the state share of Medicaid, of Wyoming County Reinvestment Funds. Do not include amount in total for four-bed treatment apartment's contract but acknowledge the amount as being paid directly to them as revenue.)
- C. Supported Housing (20 SLOTS) (\$146,480.00)

9) CCSI of Rochester contract renewal for the period of January 1, 2005 through December 31, 2005: (\$405,766.00)

- A. Service Coordination (\$101,576.00)
- B. Dual Diagnosis Coordination (\$65,945.00)
- C. Coordinated Children's Services Initiative (\$64,191.00)
- D. Performance Measurements (\$36,719.00)
- E. Substance Abuse Prevention (\$137,335.00)

10) Contract with CCSI of Rochester. Whereas CCSI pays Wyoming County Mental Health Department for the period of January 1, 2005 through December 31, 2005 to provide an individual and supplies/expenses for the CCP Advisory Group: (\$12,500.00)

11) Contract with an individual to work with the CCP Advisory Group: (\$10,600.00)

12) Contract with the Children's Mental Health Coalition of WNY, Inc. for Parent Advocate Services for CCSI Program (\$14,474.00)

13) Contract with the Wyoming County District Attorney's Office, whereas the District Attorney's Office pays Wyoming County Mental Health Department \$10,000.00 in STOP DWI Funds for 2005.

14) Contract with an individual to work with Partners for Prevention on the Media Campaign for the Drug Free Communities Grant (\$1,000.00)

15) Lease with Buzz and Val Properties for the downstairs office space at 108 N. Main Street, Warsaw for the Partners for Prevention program. (\$800.00 a month/\$9,600.00 annually)

ALL CONTRACTS CONTINGENT UPON THE AVAILABILITY OF FUNDING.

Carried: Ayes: 1598 Noes: Absent: 20 (Totalsline) Abstain:

**RESOLUTION NO. 04-332
(December 14, 2004)**

By Mr. Knab, Chairman of the Public Health Committee:

**AMEND RESOLUTION NUMBER 01-321 and
RESOLUTION NUMBER 04-299**

BE IT RESOLVED, That Resolution Number 01-321 be amended to remove Cynthia Reiner from the Mental Health Subcommittee and have ***Kay Kilburn*** of 1379 Bray Road, Arcade, NY 14009 fill that unexpired term which expires on December 31, 2005.

BE IT FURTHER RESOLVED, That Resolution Number 04-299 be amended to remove Kay Kilburn from the Mental Health, Alcohol and Substance Abuse Subcommittee and have ***Cynthia Reiner*** of 1666 Hoover Road, Attica, NY 14011, fill that unexpired term which expires on December 31, 2006.

Carried: **Ayes: 1598** **Noes:** **Absent: 20 (Totalsline)** **Abstain:**
#12

RESOLUTION NO. 04-333**(December 14, 2004)**

By Mr. Knab, Chairman of the Public Health Committee:

**AUTHORIZE CHAIRMAN TO SIGN VARIOUS
CONTRACTS/AGREEMENTS ON BEHALF OF PUBLIC
HEALTH FOR THE YEAR 2005**

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 and or agreements on behalf of Wyoming County Public Health for 2005:

Genesee Delivery	Per Price List
Courier Service for specimen transport	TBD Based on Usage
(Environmental Water Samples & MWHS Clinical Specimens)	
Renewal	

Erie County Public Health Department – ECPHL	Per Price List
Laboratory testing services	TBD Based on Usage
(MWHS clinical specimens & Environmental Water Samples)	
Renewal	

Eastern Laboratory Services	Per Price List
Laboratory testing services	TBD Based on Usage
(Environmental Water Samples, includes courier transport)	
Renewal	

Adecco USA, Inc.	\$130,000
Employment Services	
January 1 – December 31, 2005	
Renewal	

Linstar, Inc.	\$ 1,250
Service Agreement for Datacard Photo ID System	
January 10, 2005 – January 9, 2006	
Renewal	

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Ohri Medical Group	\$ 1,200
Tuberculosis Medical Services	
January 1 – December 31, 2005	
Renewal	
Wyoming County Interdepartmental Agreement	\$ 11,145
Justa Goodell (Animal Control – Rabies related services)	
January 1 – December 31, 2005	
Renewal	
Freed Maxick and Battaglia, PC	\$ 15,000
Audit and Consulting Services	
(MWHS and CHHA)	
January 1 – December 31, 2005	
Renewal	
Tom Clark	\$ 2,500
Professional Engineering Consultant	
January 1 – December 31, 2005	
Renewal	
Susan Schell, RD	\$30.00 / hour
Registered Dietician Services	Based upon usage
January 1 – December 31, 2005	
Renewal	
Monroe County Department of Health	\$30,205
Medical Examiner Services	
January 1 – December 31, 2005 (Multi-year agreement 1/1/05 – 12/31/07)	
Renewal	
Wyoming County Interdepartmental Agreement	\$50,456
IT Department for provision of computer support services	
January 1 – December 31, 2005	
Renewal	
Erie County	\$15,000
Intergovernmental Agreement with Eight Counties of WNY	
(through BT/Emergency Preparedness Grant)	
Renewal	
Scott Treutlein, MD	\$ 1,800
Medical Director Services	

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January 1 – December 31, 2005

Clearpath Diagnostics (formerly Pathology Associates) Per Price List
 Laboratory Testing Services Based on Usage
 January 1 – December 31, 2005
 Renewal

Certified Home Health Agency

Wyoming County Interdepartmental Agreement \$ 2,000 annually
 Transitions (OFA & Health Department CHHA)
 January 1 - December 31, 2005
 Renewal

Wyoming County Interdepartmental Agreement \$ 5,000 annually
 Registered Dietician Services (OFA and Health Department CHHA)
 January 1 – December 31, 2005
 Renewal

Wyoming County Community Health System \$61.80 / visit (per
 Schedule B)
 Discipline Services (OT/PT/Speech) Based upon usage
 January 1 – December 31, 2005
 One year extension, no changes

Step-by-Step Physical Therapy \$61.80 / visit (per
 Schedule A)
 Physical Therapy Services Based upon usage
 January 1 – December 31, 2005
 One year extension, no changes

Karen Nelson, MSW \$60.00 / visit (per Schedule B)
 Medical Social Worker Services Based upon usage
 January 1 – December 31, 2005
 Renewal

Carried: Ayes: 1598 Noes: Absent: 20 (Totalsline) Abstain:

**RESOLUTION NO. 04-334
(December 14, 2004)**

By Mr. Knab, Chairman of the Public Health Committee:

**AUTHORIZE CHAIRMAN TO SIGN VARIOUS GRANT
APPLICATIONS AND/OR RENEWALS ON BEHALF OF
PUBLIC HEALTH**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney is hereby authorized and directed to sign the following Grant Applications / Award Acceptances on behalf of Wyoming County Public Health:

New York State Department of Health – Basic Services \$450,000
Grant period January 1, 2005-December 31, 2005

New York State Department of Health - Division of Family Health
(MWHS) \$159,078
Grant period January 1, 2005 - December 31, 2005

New York State Health Department - Lead Grant \$ 40,000
Grant period April 1, 2005 - March 31, 2006

New York State Department of Health (Immunization Grant) \$ 45,000
Grant period April 1, 2005 - March 31, 2006

New York State Department of Health (Cancer Screening Program) \$ 32,059
Grant period April 1, 2005 - March 31, 2006

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New York State Department of Health (Water Enhancement) \$ 96,000
Grant period April 1, 2005 - March 31, 2006

Diabetes Grant with Lake Plains \$ 6,500
Grant period April 1, 2005 - March 31, 2006

Health Research, Inc. (Public Health Preparedness/Bioterrorism) \$ 75,000
Grant period August 31, 2005 – August 30, 2006

Health Research, Inc. (Breast Health Partnership Patient Services) \$ 7,000
Grant period June 30, 2005 – June 29, 2006

State of New York Governor's Traffic Safety Board
(Child Safety Seat) \$ 5,700
Grant period October 1, 2005 – September 30, 2006

New York State Department of Health
(Adolescent Tobacco Use Prevention) \$ 18,500
Grant period October 1, 2005 – September 30, 2006

New York State Department of Health (Zoonoses Program) \$ 9,000
Grant period April 1, 2005 – March 31, 2006

New York State Department of Health (EI Administration and
CSHCN) \$ 51,800
Grant period October 1, 2005 – September 30, 2006

Carried: Ayes: 1598 Noes: Absent: 20 (Totalsline) Abstain:
#14

**RESOLUTION NO. 04-335
(December 14, 2004)**

By Mr. Knab, Chairman of the Public Health Committee:

**AUTHORIZE CHAIRMAN TO SIGN
GRANT ACCEPTANCE AWARD ON BEHALF OF
WYOMING COUNTY PUBLIC HEALTH**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney is hereby authorized and directed to sign a Grant Acceptance Award for the Public Health Preparedness and Response to

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Bio-terrorism Program. The grant is in the amount of \$77,000.00 (Seventy seven thousand dollars) between Wyoming County Department of Health and New York State Department of Health / Health Research, Inc. having offices at One University Place, Rensselaer, NY 12144-3455 for a period of August 31, 2004 through August 30, 2005.

Carried: **Ayes: 1598** **Noes:** **Absent: 20 (Totalsline)** **Abstain:**
#15

**RESOLUTION NO. 04-336
(December 14, 2004)**

By Mr. Knab, Chairman of the Public Health Committee:

**DR. GREGORY COLLINS APPOINTED MEDICAL
DIRECTOR OF WYOMING COUNTY'S PUBLIC HEALTH
DEPARTMENT**

BE IT RESOLVED, That *Dr. Gregory Collins* of 4820 Darby Rd., Avon, NY be reappointed as Medical Director of the Wyoming County Public Health Department for a term of one year effective January 01, 2005 through December 31, 2005.

Carried: **Ayes: 1598** **Noes:** **Absent: 20 (Totalsline)** **Abstain:**

There was a motion by Supervisor Meeder, T/Middlebury, to combine resolutions #16 through #19. A voice vote was taken and all voted aye.

#16

**RESOLUTION NO. 04-337
(December 14, 2004)**

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

**REAPPOINT DORIS BANNISTER AS COUNTY
HISTORIAN**

December 14, 2004

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BE IT RESOLVED, That *Doris Bannister* of 872 North Academy St., Wyoming NY is hereby reappointed as County Historian for a term of three (3) years effective January 01, 2005 through December 31, 2007.

Carried: **Ayes: 1598** **Noes:** **Absent: 20 (Totalsline)** **Abstain:**
#17

RESOLUTION NO. 04-338
(December 14, 2004)

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

JAMES SCHLICK REAPPOINTED 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 reappointed as Election Commissioner of the County of Wyoming for a two (2) year term effective January 1, 2005 through December 31, 2006.

Carried: **Ayes: 1598** **Noes:** **Absent: 20 (Totalsline)** **Abstain:**
#18

RESOLUTION NO. 04-339
(December 14, 2004)

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

NORMAN R. GEORGE REAPPOINTED AS
COMMISSIONER IN THE BOARD OF ELECTIONS

WHEREAS, Norman R. George, 982 Centerline Rd., Strykersville, NY 14145, Town of Java has been duly recommended by the Chairman of the

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Democratic County Committee for the appointment to the position of Election Commissioner; now therefore

BE IT RESOLVED, That *Norman R. George*, is hereby reappointed as Election Commissioner of the County of Wyoming for a two (2) year term effective January 1, 2005 through December 31, 2006.

Carried: **Ayes: 1598** **Noes:** **Absent: 20 (Totalsline)** **Abstain:**
#19

**RESOLUTION NO. 04-340
(December 14, 2004)**

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

**AUTHORIZE CHAIRMAN TO SIGN A CONTRACT
WITH ERIC T. DADD FOR COUNTY ATTORNEY OFFICE
SPACE**

BE IT RESOLVED, That Chairman of this Board, with the approval of the County Attorney is hereby authorized and directed to sign a renewal contract with Eric T. Dadd with offices at 11 Exchange Street, Attica, NY 14011. The purpose of the contract is to provide for a lease agreement for County Attorney Offices and certain office supplies provided by Wyoming County Social Services. Total contract amount of \$4,800.00 (Four thousand eight hundred dollars) to be paid by quarterly installments is \$1,200.00 (One thousand two hundred dollars) each; effective January 01, 2005 through December 31, 2005; contingent upon the availability of funds.

Carried: **Ayes: 1598** **Noes:** **Absent: 20 (Totalsline)** **Abstain:**

There was a motion by Supervisor Davis, T/Covington, to combine resolutions #20 through #27. A voice vote was taken and all voted aye.

#20

**RESOLUTION NO. 04-341
(December 14, 2004)**

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

December 14, 2004

Proceedings of the Board of Supervisors**AUTHORIZE CHAIRMAN TO SIGN
GRANT ACCEPTANCE FOR “BUCKLE UP NEW YORK”**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney is hereby authorized and directed to sign a Grant Acceptance Award for the “Buckle Up New York” campaign on behalf of the Sheriff’s Department. “Buckle Up New York” is a high-visibility, multi-agency program designed to raise the seatbelt compliance rate. This year’s award is in the amount of \$3,750.00 (Three thousand seven hundred fifty dollars) for the period of October 01, 2004 through September 30, 2005.

Carried: Ayes: 1598 Noes: Absent: 20 (Totalsline) Abstain:
#21

**RESOLUTION NO. 04-342
(December 14, 2004)**

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

**AUTHORIZE CHAIRMAN TO SIGN RENEWAL
CONTRACT WITH STATE OF NEW YORK 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 sign a contract with the State of NY-Unified Court System, 8th Judicial District, 110 Franklin St – 2nd Floor, Buffalo, NY 14202 on behalf of the Sheriff’s Department. This contract will provide reimbursement for court security in the anticipated amount of \$149,623.00 (One hundred forty nine thousand six hundred twenty-three dollars) annually; for the period of April 01, 2004 – March 31, 2009.

Carried: Ayes: 1598 Noes: Absent: 20 (Totalsline) Abstain:
#22

**RESOLUTION NO. 04-343
(December 14, 2004)**

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

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with the Oneida County Sheriff's Department located at 6075 Judd Road, Oriskany, NY 13424 on behalf of the Wyoming County Jail. The purpose of the contract is to provide services to Wyoming County Jail Inmates from the Central New York Psychiatric Center effective January 01, 2005 through December 31, 2005 at the rate of \$125.00 per day.

Carried: Ayes: 1598 Noes: Absent: 20 (Totalsline) Abstain: #23

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

BE IT RESOLVED, That *Dr. Gregory Collins, DO* of 4820 Darby Rd., Avon, NY is hereby reappointed as Director of Emergency Medical Services located at Wyoming County Community Hospital; effective January 01, 2005 through December 31, 2005.

Carried: Ayes: 1598 Noes: Absent: 20 (Totalsline) Abstain: #24

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

**AUTHORIZE CHAIRMAN TO SIGN A MEMORANDUM
OF UNDERSTANDING (MOU) FOR DIRECTOR OF
EMERGENCY MEDICAL SERVICES**

December 14, 2004

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 Hospital on behalf of Wyoming County Emergency Services for the Director of Emergency Medical Services. This MOU is effective January 01, 2005 through December 31, 2005, in an amount not to exceed \$6,000.00 (Six thousand dollars); contingent upon the availability of funds.

Carried: **Ayes: 1598** **Noes:** **Absent: 20 (Totalsline)** **Abstain:**
#25

RESOLUTION NO. 04-346
(December 14, 2004)

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

AMEND RESOLUTION NUMBER 04-131

WHEREAS, Resolution number 04-131 provided for the designation of the Wyoming County 911 Center as the Public Safety Answering Point to receive all wireless 911 calls in Wyoming County; now therefore

BE IT RESOLVED, That Resolution number 04-131 be amended as follows:

Delete paragraph 5 (five) and replace it with:

“RESOLVED, that the County supports the request for Expedited Deployment Funding as available through the New York State 911 Board. These are State Funds with a 10% local match, which will make the County Phase II compliant.”

Carried: **Ayes: 1598** **Noes:** **Absent: 20 (Totalsline)** **Abstain:**
#26

RESOLUTION NO. 04-347
(December 14, 2004)

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

**AUTHORIZE CHAIRMAN TO SIGN A
MEMORANDUM OF COMPLIANCE WITH THE
NATIONAL INCIDENT MANAGEMENT SYSTEM**

WHEREAS, the President in Homeland Security Directive (HSPD)-5, directed the Secretary of the Department of Homeland Security to develop and administer a National Incident Management System (NIMS), which would provide a consistent nationwide approach for Federal, State, local, and tribal governments to work together more effectively and efficiently to prevent, prepare for, respond to and recover from domestic incidents, regardless of cause, size or complexity; and

WHEREAS, it is necessary and desirable that all emergency first response agencies and personnel coordinate their efforts to effectively and efficiently provide the highest levels of incident management; and

WHEREAS, to facilitate the most efficient and effective incident management it is critical that all agencies and organizations utilize standardized terminology, standardized organizational structures, interoperable communications, consolidated action plans, unified command structures, uniform personnel qualification standards, uniform standards for planning, training, and exercising, comprehensive resource management, and designated incident facilities during emergencies or disasters; and

WHEREAS, the NIMS standardized procedures for managing personnel, communications, facilities and resources will improve the counties ability to utilize federal funding to enhance local and state agency readiness, maintain first responder safety, and streamline incident management processes; and

WHEREAS, the Incident Command System components of NIMS are already an integral part of the counties emergency comprehensive plan and operational responses; now therefor

BE IT RESOLVED, That Wyoming County will comply with all standards set forth by the NIMS within the capabilities of our response.

Carried: Ayes: 1598 Noes: Absent: 20 (Totalsline) Abstain:
#27

**RESOLUTION NO. 04-348
(December 14, 2004)**

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

**AUTHORIZE CHAIRMAN TO SIGN A CONTRACT WITH
NEW YORK STATE DIVISION OF PROBATION AND
CORRECTIONAL ALTERNATIVES FOR THE
ALTERNATIVES TO INCARCERATION (ATI) PROGRAM**

BE IT RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign a contract with the Division of Probation and Correctional Alternatives located at 80 Wolf Road, Albany, NY 12205-2604. This agreement will provide for community service, pretrial release, and the Data Day Program in the amount \$24,900.00 (Twenty four thousand nine hundred dollars); effective January 01, 2004 through December 31, 2004.

Carried: Ayes: 1598 Noes: Absent: 20 (Totalsline) Abstain:

There was a motion by Supervisor Miller, T/Warsaw, to combine resolutions #28 through #32. A voice vote was taken and all voted aye.

#28

**RESOLUTION NO. 04-349
(December 14, 2004)**

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 terms of three (3) years, said terms to expire December 31, 2007

TOWN	REPRESENTATIVE	ADDRESS
Town of Gainesville	Leslie Shearing	5648 Hardys Road Gainesville, NY 14066
Town of Middlebury	Douglas Wolcott	1247 Dale Road Dale, NY 14039
Town of Orangeville	Mel Kensinger	3336 Syler Rd Varysburg, NY 14167

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Town of Java	Richard Cordz	620 Nichols Road Arcade, NY 14009
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FURTHER RESOLVED, That the following alternate at large members are reappointed to the Wyoming County Planning Board for terms of one (1) year, said terms to expire December 31, 2005.

ALTERNATE	REPRESENTATIVE	ADDRESS
Alternate #1	David Reckahn	111 Warsaw Blvd., Lot 2 Silver Springs, NY 14450
Alternate #2	Douglas Post	100 West Main Street, Attica, NY 14011

Carried: Ayes: 1598 Noes: Absent: 20 (Totalsline) Abstain: #29

RESOLUTION NO. 04-350
(December 14, 2004)

By Mr. Miller, Chairman of the Planning Committee:

MEMBERS REAPPOINTED TO THE GLOW ADVISORY COMMITTEE

BE IT RESOLVED, That the following members are reappointed to the Genesee Livingston Orleans Wyoming (GLOW) Advisory Committee:

Planning & Development Representative:
(One year term 01/01/05 – 12/31/05)

- **Richard Tindell** (Planning & Development Director) 6470 Route 20A, suite 4, Perry, NY 14530-9796

Cornell Cooperative Extension Representative:
(One year term 01/01/05 – 12/31/05)

- **Barbara Boyer** (Executive Director/Organization and Operations), 401 North Main Street, Warsaw, NY 14569

Carried: Ayes: 1598 Noes: Absent: 20 (Totalsline) Abstain:

December 14, 2004

**RESOLUTION NO. 04-351
(December 14, 2004)**

By Mr. Miller, Chairman of the Planning Committee:

**MEMBERS REAPPOINTED TO
THE GLOW PLANNING COMMITTEE**

BE IT RESOLVED, That the following member is reappointed to the Genesee Livingston Orleans Wyoming (GLOW) Planning Committee:

*Planning & Development Representative:
(One year term 01/01/05 – 12/31/05)*

- **Richard Tindell** (Planning & Development Director) 6470 Route 20A, Suite 4, Perry, NY 14530-9796

Carried: **Ayes: 1598** **Noes:** **Absent: 20 (Totalsline)** **Abstain:**
#31

**RESOLUTION NO. 04-352
(December 14, 2004)**

By Mr. Miller, Chairman of the Planning Committee:

**MEMBERS REAPPOINTED TO
THE GLOW WORKFORCE INVESTMENT BOARD (WIB)**

BE IT RESOLVED, That the following members are reappointed to the Genesee Livingston Orleans Wyoming (GLOW) Workforce Investment Board (WIB):

*Private Sector Representatives:
(Three year term 01/01/05 – 12/31/07)*

Carried: Ayes: 1598 Noes: Absent: 20 (Totalsline) Abstain:

There was a motion by Supervisor Humphrey, T/Perry, to combine resolutions #33 through #51. A voice vote was taken and all voted aye.

#33

**RESOLUTION NO. 04-354
(December 14, 2004)**

By Mrs. Humphrey, Chairman of Finance Committee:

**REAPPOINT TODD MACCONNELL AS
DIRECTOR OF INFORMATION TECHNOLOGY**

BE IT RESOLVED, That *Todd MacConnell* of 66 Mt. View Ave., Warsaw, NY 14569 is hereby reappointed as Director of Information Technology to a 2 (two) year term effective January 01, 2005 through December 31, 2006.

**Carried: Ayes: 1598 Noes: Absent: 20 (Totalsline) Abstain:
#34**

**RESOLUTION NO. 04-355
(December 14, 2004)**

By Mrs. Humphrey, Chairman of Finance Committee:

RECYCLING FEES LEVIED

BE IT RESOLVED, That the Clerk of this Board is hereby authorized and directed to levy the recycling fees for the year 2005 as indicated in the amount of **\$739,545.00**

VILLAGE	UNITS	TOTAL
Castile	972	137,052.00
	146	10,293.00
Gainesville	816	115,056.00
	16	1,128.00
Genesee Falls	185	26,085.00
	11	775.50
Middlebury	592	83,472.00
	10	705.00
Orangeville	447	63,027.00
	21	1,480.50
Perry	513	72,333.00
	6	423.00
Pike	126	17,766.00
	1	70.50
Sheldon	879	123,939.00
	11	775.50
Warsaw	601	84,741.00
	6	423.00
TOTAL	5,131	723,471.00
	228	16,074.00
GRAND TOTAL		\$739,545.00

Carried: **Ayes: 1598** **Noes:** **Absent: 20 (Totalsline)** **Abstain:**
#35

RESOLUTION NO. 04-356
(December 14, 2004)

By Mrs. Humphrey, Chairman of 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 2004-2005 as presented by the County Treasurer in the total amount of **\$234,274.88** including penalties.

December 14, 2004

Proceedings of the Board of Supervisors
2004-2005 RETURNED UNPAID VILLAGE TAXES
TO BE SPREAD ON 2005 TOWN TAX ROLLS

VILLAGE	TAX RETURN	PENALTY	TOTAL
Arcade	34,469.32	2,412.86	36,882.18
Attica	32,094.98	2,246.66	34,341.64
Castile	10,968.54	767.79	11,736.33
Gainesville	2,074.09	145.19	2,219.28
Perry-(Tn of Castile)	15,753.52	1,102.74	16,856.26
Perry (Tn of Perry)	54,125.36	3,788.80	57,914.16
Pike	2,439.20	170.75	2,609.95
Silver Springs	9,212.83	644.86	9,857.69
Warsaw	53,682.83	3,757.84	57,440.67
Wyoming	4,127.78	288.94	4,416.72
Totals	\$218,948.45	\$15,326.43	\$234,274.88

Carried: **Ayes: 1598** **Noes:** **Absent: 20 (Totalsline)** **Abstain:**
#36

RESOLUTION NO. 04-357
(December 14, 2004)

By Mrs. Humphrey, Chairman of 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 of school taxes for the year 2004-2005 as presented by the County Treasurer in the total amount of **\$1,454,750.69** including penalties.

2003-2004 RETURNED UNPAID SCHOOL TAXES

Regular Session

Proceedings of the Board of Supervisors
TO BE SPREAD ON 2004 TOWN TAX
ROLLS

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TOWN & SCHOOL DISTRICT	TAX RETURNED	7% PENALTY	TOTAL
Arcade(Pioneer Central)	\$ 93,217.24	\$ 6,525.19	\$ 99,742.43
Attica(Attica Central)	\$ 106,738.95	\$ 7,471.66	\$ 114,210.61
Attica(Wyoming Central)	\$ 188.29	\$ 13.18	\$ 201.47
Bennington(Alden Central)	\$ 16,574.63	\$ 1,160.23	\$ 17,734.86
Bennington(Alexander Central)	\$ 799.54	\$ 55.97	\$ 855.51
Bennington(Attica Central)	\$ 118,525.85	\$ 8,296.86	\$ 126,822.71
Bennington(Iroquois Central)			\$ -
Castile(Letchworth Central)	\$ 54,623.14	\$ 3,823.64	\$ 58,446.78
Castile(Perry Central)	\$ 117,542.34	\$ 8,227.95	\$ 125,770.29
Covington(Pavilion Central)	\$ 36,075.91	\$ 2,525.29	\$ 38,601.20
Covington(Perry Central)	\$ 2,183.35	\$ 152.83	\$ 2,336.18
Covington(Wyoming Central)	\$ 17,145.77	\$ 1,200.19	\$ 18,345.96
Eagle(Letchworth Central)	\$ 32,050.43	\$ 2,243.52	\$ 34,293.95
Eagle(Pioneer Central)	\$ 10,511.54	\$ 735.80	\$ 11,247.34
Gainesville(Letchworth Central)	\$ 36,203.12	\$ 2,534.23	\$ 38,737.35
Gainesville(Warsaw Central)	\$ 21,701.69	\$ 1,519.10	\$ 23,220.79
Genesee Falls(Fillmore Central)	\$ 4,294.40	\$ 300.61	\$ 4,595.01
Genesee Falls(Keshequa Central)	\$ 21,644.77	\$ 1,515.14	\$ 23,159.91
Genesee Falls(Letchworth Central)	\$ 4,146.28	\$ 290.25	\$ 4,436.53
Java(Attica Central)	\$ 31,410.07	\$ 2,198.71	\$ 33,608.78
Java(Holland Central)	\$ 1,270.31	\$ 88.92	\$ 1,359.23
Java(Pioneer Central)	\$ 79,700.30	\$ 5,579.04	\$ 85,279.34
Java(Warsaw Central)	\$ 3,056.60	\$ 213.96	\$ 3,270.56
Middlebury(Attica Central)	\$ 1,615.43	\$ 113.08	\$ 1,728.51
Middlebury(Pavilion Central)	\$ 3,128.75	\$ 219.01	\$ 3,347.76
Middlebury(Warsaw Central)	\$ 1,131.30	\$ 79.20	\$ 1,210.50
Middlebury(Wyoming Central)	\$ 46,482.17	\$ 3,253.75	\$ 49,735.92

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Perry(Perry Central)	\$ 157,078.47	\$ 10,995.58	\$ 168,074.05
Perry(Wyoming Central)	\$ 1,541.99	\$ 107.94	\$ 1,649.93
Pike(Fillmore Central)	\$ 191.63	\$ 13.41	\$ 205.04
Pike(Letchworth Central)	\$ 34,749.25	\$ 2,432.39	\$ 37,181.64
Sheldon(Attica Central)	\$ 78,472.71	\$ 5,493.08	\$ 83,965.79
Sheldon(Holland Central)	\$ 9,136.11	\$ 639.52	\$ 9,775.63
Sheldon(Pioneer Central)	\$ 1,338.17	\$ 93.68	\$ 1,431.85
Warsaw (Letchworth Central)	\$ 8,601.80	\$ 602.13	\$ 9,203.93
Warsaw (Perry Central)	\$ 2,597.52	\$ 181.83	\$ 2,779.35
Warsaw (Warsaw Central)	\$ 198,257.73	\$ 13,878.10	\$ 212,135.83
Warsaw (Wyoming Central)	\$ 6,716.17	\$ 470.13	\$ 7,186.30
Wethersfield(Letchworth Central)	\$ 15,696.86	\$ 1,098.79	\$ 16,795.65
Wethersfield(Pioneer Central)	\$ 6,063.08	\$ 424.39	\$ 6,487.47
Wethersfield(Warsaw Central)	\$ 15,586.99	\$ 1,091.09	\$ 16,678.08
Totals	\$ 1,454,750.69	\$ 101,832.59	\$ 1,556,583.28

Carried: Ayes: 1598 Noes: Absent: 20 (Totalsline) Abstain:
#37

RESOLUTION NO. 04-358
(December 14, 2004)

By Mrs. Humphrey, Chairman of Finance Committee

RESCINDS RESOLUTION NUMBER 03-326

BE IT RESOLVED, That Resolution number 03-326 which provided for the Authorization to borrow \$1,506,924.00 (One million five hundred six thousand nine hundred twenty – four dollars) for contribution to New York State Retirement & Local Employees' Retirement System is hereby rescinded.

Carried: Ayes: 1598 Noes: Absent: 20 (Totalsline) Abstain:
#38

RESOLUTION NO. 04-359
(December 14, 2004)

By Mrs. Humphrey, Chairman of Finance Committee

**DEFERRED COMPENSATION COMMITTEE
RESOLUTION TO AMEND AND RESTATE THE MODEL
PLAN**

WHEREAS, the 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 Plan Document of the Deferred Compensation Plan for Employees of County of Wyoming (the "*Model Plan*") and offers the Model Plan for adoption by local employers;

WHEREAS, 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 County of Wyoming;

WHEREAS, effective May 21, 2004, the Board amended the Model Plan to adopt provisions relating to

- Authorization to reject a participant investment request if the request is contrary to the rules, regulations or prospectus of the affected investment fund.
- Authorization to distribute assets that have been rolled into the plan from another qualified retirement plan in accordance with the distribution rules of the plan that previously held the assets.
- Limitations on a participant's eligibility to obtain a loan in the event that the participant has previously defaulted on a loan.
- Modifications related to comments provided by the Internal Revenue Service in response to the Board's request for a private letter ruling stating that the Model Plan document constitutes an "eligible deferred compensation plan."
- Technical amendments pertaining to plan loan rules and the status of plan loans and other withdrawals upon the death of a participant.

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

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WHEREAS, upon due deliberation, County of Wyoming has concluded that it is prudent and appropriate to amend the Deferred Compensation Plan for Employees of 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, December 14, 2004 by adopting the amended and restated Model Plan effective May 21, 2004, in the form attached hereto as Exhibit A.

IN WITNESS WHEREOF, the undersigned have executed this Resolution in Wyoming County, New York this December 14, 2004 and directed that it be filed as appropriate.

Carried: Ayes: 1598 Noes: Absent: 20 (Totalsline) Abstain: #39

**RESOLUTION NO. 04-360
(December 14, 2004)**

By Mrs. Humphrey, Chairman of Finance Committee

2004 ELECTION EXPENSES APPORTIONED

BE IT RESOLVED, That pursuant to Section 4-136 of the Election Laws of the State of New York, the following election expenses for the County of Wyoming for 2004 are accepted and the Clerk of this Board is hereby directed to apportion the same to the Townships with Wyoming County as follows:

TOWNS	NO. ENROLLED VOTERS	AMOUNT OF LEVY	SPECIAL ELECTION
ARCADE	2823	\$1,246.00	\$0.00

ATTICA	2819	1,244.00	0.00
BENNINGTON	2471	1,090.00	0.00
CASTILE	2159	953.00	0.00
COVINGTON	904	399.00	0.00
EAGLE	910	402.00	0.00
GAINESVILLE	1640	724.00	0.00
GENESEE FALLS	338	149.00	0.00
JAVA	1576	695.00	0.00
MIDDLEBURY	1095	483.00	0.00
ORANGEVILLE	902	398.00	0.00
PERRY	3308	1,460.00	0.00
PIKE	739	326.00	0.00
SHELDON	1912	844.00	0.00
WARSAW	3762	1,660.00	0.00
WETHERSFIELD	621	274.00	0.00
TOTAL	27,979	\$12,347.00	\$ 0.00

Carried: **Ayes: 1598** **Noes:** **Absent: 20 (Totalsline)** **Abstain:**
#40

RESOLUTION NO. 04-361
(December 14, 2004)

By Mrs. Humphrey, Chairman of the Finance Committee:

RESOLUTION OF THE BOARD OF SUPERVISORS
LEVYING TAXES AND ASSESSMENTS REQUIRED FOR
PURPOSE OF ANNUAL BUDGET OF TOWNS OF
WYOMING COUNTY

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, 2005 now therefore,

BE IT RESOLVED, That there shall be and hereby is assessed and levied upon and collected from the taxable real property situated in the following named Towns outside of the incorporated Villages, wholly or partially located therein, the amounts indicated below for Highway Outside Village, for purposes included with General Outside Village or to be spread with Highway Outside, as specified in the budgets of the respective Towns as follows:

December 14, 2004

NAME OF TOWN	GENERAL FUND OUTSIDE	HIGHWAY OUTSIDE	TOTAL
ARCADE	\$ 30,000.00	\$ 196,099.00	\$226,099.00
ATTICA	\$ 0.00	\$ 154,156.00	\$154,156.00
BENNINGTON	\$ 0.00	\$ 0.00	\$ 0.00
CASTILE	\$ 7,480.00	\$ 182,700.00	\$190,180.00
COVINGTON	\$ 0.00	\$ 0.00	\$ 0.00
EAGLE	\$ 0.00	\$ 0.00	\$ 0.00
GAINESVILLE	\$ 9,350.00	\$ 105,200.00	\$114,550.00
GENESEE FALLS	\$ 0.00	\$ 0.00	\$ 0.00
JAVA	\$ 0.00	\$ 0.00	\$ 0.00
MIDDLEBURY	\$ 18,850.00	\$ 239,800.00	\$258,650.00
ORANGEVILLE	\$ 0.00	\$ 0.00	\$ 0.00
PERRY	\$ 13,400.00	\$ 140,000.00	\$153,400.00
PIKE	\$ 4,642.80	\$ 102,912.00	\$107,554.80
SHELDON	\$ 0.00	\$ 0.00	\$ 0.00
WARSAW	\$ 10,970.00	\$ 279,600.00	\$290,570.00
WETHERSFIELD	\$ 0.00	\$ 0.00	\$ 0.00
TOTALS:	\$94,692.80	\$1,400,467.00	\$1,495,159.80

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:

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TOWN	FIRE DISTRICT	FIRE PROTECTION	LIGHT	UNPAID WATER/ SEWER & RECYCLE FEE	TOTAL
ARCADE		\$69,400.00		\$85,920.00	\$155,320.00
ATTICA		\$68,591.00			\$68,591.00
BENNINGTON		B \$74,600.00 C 66,850.00 HC 18,900.00 V 5,075.00	\$700.00		\$166,125.00
CASTILE		\$57,200.00	\$5,800.00	****\$241,414.00 *\$8,349.88	\$312,763.88
COVINGTON		PA \$35,217.00 WY 9,300.00 PE 3,350.00		\$500.00	\$48,367.00
EAGLE		\$43,960.00	\$6,000.00	*\$5,116.57 \$6,950.00	\$62,026.57
GAINESVILLE		\$29,300.00			\$29,300.00
GENESEE FALLS		\$31,000.00	\$7,600.00		\$38,600.00
JAVA	NJ \$2,516.33	NJ \$26,831.23 S \$47,366.00	NJ \$2,500.00 JC \$300.00	\$14,292.50 *\$2,935.55	\$96,741.61
MIDDLEBURY		F1\$55,080.00 F2\$11,000.00			\$66,080.00
ORANGEVILLE		V \$28,395.00 O \$12,800.00	L3 \$350.00		\$41,545.00
PERRY	F3 \$850.00	F4 \$24,000.00	PC \$1,600.00	\$15,580.00 ****\$15,000.00	\$57,030.00
PIKE		\$19,000.00			\$19,000.00
SHELDON	V \$5,620.00	ST \$26,443.83 NJ 5,489.01 V 19,970.00 SH 40,000.00 HC 18,900.00	L1 \$3,400.00 L2 \$2,150.00 L3 \$ 425.00 L9 \$1,075.00	*\$690.38	\$124,163.22
WARSAW		\$44,000.00		\$4,969.00	\$48,969.00
WETHERSFIELD		G \$8,500.00 NJ \$12,805.00 B \$4,000.00 SS \$1,700.00			\$27,005.00
TOTAL:	\$8,986.33	\$919,023.07	\$31,900.00	\$401,717.88	\$1,361,627.28

* = UNPAID WATER BILLS **Relevied Recycling ***Recycling
 ****Sewer

and be it

December 14, 2004

Proceedings of the Board of Supervisors

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	\$ 92,784.00	\$ 248,371.00	\$341,155.00
ATTICA	\$ 116,502.00	\$ 189,874.00	\$306,376.00
BENNINGTON	\$ 73,002.00	\$ 523,450.00	\$596,452.00
CASTILE	\$ 143,788.00	\$ 162,060.00	\$305,848.00
COVINGTON	\$ 104,895.00	\$ 259,290.00	\$364,185.00
EAGLE	\$ 162,962.00	\$ 232,265.00	\$395,227.00
GAINESVILLE	\$ 122,683.00	\$ 78,200.00	\$200,883.00
GENESEE FALLS	\$ 89,310.00	\$ 148,558.00	\$237,868.00
JAVA	\$ 109,910.00	\$ 289,703.00	\$399,613.00
MIDDLEBURY	\$ 146,550.00	\$ 149,400.00	\$295,950.00
ORANGEVILLE	\$ 71,038.00	\$ 360,964.00	\$432,002.00
PERRY	\$ 228,260.00	\$ 154,151.00	\$382,411.00
PIKE	\$ 101,630.00	\$ 65,090.00	\$166,720.00
SHELDON	\$ 150,433.00	\$ 406,374.00	\$556,807.00
WARSAW	\$ 344,744.00	\$ 293,650.00	\$638,394.00
WETHERSFIELD	\$ 102,221.00	\$ 159,150.00	\$261,371.00
TOTAL	\$2,160,712.00	\$3,720,550.00	\$5,881,262.00

Carried: Ayes: 1598 Noes: Absent: 20 (Totalsline) Abstain:

**RESOLUTION NO. 04-362
(December 14, 2004)**

By Mrs. Humphrey, Chairman of the Finance Committee:

ADOPTS 2005 EQUALIZATION TABLE

BE IT RESOLVED, That the 2005 Equalization Table, which was tabled on November 9, 2004, be lifted from the table, and be it

FURTHER RESOLVED, That the said following Equalization Table sets forth the percentage of County Tax to be paid by each Town for 2005 is hereby adopted as presented.

ADVISORY EQUALIZ. RATES	TOWN	TOTAL ASSESSED VALUE BEFORE EXEMPTIONS	FULL VALUE AT STATE RATES	% OF CO. TAX TO BE PAID BY EACH TOWN	TAXABLE ASSESSED VALUE
100.00%	ARCADE	171,878,336	171,878,336	0.108319032	171,844,686
100.00%	ATTICA	139,722,766	139,722,766	0.088054348	139,708,066
60.00%	BENNINGTON	107,034,500	178,390,833	0.112423257	106,998,250
100.00%	CASTILE	157,075,116	157,075,116	0.098989930	157,046,366
100.00%	COVINGTON	51,435,346	51,435,346	0.032414945	51,419,646
100.00%	EAGLE	39,689,727	39,689,727	0.025012767	39,682,427
100.00%	GAINESVILLE	67,868,581	67,868,581	0.042771295	67,853,931
100.00%	GENESEE FALLS	20,213,849	20,213,849	0.012738921	20,202,549
100.00%	JAVA	99,146,945	99,146,945	0.062483157	99,137,045
100.00%	MIDDLEBURY	68,924,249	68,924,249	0.043436585	68,920,749
100.00%	ORANGEVILLE	60,048,798	60,048,798	0.037843208	60,046,898
100.00%	PERRY	146,442,189	146,442,189	0.092288979	146,421,239
100.00%	PIKE	34,696,294	34,696,294	0.021865868	34,690,744
100.00%	SHELDON	113,669,035	113,669,035	0.071635089	113,638,935
100.00%	WARSAW	200,600,802	200,600,802	0.126420148	200,596,302
100.00%	WETHERSFIELD	36,975,864	36,975,864	0.023302470	36,951,764
	TOTALS:	1,515,422,397	1,586,778,730	1.000000000	1,515,159,597

Average Rate of Equalization: \$ 6.61 / Thousand
COMMITTEE

FINANCE

Anne Humphrey
Joseph Kushner
Howard J. Miller
Larry Rogers

E. Joseph Gozelski
Sally Meeder
John Knab
Jerry Davis

Carried: Ayes: 1598 Noes: Absent: 20 (Totalsline) Abstain:

December 14, 2004

**RESOLUTION NO. 04-363
(December 14, 2004)**

By Mrs. Humphrey, Chairman of the Finance Committee:

SEMI-ANNUAL REVENUE SHARING FOR THE TOWNS

BE IT RESOLVED, That the Chairman of the Finance Committee, presented the Semi-Annual Revenue Sharing Report for the period of April 1, 2004 through September 30, 2004 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

You are hereby authorized and directed to distribute the Semi-Annual Revenue Sharing amounts totaling \$37,777.13 (Thirty seven thousand seven hundred seventy-seven and thirteen cents) to the sixteen towns of Wyoming County, in accordance with the report filed with the Clerk of the Board of Supervisors, as follows:

TOWNS	REVENUE SHARING DISTRIBUTED
Arcade	4,183.01
Attica	3,506.50
Bennington	4,450.91
Castile	3,333.93
Covington	943.10
Eagle	869.70
Gainesville	1,270.19
Genesee Falls	290.09
Java	3,148.68
Middlebury	1,071.07
Orangeville	1,789.06
Perry	3,960.15
Pike	638.92
Sheldon	2,316.00
Warsaw	5,118.50
Wethersfield	887.32
Total	\$37,777.13

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Let this be your Warrant for Such Payment: **\$37,777.13** (Thirty seven thousand seven hundred seventy-seven and thirteen cents IN WITNESS WHEREOF, I have hereunto set my hand and seal of the Board of Supervisors this 14th day of December, 2004.

s/ Paula A. Parker, Clerk
Board of Supervisors

**Carried: Ayes: 1598 Noes: Absent: 20 (Totalsline) Abstain:
#43**

**RESOLUTION NO. 04-364
(December 14, 2004)**

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) copies of their annual report, in writing, to the Clerk of this Board not later than March 31, 2005, said annual reports 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: 1598 Noes: Absent: 20 (Totalsline) Abstain:
#44**

**RESOLUTION NO. 04-365
(December 14, 2004)**

By Mrs. Humphrey, Chairman of the Finance Committee:

**AUTHORIZE CHAIRMAN AND CLERK TO SIGN TAX
WARRANTS**

WHEREAS, Section 904 of the Real Property Tax Law provides that the Collectors' Warrants in said Tax Rolls should be executed by said Board of Supervisors under the seal of the Board signed by the Chairman and/or Clerk of the Board, and

December 14, 2004

Proceedings of the Board of Supervisors

WHEREAS, The Chairman/Clerk of the Board has presented the Annual Tax Rolls, with extensions therein, for the approval of this Board, now, therefore, be it

RESOLVED, That the Tax Rolls, as extended, are hereby in all things approved and the Chairman or Clerk are hereby authorized and directed to execute and sign the warrants attached in said Rolls: warrants to be returned on or before April 1, 2005.

Carried: Ayes: 1598 Noes: Absent: 20 (Totalsline) Abstain: #45

**RESOLUTION NO. 04-366
(December 14, 2004)**

By Mrs. Humphrey, Chairman of the Finance Committee:

DATE SET FOR ANNUAL ORGANIZATIONAL MEETING

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 Monday, January 3, 2005 at 2:00 PM, to be held at 143 North Main Street, Town of Warsaw, Warsaw, New York.

Carried: Ayes: 1598 Noes: Absent: 20 (Totalsline) Abstain: #46

**RESOLUTION NO. 04-367
(December 14, 2004)**

By Mrs. Humphrey, Chairman of the Finance Committee:

**AUTHORIZE CHAIRMAN TO SIGN EXTENDED
TAX MAP MAINTENANCE CONTRACT**

BE IT RESOLVED, That the Chairman of this Board, with the approval of the County Attorney, and on behalf of Wyoming County Real

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Property Tax Service, is hereby authorized to extend the Tax Map Maintenance contract one (1) year extension with Grover and Bates Associates, Perry, New York 14530, said contract shall be in effect January 1, 2005 through December 31, 2005. This is the optional fifth year payment of the original 3 (three) year agreement. Payment to be paid in accordance with the following schedule; contingent upon the availability of funding:

	3 Year term			1 Year Option	1 Year Option
	2001	2002	2003	2004	2005
Parcel Transfer /per	\$5.00	\$5.00	\$5.50	\$5.50	\$5.50
Additional Work /hr	\$12.25	\$12.25	\$12.50	\$12.50	\$12.50
Map Copies	\$2.00	\$2.00	\$2.00	\$2.00	\$2.00
Ortho Overlays	\$3.00	\$3.00	\$3.00	\$3.00	\$3.00

Carried: Ayes: 1598 Noes: Absent: 20 (Totalsline) Abstain: #47

**RESOLUTION NO. 04-368
(December 14, 2004)**

By Mrs. Humphrey, Chairman of the Finance Committee:

CAROLE L. BUTLER REAPPOINTED OTB DIRECTOR

BE IT RESOLVED, That *Carole L. Butler* of 44 State Street, Warsaw, NY 14569, is hereby reappointed as Director to represent Wyoming County on the Board of Directors of the Western Region Off-Track Betting Corporation for a 2 (two) year term. Term to be effective January 01, 2005 through December 31, 2006, upon the approval of the New York State Racing and Wagering Board.

Carried: Ayes: 1598 Noes: Absent: 20 (Totalsline) Abstain: #48

RESOLUTION NO. 04-369

December 14, 2004

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(December 14, 2004)

By Mrs. Humphrey, Chairman of the Finance Committee:

**AMEND RESOLUTION NUMBER 04-262 TO EXTEND
CONSULTING CONTRACT WITH STUART HEMPEL**

BE IT RESOLVED, That Resolution Number 04-262 be amended to reflect an extension of the original 4 (four) month consulting services contract regarding the change of administration in the Civil Service / Personnel Department with Stuart Hempel of 1338 Werner Road, Warsaw, NY 14569; to include an additional 3 (three) months at a rate of \$1,500.00 (One thousand five hundred dollars) per month, not to exceed \$4,500.00 (Four thousand five hundred dollars) with all other terms and conditions remaining the unchanged; and be it further

RESOLVED, That the Chairman of this Board with the approval of the County Attorney is hereby authorized and directed to sign the extended contract; contingent upon the availability of funds;

Carried: Ayes: 1598 Noes: Absent: 20 (Totalsline) Abstain:
#49

RESOLUTION NO. 04-370
(December 14, 2004)

By Mrs. Humphrey, Chairman of the Finance Committee:

AMEND SALARY SCHEDULE “S”

BE IT RESOLVED, That the Wyoming County Salary Schedule “S” be amended to increase the salary for the Secretary to the County Highway Superintendent by 2% (\$570.00) setting the new salary at \$29,054.00 (Twenty nine thousand fifty four dollars) annually, retroactive to January 01, 2004.

Carried: Ayes: 1598 Noes: Absent: 20 (Totalsline) Abstain:
#50

RESOLUTION NO. 04-371
(December 14, 2004)

By Mrs. Humphrey, Chairman of the Finance Committee:

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AMEND SALARY SCHEDULE “S”

BE IT RESOLVED, That the Wyoming County Salary Schedule “S” be amended to abolish the Secretary to the DWI Program; and be it further

RESOLVED, That the salary of the Secretary to the District Attorney be set at \$30,713.00 (Thirty thousand seven hundred thirteen dollars) (Salary equals that of the two positions). Effective January 1, 2005.

Carried: **Ayes: 1598** **Noes:** **Absent: 20 (Totalsline)** **Abstain:**
#51

**RESOLUTION NO. 04-372
(December 14, 2004)**

By Mrs. Humphrey, Chairman of the Finance Committee:

HIPAA COMPLIANCE OFFICERS REAPPOINTED

BE IT RESOLVED, That the following persons are hereby reappointed to the following HIPAA Compliance Officer Positions, for a term of one year, said term to expire December 31, 2005:

- *Anne Herod* (Probation Director) – Privacy Officer
- *Todd MacConnell* (Information Technology Director) – IT
Security Officer

Carried: **Ayes: 1598** **Noes:** **Absent: 20 (Totalsline)** **Abstain:**
#52

**RESOLUTION NO. 04-373
(December 14, 2004)**

By Mrs. Humphrey, Chairman of the Finance Committee:

**TENTATIVE 2005 BUDGET FOR WYOMING COUNTY
ADOPTED**

December 14, 2004

BE IT RESOLVED, That the tentative budget for the year 2005, as filed with the Clerk of this Board, and as hereto attached, is hereby adopted as the county budget for the year 2005, which requires the raising by tax levy the amount of \$10,011,830.62 (Ten million eleven thousand eight hundred thirty dollars and sixty – two cents) and be it

FURTHER RESOLVED, That the said sum of \$10,011,830.62 (Ten million eleven thousand eight hundred thirty dollars and sixty – two cents) is hereby levied against the taxable property within the County, as equalized by this Board, and the Chairman and/or Clerk of the Board is hereby directed to apportion and spread said sum against the properties within the County, which are subject to taxation, and be it

FURTHER RESOLVED, That the several amounts specified in such budget in the column entitled “ADOPTED”, and the totals for the several objects set forth below, be appropriated for such objects effective January 1, 2005.

Carried: Ayes: 1339 Noes: 46 (Rogers) Absent: 20 (Totline) Abstain: 213 (Miller)

Before the roll was taken for the above resolution Supervisor Gozelski spoke in favor of the resolution. Stating that the Supervisors all support Wyoming County’s Cooperative Extension. Supervisor Miller stated that the county would only have to raise taxes ½ of a percent to restore the budget for Cooperative Extension.

#53

RESOLUTION NO. 04-374 (December 14, 2004)

By Mrs. Humphrey, Chairman of the Finance Committee:

AMEND / ADOPT SALARY SCHEDULE “T”

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

Effective January 1, 2005 the salaries of the positions of the Chairman of the Board of Supervisors and the Board of Supervisors Town Representatives shall be increased by two percent (2%) setting the new annual salaries at \$40,800 (Forty thousand eight hundred dollars) for the Chairman and \$10,200 (Ten thousand two hundred dollars) for each Town Supervisor; and be it

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FURTHER RESOLVED, Schedule "I" as amended shall be substituted for the existing Schedule "I" as amended and adopted by resolution #04-286 on October 12, 2004. Commencing January 1, 2005, 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: 1503 Noes: 49 (Kushner) Absent: 20 (Totoline) Abstain: 46 (Rogers)

Chairman Berwanger pointed out that today is the last day Mrs. Humphrey would officially preside as the Finance Chairman for Wyoming County. Mrs. Humphrey thanked her fellow Supervisors for all of their help and support.

There being no further business to come before this board, with a slap on her desk Mrs. Humphrey declared the meeting adjourned at 2:49 PM.

Respectfully submitted,
Cheryl J. Ketchum

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